



DEVELOPMENT SERVICES
DEPARTMENT

**CITY OF SACRAMENTO
CALIFORNIA**

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DEVELOPMENT ENGINEERING
AND FINANCE

July 7, 2004

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: OAK PARK PROPERTY AND BUSINESS IMPROVEMENT DISTRICT
#2004-03 – PUBLIC HEARING**

LOCATION AND COUNCIL DISTRICT:

The Oak Park Property and Business Improvement District (PBID) is located in Council District 5. The district includes approximately 175 parcels and 88 property owners in the Oak Park Area (see Attachment "A").

RECOMMENDATION:

This report recommends that the City Council conduct a public hearing on the Oak Park Property and Business Improvement District. After the close of the hearing, staff will count the ballots and present the results during the afternoon council session. After the ballot tally has been reported, it is recommended that Council adopt the following resolutions:

- Declaring the results of the majority protest proceedings and to establish the Oak Park Property and Business Improvement District.
- Approving the budget for Oak Park PBID, FY 2004-05.

CONTACT PERSONS: **Sini Makasini, Administrative Analyst, 808-7967**
Ron Wicky, Program Specialist, 808-5628

FOR COUNCIL MEETING OF: August 5, 2004

SUMMARY:

On June 15, 2004, the City Council initiated the approval of the Oak Park Property and Business Improvement District and authorized staff to publish a notice of public hearing

and mail notices to each property owner. The purpose of this hearing is to receive public testimony and to take action in forming this District.

COMMITTEE/COMMISSION ACTION:

None.

BACKGROUND INFORMATION:

- **PBID Concept:** The formation of the PBID was initiated by property owners and is a cooperative effort between Oak Park property owners, the Oak Park Business Association, and the Sacramento Housing and Redevelopment Agency (SHRA). The purpose of the District is to provide special services to enhance and revitalize a designated area of the Oak Park Redevelopment Project Area. The PBID will enhance and support the City's and the Sacramento Housing and Redevelopment Agency's (SHRA) efforts to attract new business investment and jobs to the area. Under the Property and Business Improvement District concept, the cost will be shared by each property owner, based on the level of benefit received, over and above a baseline level of City services already provided to the area. The baseline City services will not change (will not decrease) from the current level provided because of the enhanced services provided by the PBID.
- **Management Plan:** The Oak Park Management District Plan ("Management Plan") is a comprehensive document, which describes the process of forming the PBID and providing the services identified by the property and business owners. A copy of the Management Plan has been filed with the City Clerk's Office. Additional copies are available at the offices of SHRA at 600 I Street, Suite 250.
- **Services:** A complete list of services to be provided is included in the Management Plan, however a brief overview follows:

1. Public Safety and Maintenance Perception

Clean and Safe Program

A security program with close ties to the community is a vital part of a public safety plan. The stakeholders in Oak Park have emphasized a "hands on" security program that deters street crime and disorderly conduct. A security program with guide patrols that keep in close communication with the property and business owners in Oak Park is one central point of this program.

Another important factor with a security program is having flexibility to answer particular needs in a particular area. Thus, a guide program that can respond to the needs of Oak Park is also vital.

With these factors in mind, the proposed guide program would emphasize prevention of street crime. They would act as the eyes and ears of Oak Park to deter and report illegal street vending, illegal dumping and street code violations. They would respond to a myriad of quality-of-life problems including: drinking in public, urinating in public, indecent exposure, trespassing, prostitution observations,

scavenging, and shopping cart confiscation.

Visibility of the guides is an important aspect of security perception. To emphasize the visibility of the guides in Oak Park, the Plan proposes that the guides patrol Oak Park on bikes or in vehicles. This allows the guides to have contact with the local businesses and residents, but gives the guides adequate transportation to patrol the area.

Integration with the Sacramento Police Department

The Oak Park security program will work closely with the Sacramento Police and integrate the Oak Park program into a unified presence. Also, the businesses that have hired private security may integrate their security program with the Police and the Oak Park program.

The Sacramento Police Department has represented to the Oak Park property owners that if the proposed PBID could provide the Sacramento Police Department with the proper equipment, the Sacramento Police would provide the personnel for bicycle patrols. The PBID would continue to pursue this option and the budget allows for the purchase of the equipment.

Maintenance Patrol

Maintenance patrols provide additional debris and garbage collection beyond existing City Services. The patrols will pick up garbage from illegal dumping and collect additional garbage that the City cannot pick up. Also, the maintenance patrols will provide graffiti abatement in public areas, such as benches and bus stops. In addition, the maintenance patrol will provide landscaping services to the area, such as maintaining trees and cutting back weeds in Oak Park.

The maintenance patrol is a single shift for eight hours a day, seven days a week. The patrol will perform regular rounds in Oak Park looking for maintenance problems. The patrol will also stay in communications with operations to carry out any emergency clean up.

2. Advocacy, Advertising, and Economic Development Program

To provide Oak Park with an effective, clear voice in government decisions, the Plan provides for an administrator to speak on behalf of the property and business owners within the PBID. The administrator will market Oak Park to potential businesses, coordinate special events to attract more business, and be an advocate on behalf of Oak Park to receive additional funding and services.

3. Image Enhancement Program

The Image Enhancement Program will be developed to promote Oak Park as a vibrant commercial center. The program that is developed will include several tools to support the efforts of individual property owners and brokers to attract and retain tenants. Several types of communication elements could be used, including banners, business directories, and promotional events.

- **PBID Formation:** Formation proceedings require submission of petitions from property owners representing more than 50 percent of the total annual assessments prior to initiating proceedings. Ballots are mailed to all affected property owners. A majority vote is required for the district to proceed. The PBID will have a five-year life, beginning January 1, 2005. After five years, the petition and ballot process must be repeated for the District to continue its existence.

FINANCIAL CONSIDERATIONS:

<u>PBID Budget:</u>	<u>Totals/Percentage</u>
Public Safety and Maintenance Perception: The safety and maintenance program will attempt to improve both safety in and physical perception of Oak Park.	\$120,500 (62%)
Advocacy, Communication and Economic Development: To promote the district and draw customers and investment capital.	\$ 42,500 (22%)
Image Enhancement: To attempt to attract customers and businesses to the area and to special events and attractions.	\$ 30,000 (16%)
Total	\$193,000 (100%)

- **Assessments:** The annual assessments are based upon an allocation of program costs and a calculation of land acreage. The costs to the property owner are based upon total lot square footage. Annual assessment on property throughout the proposed District is \$0.12 (12 cents) per parcel square foot in Zone 1, and \$0.04 (4 cents) in Zone 2. Residential properties with 4 units or less shall not be assessed. The assessment formula contained in the Management Plan provides that the annual budget and assessment rates may be increased each year to account for inflation. The annual inflation adjustment will be based on the Bay Area Consumer Price Index (CPI) for all urban consumers not to exceed 3%(percent).
- **City Participation:** The City of Sacramento will be participating as a property owner in the district. City owned properties will have a total annual assessment of approximately \$27,000 for FY 2004/05. Assessments will be collected annually through the County property taxes.

ENVIRONMENTAL CONSIDERATIONS:

Under the California Environmental Quality Act (CEQA) guidelines, district formation proceedings do not constitute a project and is therefore exempt from review.

POLICY CONSIDERATIONS:

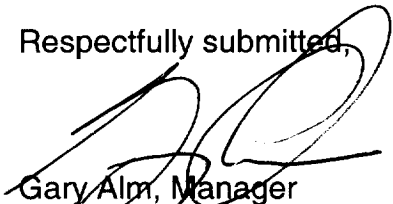
These proceedings for this district are being processed as set forth in Section 36600 of the California Streets and Highways Code, entitled "Property and Business Improvement

District Law of 1994". This process is consistent with the City's Strategic Plan in preserving and enhancing the City's neighborhoods and quality of life.

ESBD CONSIDERATIONS:

City Council approval of these proceedings is not affected by City policy related to the ESBD program.

Respectfully submitted,




Gary Alm, Manager
Development Engineering and Finance

Approved:



Michael Medema, Interim Director
Development Services Department

RECOMMENDATION APPROVED:

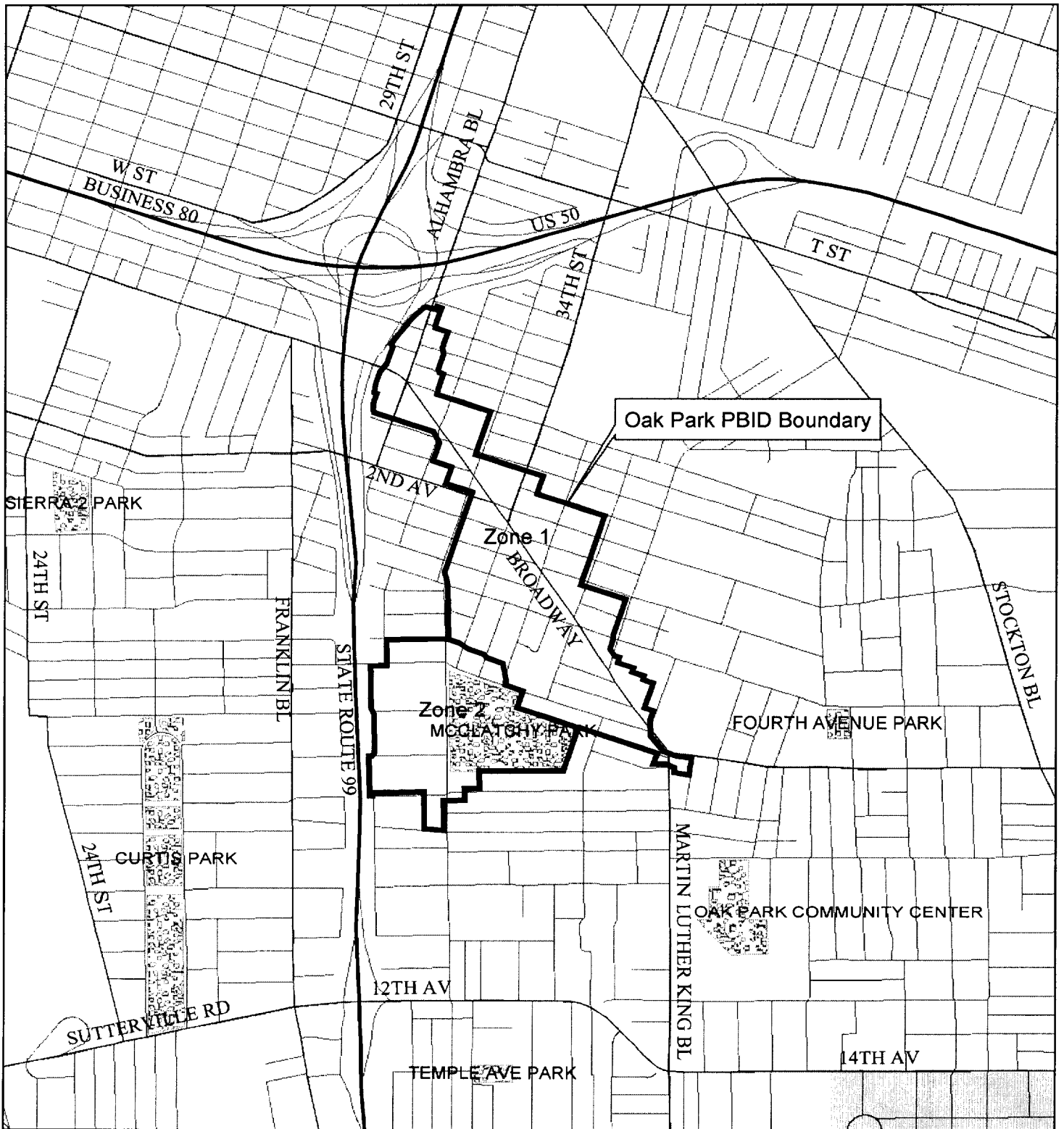


ROBERT P. THOMAS
City Manager

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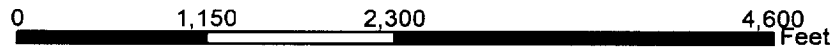
1. Attachment A, Map of Oak Park PBID, pg. 6
2. Attachment B, Schedule of Proceedings, pg. 7
3. Resolution, Establishing the Oak Park PBID, pg. 8
4. Exhibit A, Management Plan of Oak Park PBID, pg. 11
5. Exhibit B, District Boundary Map of Oak Park PBID, pg. 40
6. Resolution, Approving the Budget For FY 2004-2005, -pg. 41

Proposed Oak Park PBID



City Of Sacramento
Development Services
Department
Special Districts

BMueller 5/18/04



ATTACHMENT B

**SCHEDULE OF PROCEEDINGS
OAK PARK
PROPERTY AND BUSINESS IMPROVEMENT DISTRICT #2004-03**

May 3, 2004	Petition drive kick-off
May 28, 2004	Received Signed Petitions
June 15, 2004	Council Adopts: <ul style="list-style-type: none">• Resolution Accepting Petition and Approving the Boundary Map• Resolution of Intention
June 2004	Record Boundary Map
June 2004	Mail, Publish Notice of Hearing, Management Plan, and Ballot
August 5, 2004	Public Hearing – City Council
	<u>COUNCIL CONSIDERS ALL PROTESTS, LEVIES ANNUAL ASSESSMENT</u>
August 2004	Transfer assessments to County Auditor/Controller
November 2004	Property Owners receive tax bills
January 2005	District services commence

RESOLUTION NO. 2004-____

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON _____

RESOLUTION DECLARING THE RESULTS OF THE MAJORITY-PROTEST PROCEEDINGS AND ESTABLISHING THE OAK PARK PROPERTY AND BUSINESS IMPROVEMENT DISTRICT

RECITALS:

A. The owners of property within the boundaries of the Oak Park Property and Business Improvement District (PBID) have submitted petitions asking that the City Council establish the PBID. Included with the petitions was a management district plan (the Oak Park PBID Management District Plan) that describes the proposed assessment to be levied on property within the PBID to pay for the following activities and improvements: (1) a security program to support police and property owner crime prevention efforts; (2) a maintenance program to increase the frequency of litter and debris removal, pressure washing of sidewalks, and graffiti removal; (3) image enhancement and advocacy to promote business interests and allow the business community to speak with one voice and leverage additional funding for Oak Park improvements. The Oak Park PBID Management District Plan is attached to this resolution as Exhibit A. Also attached, as Exhibit B, is a map of the exterior boundaries of the PBID. Both exhibits are part of this resolution.

B. The proposed owners who signed the petitions will collectively pay more than 50% of the proposed assessment. Accordingly, on June 15, 2004, the City Council adopted Resolution No. 2004-447, entitled "Resolution of Intention to Establish the Oak Park Property and Business Improvement District" (the Resolution of Intention). Among other things, the Resolution of Intention states that a public hearing on the establishment of the PBID and the proposed assessment will be held on August 5, 2004, at 2:00 p.m. in the City Council's chambers, Interim Sacramento City Hall, 730 "I" Street (first floor), Sacramento, California. The Resolution of Intention also states the City Council's finding that the Oak Park PBID Management District Plan satisfies all requirements of Streets and Highways Code section 36622.

C. The properties within the exterior boundaries of the PBID will be benefited by the activities and improvements to be funded by the proposed assessment.

D. On June 16, 2004, the City Clerk mailed to each record owner of each parcel within the PBID's exterior boundaries a notice concerning the public hearing on the establishment of the PBID and the proposed assessment. Each notice included the statutorily required information about the assessment and the majority-protest procedure, as well as an assessment ballot.

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RESOLUTION NO: _____

DATE ADOPTED: _____

E. At 2:00 p.m. on August 5, 2004, in the City Council's chambers, Interim Sacramento City Hall, 730 "I" Street (first floor), Sacramento, California, the City Council held a public hearing regarding the establishment of the Oak Park PBID and the levy of the assessment.

During the public hearing, the City Council heard and received all objections and protests to the establishment of the PBID and the proposed assessment. At the conclusion of the hearing, and in accordance with Government Code section 53753, the City Clerk tabulated the assessment ballots submitted and not withdrawn. The City Clerk determined that the number of assessment ballots submitted and not withdrawn in opposition to the proposed assessment did not exceed the number of ballots submitted and not withdrawn in favor of the proposed assessment, with ballots weighted according to the amount of the assessment to be imposed upon the parcel for which each ballot was submitted. Therefore, a majority protest against the proposed assessment does not exist.

F. All actions and proceedings described in Recitals A through F were undertaken and completed in accordance with the Property and Business Improvement District Law of 1994.

BASED ON THE FOREGOING RECITALS, THE CITY COUNCIL OF THE CITY OF SACRAMENTO RESOLVES AS FOLLOWS:

Section 1. Recitals Adopted as Findings. The City Council finds that Recitals A through G are true and adopts them as findings.

Section 2. Establishment of the Oak Park Property and Business Improvement District.

- (a) The PBID is established for a five-year term that will expire on December 31, 2009.
- (b) The activities and improvements to be provided for the PBID will be funded by the levy of an assessment on real property within the PBID, as described in Exhibit A, the PBID Management Plan.
- (c) Properties within the PBID will be subject to any amendments to the Property and Business Improvement District Law of 1994.
- (d) The revenue from the levy of the proposed assessment on property within the PBID may not be used to provide activities or improvements outside the PBID or for any purposes other than those specified in the Resolution of Intention.
- (e) In accordance with Streets and Highways Code section 36631 and the PBID Management Plan, the assessment to fund the activities and improvements for the PBID will be collected at the same time and in the same manner as are ad valorem property taxes and will have the same lien priority and penalties for delinquent payment.

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Section 3. Bonds. Bonds will not be issued.

Section 4. Boundaries. The exterior boundaries of the PBID are depicted on the map attached as Exhibit B.

Section 5. Authorization. The City Manager (or his designee) is directed to take all necessary actions to complete the establishment of the PBID and to levy the assessment. The City Clerk is directed to record, in the Sacramento County Recorder's office, a notice and assessment diagram as required by Streets and Highways Code section 36627. The City Clerk is further directed to certify the passage and adoption of this resolution and to enter it in the book of original resolutions.

PASSED AND ADOPTED on August 5, 2004, by the following vote:

AYE:

NOE:

ABSTAIN:

ABSENT:

MAYOR

ATTEST:

CITY CLERK

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DATE ADOPTED: _____

EXHIBIT A



OAK PARK
PROPERTY AND BUSINESS IMPROVEMENT DISTRICT

MANAGEMENT DISTRICT PLAN

SUBMITTED TO THE

Sacramento Housing and Redevelopment Agency

and

Oak Park Business Association

April 7, 2004

By

Downtown Resources

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RESOLUTION NO: _____

DATE ADOPTED: _____

OAK PARK MANAGEMENT DISTRICT PLAN

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Introduction and Overview

Developed by a growing coalition of property and business owners, the Oak Park Property and Business Improvement District (PBID) is a benefit assessment district proposed to improve the commercial area of Oak Park. The Management District Plan establishes various programs to increase the commercial activity in Oak Park. This approach has been successful in other commercial districts throughout the country to increase sales, attract new tenants, increase occupancies, and increase property values.

Location: The approximate boundaries: The proposed District is bordered on the north end from W Street and runs along Alhambra Boulevard frontage parcels to Y Street, where it turns down Broadway. All parcels which front Broadway down to where it intersects with Martin Luther King Boulevard are included. Some parcels along side streets such as 2nd Avenue to the east of Broadway, and 3rd, 4th and 5th Avenue to the West of Broadway, are included. The boundaries have two zones. Zone 1 is the dense commercial parcels along Alhambra Blvd., Broadway, and the surrounding side streets. Zone 2 includes McGeorge Law School, Sara Lee Bakery Group, and McClatchy Park along 33rd Street and a small portion of 5th Avenue. For specific boundaries, please see the boundary map on page 8.

Services: The PBID will provide a security program to support police and property owner crime prevention efforts; maintenance services to increase the frequency of litter and debris removal, pressure washing of sidewalks and graffiti removal; image enhancement & advocacy to promote business interests and allow the business community to speak with one voice and leverage additional funding for Oak Park improvements.

Budget: The total PBID budget for year one of its five (5) year operation is a base of approximately \$193,000. Assessment rates may be subject to an increase by no more than 3% per year or CPI, whichever is less.

Cost: Annual assessment rates are based on an allocation of program costs and a calculation of lot square footage. The cost to the property owner is \$0.12 per square foot of land per year in Zone 1 and \$0.04 per square foot of land per year in Zone 2. Tax exempt properties are assessed at a 25% rate or \$0.03 per square foot in Zone 1. There are no tax exempt properties in Zone 2. Exclusively residential properties with 4 units or less are not assessed.

Formation: PBID formation requires submittal of petitions from property owners representing at least 50% of the total annual assessment and a favorable ballot vote of the property owners conducted by the City. The "Right to Vote on Taxes Act" (also known as Proposition 218) requires that more than 50% of the ballots received, weighted by assessment, be in support of the PBID. There will also be City Council hearings.

Duration: The PBID will have a five-year life. After five (5) years, the petition process, ballot process, and City Council hearing process must be repeated for the PBID to be reestablished.

WHY A PBID for OAK PARK

There are several reasons why it is the right time to form a PBID in Oak Park:

1. *The Need to Improve Security in Oak Park.*

Property owners agree that improved security and a reduction in street disorder would increase property values and business volume. Many customers and employees recognize a need for additional security. The City of Sacramento is responsible for providing policing on a citywide basis. The District will add security services and customize them to meet the unique needs of the Oak Park community.

2. *The Need to be Proactive in Determining the Future of Oak Park.*

In order to protect their investment, property owners must be partners in the process that determines how new development projects are implemented. Currently, property owners react to proposals individually without focus or coordination. Property owners in cities such as Denver, Los Angeles, Portland and Phoenix have been successful at leading and shaping future development through their strong business improvement districts.

A PBID in Oak Park will provide a professional administrator with the financial resources to insure that the challenges faced by Oak Park property and business owners will be proactively addressed.

3. *The Need to Attract New Business and Investment Throughout Oak Park.*

If Oak Park is to compete as a successful commercial district it must develop its own well financed, proactive strategy to retain businesses and tenants, as well as attract new business and investment. A PBID will provide the financial resources to develop and implement a focused strategy that will work to fill vacancies and attract new businesses to all areas of Oak Park.

4. *An Opportunity to Create a Private/Public Partnership with a Unified Voice for Oak Park.*

Because property owners would be investing new private money through the PBID, they will be looked upon as a strong partner in negotiations with the City. This partnership will have the ability to leverage the property owner's investment with additional public investment in Oak Park.

Both property and business owners could be united under the PBID umbrella, which would then be able to approach the public sector with a viable and unified private sector voice.

5. *An Opportunity to Establish Private Sector Management and Accountability.*

A non-profit business organization formed for the sole purpose of improving Oak Park would manage these new services and the PBID. Annual PBID work plans and budgets will be developed by the board of this non-profit, which will be comprised of stakeholders that own businesses and property in Oak Park. New security, marketing, and promotional services will be subject to private sector performance standards, controls, and accountability.

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The increasing Sacramento population, coupled with a strong demographic mix, give businesses in Oak Park an opportunity to expand their market base. However, the Oak Park business area also has extensive competition from other areas of the City. Thus, for Oak Park businesses to remain competitive, they must retain and expand their market presence. Creating a PBID will provide the means for businesses to avoid and combat the problems that lead to declining market presence.

What Is a Property and Business Improvement District

The International Downtown Association estimates that more than 1,200 PBIDs currently operate throughout the United States and Canada.

A PBID may provide services, identity formulation, market research, and economic development in addition to those provided by local government. In addition, they may provide physical improvements such as entry features, benches, or lighting. These services are concentrated within a distinct geographic area and are paid for by means of a special property owner assessment. A Board of Directors representing those who pay the assessment would govern the organization responsible for providing these services.

PBIDs are proven to work by providing services that improve the overall viability of commercial districts, resulting in higher property values and sales volumes.

The Oak Park PBID will be formed pursuant to the “Property and Business Improvement District Law of 1994,” which was signed into law by then Governor Pete Wilson. The legislation ushered in a new generation of PBIDs in California by allowing a greater range of services and independence from government. The PBID law:

- Allows PBIDs to undertake services ranging from security to maintenance and from business advocacy to economic development.
- Allows revenue for services to be raised from annual assessments on real property.
- Allows formation of a PBID *designed and governed by those who will pay* the assessment.
- Requires petition support from private property owners paying at least 50% of proposed private property assessments to form a PBID.
- Requires limits for assessments to ensure that they do not exceed pre-established levels.
- Provides a multi-year life for PBIDs. Renewal of a PBID requires a new petition process, Proposition 218 ballot vote, and City or County hearings. The Oak Park PBID will have a five (5) year term.

The “Property and Business Improvement Business District Law of 1994” (AB 3754) as amended January 1, 2004 is provided in Appendix 1 of this document.

History of Oak Park PBID EFFORT

AREA HISTORY

The Oak Park commercial area is the second oldest commercial area in the City of Sacramento. The area was originally developed in the late 1880's as a separate community and the first "suburb" of Sacramento in 1892. The "downtown" of Oak Park included lively retail and theater development along Broadway and 35th Streets. The area was connected to the Central City by a trolley system which terminated in Oak Park (now McClatchy Park) at 5th Avenue and 35th Street.

In the 1940's and 1950's the commercial core of Oak Park served as a strong and vital downtown. However, transportation changes in the late 1950's (i.e. Construction of State Highway 99) and suburbanization trends in the region undermined the economic base of the area. With new transportation routes and new suburban areas developing, many middle and upper class families moved away from Oak Park.

During the late 1960's, national and local issues related to civil rights and community relations were reflected in the riots of Oak Park. The central retail core of Oak Park along 35th Street was subjected to fires and disinvestment. Subsequently, federal urban renewal funding and redevelopment funds were used to clear the blighted buildings. Thus, by the late 1960's and early 1970's, Oak Park was selected as a revitalization area for the Federal Department of Housing and Urban Development's "War on Poverty" programs, and subsequently in 1973, a redevelopment area was formed.

Since formation as a redevelopment area, the community and local government has focused in large part on improving living conditions in Oak Park through new housing improvements and infrastructure. In 1995, an Oak Park Business Association was reestablished, reflecting a renewed interest in revitalizing the commercial corridor and encouraging new businesses in the area.

Since that time, many new businesses have been established in historic Oak Park. However, image and security problems are still challenges to the commercial vitality of the area. Thus, the Oak Park Business Association began exploring options to support more effective revitalization and improvement of the commercial area. A PBID was identified as one of the most successful tools used by similar commercial areas seeking to revitalize. To this end, the Oak Park Business Association and their partners are promoting broader understanding of and support for the establishment of a PBID for Oak Park.

**INITIAL STAKEHOLDER MEETINGS AND FORMATION OF THE
STEERING COMMITTEE**

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Oak Park property and business owners have begun a process to develop an organizational structure and financing to address the above challenges. Part of this endeavor is a coordinated effort to distinguish Oak Park as a desirable commercial area in Sacramento. This Management District Plan, and the creation of a unified organization with a secure funding mechanism, provides another critical step in achieving the vision developed by the property and business owners.

In 2002, the Oak Park Business Association and the Sacramento Housing and Redevelopment Agency (SHRA) determined that the formation of a PBID would enhance the economic development of the Oak Park commercial area. To this end, the Business Association and SHRA contracted with Mr. John Lambeth's firm Downtown Resources to hold property owner meetings to determine the property owners' concerns and interests. The meetings in 2002 and 2003 explained a PBID to the local businesses and landowners in Oak Park.

Mr. Lambeth held several individual steering committee meetings and meetings with Oak Park property and business owners and residents to organize and develop a private-sector organization. The goal of the meeting was to focus the PBID creation effort and develop a draft Management District Plan for a PBID. The steering committee identified several needs for Oak Park and established a strategy for forming a PBID in Oak Park. This Management District Plan is the result of those steering committee meetings.

MEETINGS WITH PROPERTY OWNERS, BUSINESS OWNERS & OTHER STAKEHOLDERS

In 2002, the Oak Park Business Association and SHRA hosted four workshops with property owners, business owners, and other stakeholders. The attendees represented both large and small properties and businesses in Oak Park. The purpose of these meetings was to present information on PBIDs, and elicit property and business owners' interests in and/or concerns about Oak Park. The collection of information included surveys and discussions of business issues. The participants discussed the logistics of a PBID including service plan options, organizational issues, boundaries, benefit zones, and various assessment methodologies.

Interesting preliminary results were obtained through these meetings. In all of these groups, security and the perception of safety were identified as a high priority. When asked how a limited amount of resources should be allocated, many property owner and business owner groups indicated a desire for increased security and decreased street disorder. Many respondents also suggested that marketing, debris removal, maintenance, and landscaping were also important services to be considered.

Some stakeholders responded that they would dedicate resources to abating prostitution and drug related loitering, promotional activities, and a marketing or advocacy program for Oak Park. Special events and improved parking were areas that the respondents were least interested in funding.

Representatives from Downtown Resources continued discussions with property owners culminating in the development of this Management District Plan. . A number of individual meetings were held to further refine the needs and desires of property owners and business owners in the area. From March 2002 until March 2003, members of the Oak Park PBID Steering Committee and representatives from Downtown Resources continued to meet to discuss and refine the Management District Plan. In April

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2003, after lengthy discussions with key stakeholders in Oak Park, the Steering Committee and Downtown Resources presented a draft Management District Plan to the property owners at a public workshop. Following the workshop, members of the steering committee and representatives from Downtown Resources continued to refine the Management District Plan to meet the property owners' comments from the workshops. Members of the Sacramento City Council lent their support by visiting key stakeholders to discuss the proposed PBID. This Management District Plan is the end result of the discussions with the property owners from Oak Park.

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PBID Boundaries

The Oak Park PBID will deliver services along and surrounding the Broadway commercial corridor in Oak Park. The boundaries have been divided into two zones. Zone 1 on the north end is bordered by W Street and runs along Alhambra Boulevard frontage parcels to Y Street, where it turns down Broadway. Zone 1 includes all parcels which front Broadway down to where it intersects with Martin Luther King Jr. Boulevard. Some parcels along side streets such as 2nd, 3rd, 4th, and 5th Avenues are included. Properties which make up Zone 2 run along 33rd Street from 5th Avenue to 6th Avenue, and from 32nd Street to 35th Street and include McGeorge Law School, Sara Lee Bakery Group, and McClatchy Park.

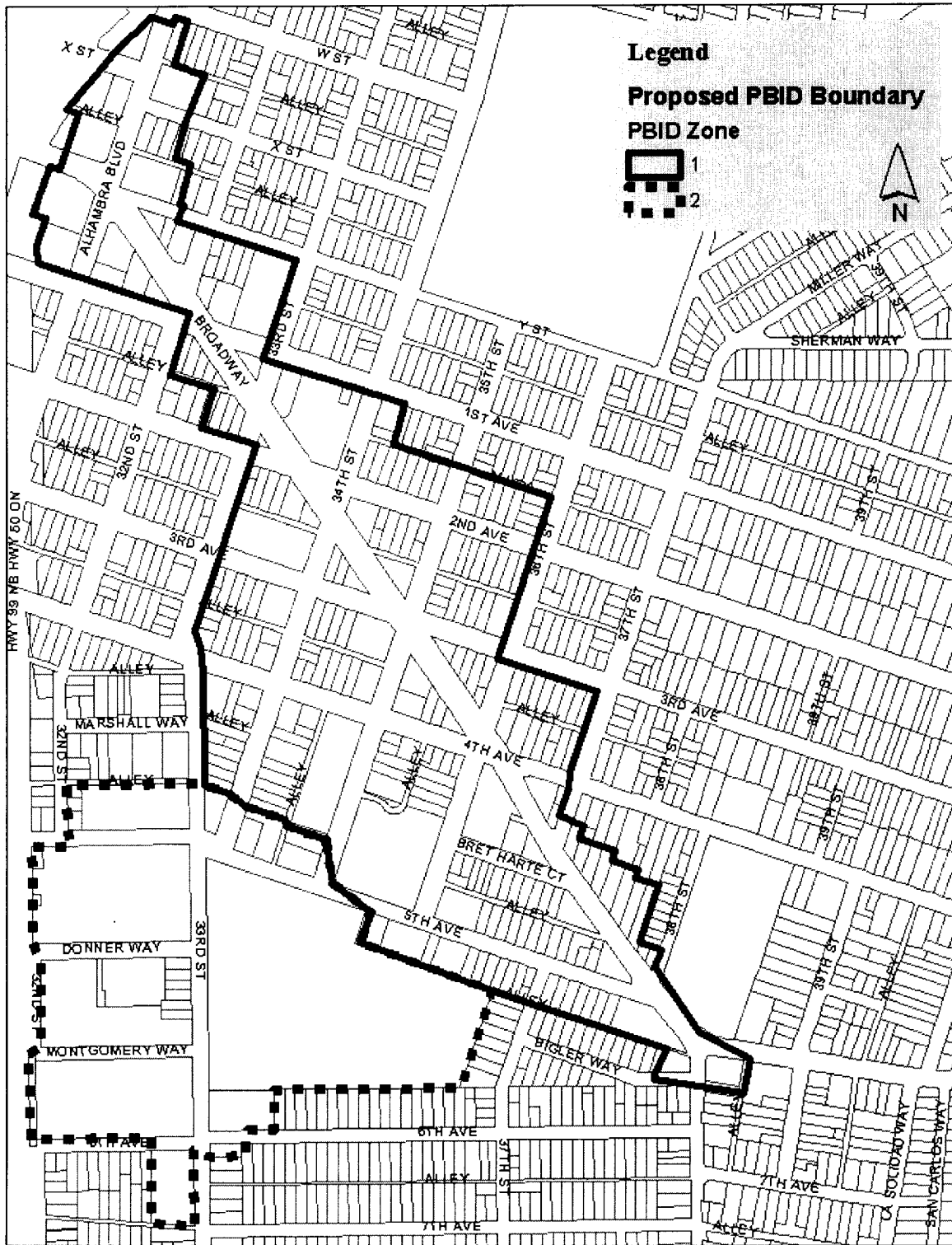
The service area includes approximately 175 assessed properties which are owned by approximately 88 property owners. Residential properties of 4 units or less within these boundaries will not be assessed. The area includes approximately 117 residential properties of 4 units or less that are not assessed. The PBID boundaries are illustrated by the map (Attachment 1) on the following page. Please see page 16 for the specific annual assessment formula based on lot square footage in Oak Park. A larger map is available on request by calling (916) 325-0604 or 1-800-999-7781.

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SERVICE PLAN AND BUDGET

A. HISTORY OF ESTABLISHING THE SERVICE PLAN

Property and business owners in Oak Park have been concerned about the need for coordinated supplemental services in the area for several years. The City of Sacramento’s services and efforts in the area have been welcomed, but limited resources have not allowed for a more comprehensive approach to managing the commercial area.

In 1994, Governor Wilson signed AB 3754 (Caldera) establishing the Property and Business Improvement District Law of 1994. This statewide enabling law created a mechanism for property owners to join forces and improve their commercial districts. The owners in Oak Park have seized the opportunity to utilize this new tool to provide efficient supplemental services in a cost-effective manner. The following service plan details the nature and extent of the services proposed and provides an itemized budget.

B. PROGRAMS AND SERVICES TO BE PROVIDED

The Oak Park Service Plan provides for security and business advocacy services above and beyond those currently provided by the City of Sacramento. Existing City services will remain intact pursuant to a “base levels of service” agreement between the City of Sacramento and the property owners within the PBID as detailed in Section 0 on page 24.

The following are some key aspects of the service plan budget:

- The Service Plan budget provides for a security and maintenance program that will be developed to serve a number of functions. This program will increase awareness of security efforts, coordinate existing property owner security programs, and act as the “eyes and ears” for the Sacramento Police Department. The program will reduce street disorder and serve a lead role in crime prevention. The maintenance program will keep the District clean. A roving maintenance service would patrol the area for high incidence of litter and other garbage. The service would also remove graffiti and other debris from streets and sidewalks.
- Once the “clean and safe” programs have been enacted, communications and advocacy activities will be launched to create an image of Oak Park as a single destination with a rich set of unique opportunities. Through media relations and community outreach, the image enhancement and marketing program will generate positive free media coverage of the area to improve the overall image of Oak Park.. Internally, it will be important to facilitate consistent and frequent communications with property owners and tenants. Advocacy activities include influencing public entities to provide financial support and permitting assistance to the District.

The service levels received will be based on the amount paid into the PBID. Program descriptions and budgets of the proposed PBID security, image enhancement, business advocacy, and administrative services are provided in the following pages.

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PBID Zones

In order to ensure that the level of assessment is in proportion to the benefits which each parcel will receive from the services provided by the PBID, and in proportion to the different characteristics of some of the parcels, two zones are proposed:

- Zone 1 includes smaller, denser parcels along Alhambra Blvd. between W Street and 1st Avenue and parcels along Broadway from Alhambra Blvd. to Martin Luther King Jr. Blvd. as well as the surrounding side streets (see map on page 9). Zone 1 will get the highest level of clean and safe and will also benefit from the image enhancement and advocacy programs therefore they will pay a higher rate than Zone 2;
- Zone 2 includes much different parcels in terms of size, use, and characteristics. The area in Zone 2 already benefits somewhat from the security service that McGeorge Law School provides therefore it does not need the high level of security that Zone 1 will receive. The majority of parcels in Zone 2 are owned by McGeorge Law School and Sara Lee Bakery Group. McClatchy Park is also in Zone 2 and will benefit from clean and safe services however, will not benefit as much from image enhancement and marketing therefore should not be required to pay for these services. The reduced services Zone 2 will receive are reflected in the reduced rates (see “Assessment Methodology on page 17).

Zones are drawn to identify areas that are adjacent to or influenced by defining physical and/or economic features in the Oak Park PBID. Both zones will directly benefit from advocacy which serves to leverage additional money from outside sources for the entire area and represent all the commercial owners with one unified voice.

The first step in preparing the Management District Plan was to identify the existing “baseline” level of services provided by the City of Sacramento. In order to identify the aspects of the District that needed additional services, several property owner focus group meetings were conducted. In addition, numerous meetings were held with City of Sacramento staff, property owners, and business owners. Based on the information and opinions collected during this process, service priorities were identified. The information from each step of this process was integrated and this service plan was developed.

4. Public Safety and Maintenance Perception

Clean and Safe Program

A security program with close ties to the community is a vital part of a public safety plan. The stakeholders in Oak Park have emphasized a “hands on” security program that deters street crime and disorderly conduct. A security program that keeps in close communication with the property and business owners in Oak Park is one central guide point of this program.

Another important factor with a security program is having flexibility to answer particular needs in particular area. Thus, a guide program that can respond to the needs of Oak Park is also vital.

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With these factors in mind, the proposed guide program would emphasize prevention of street crime. They would act to deter and report illegal street vending, illegal dumping and street code violations. They would handle a myriad of quality-of-life problems including: drinking in public, urinating in public, indecent exposure, trespassing, prostitution observations, scavenging, and shopping cart confiscation.

Visibility of the guides is an important aspect of security perception. To emphasize the visibility of the guides in Oak Park, the Plan proposes that the guides patrol Oak Park on bikes or in vehicles. This allows for the guides to have contact with the local businesses and residents, but gives the guides adequate transportation to patrol the area.

Integration with the Sacramento Police Department

The Oak Park security program will work closely with the Sacramento Police and integrate the Oak Park program with that of these two departments. Also, the businesses that have hired private security will integrate their security program with the Police and the Oak Park program.

Assistance from the Sacramento Police Department

The Sacramento Police Department has represented to the Oak Park property owners that if the proposed PBID could provide the Sacramento Police Department with the proper equipment, the Sacramento Police would provide the personnel for bicycle patrols. The PBID would continue to pursue this option and the budget allows for the purchase of the equipment.

Maintenance Patrol

Maintenance patrols provide additional debris and garbage collection beyond City Services. The maintenance patrol will pick up any garbage from illegal dumping and collect any additional garbage that the City cannot pick up. Also, the maintenance patrol will paint over any graffiti in public areas, such as benches and bus stops. In addition, the maintenance patrol will provide landscaping services to the area, such as maintaining trees and cutting back weeds in Oak Park.

The maintenance patrol is a single shift for eight hours a day, seven days a week. The patrol will perform regular rounds in Oak Park looking for maintenance problems. The patrol will also stay in communications with operations to carry out any emergency clean up problems.

5. Advocacy, Advertising, and Economic Development Program

To provide Oak Park with an effective, clear voice in government decisions, the Plan provides for an administrator to speak on behalf of the property owners within the PBID. The administrator will market Oak Park to potential businesses, coordinate special events to attract more business to Oak Park, and advocate for Oak Park to receive additional funding and services.

6. Image Enhancement Program

The Image Enhancement Program will be developed to promote Oak Park as a vibrant commercial center. The program that is developed by the property owners will include several tools to support the efforts of individual property owners and brokers to attract and retain tenants. Several types of communication elements could be used, including banners, business directories, and promotional events.

C. OPERATIONS BUDGET

2005 Operating Budget Summary

The summary of the year 2005 operating budget for the Oak Park PBID is provided on the following pages. The total improvement and activity plan budget for 2005 is projected at \$193,000. Property owners will contribute the entire amount through annual lot square-foot assessments. Expenditures will be made in the following program areas:

- **Public Safety and Maintenance Perception**

The public safety and maintenance program is designed to improve both the reality and perception of safety in Oak Park. The security and maintenance patrols will be designed to provide an additional level of security and to enhance the image of the Oak Park area. The security patrol would guard against small petty crimes and act as the eyes and ears of the police. The maintenance crew is responsible for cleaning the trash from the street and maintaining some of the physical improvements, such as benches and trash cans.

The budget for the maintenance program is \$120,500 or 62% of the total PBID budget.

- **Advocacy, Communication, and Economic Development**

The administrator will insure the delivery of services per the Management District Plan and act as an advocate for the PBID. A main goal of the Plan is to organize Oak Park property and business interests by speaking with a credible, clear, and unified voice. Representing property and business owners, the PBID will keep the City focused on maintaining the physical environment as well as working with them on issues affecting the Oak Park area. The PBID will monitor developments in both local and national law that may affect our businesses and properties, providing information when appropriate. This advocacy voice will represent the Oak Park property and business owners to ensure that the needs of the Oak Park PBID are addressed.

The budget for administration including labor, office rent, insurance, utilities, supplies, and marketing and economic development program, is \$42,500 or 22% of the budget.

- **Image Enhancement**

In order to draw the public to Oak Park, the PBID needs to market itself as a single locality for a wide variety of attractions, events, and services. To accomplish this goal, the District will coordinate programs and events and recruit new businesses to the area. The primary purpose of the image

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enhancement and marketing program is to attract other sponsors to special events and attractions. The District administrator will approach other groups to support marketing events to attract businesses and to “tell the story” of Oak Park’s progress. Oak Park will work with the media to position the area for positive coverage.

The PBID would also manage the physical improvement and streetscape schedule by getting involved in the design process and assisting with the leverage of funds to complete the projects.

The budget for the marketing and communication including advertisements, image pieces, maps and guides, and special events, is \$30,000 or 16% of the total budget.

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The Budget for the Service Plan is as illustrated:

Oak Park PBID DRAFT Annual Budget, Year One

<i>Services Provided</i>	<i>Descriptions</i>	<i>Total</i>
Security and Maintenance Enhancement (Clean and Safe)	The proposed Security and Maintenance Program will improve the overall safety and appearance of Oak Park. Security will be a collaborative effort between the Sacramento Police Department and McGeorge School of Law Campus Security. The District will be improved by making the area more attractive through street cleaning, and security and maintenance crews providing assistance to visitors and tenants in the area. The security and maintenance crews will be responsive to the property and business owners in the Oak Park PBID.	\$120,500
Image Enhancement	The Oak Park PBID will have a voice in the planning and implementation of various streetscape and physical improvement projects in Oak Park. The PBID will market Oak Park and implement a promotional program to attract potential businesses and new visitors to the area. Special events will be coordinated to attract visitors and businesses.	\$30,000
Advocacy/Administration	The Oak Park PBID will retain professional representation to advance Oak Park property and business interests by speaking with one clear, credible, and unified voice. The PBID will advocate for matching funds and will work to leverage additional money from various sources for Oak Park commercial area improvements.	\$42,500
Total		\$193,000

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D. COOPERATION AND ASSISTANCE FROM THE CITY OF SACRAMENTO

The City of Sacramento has recognized the importance of Oak Park to the future economic growth of Sacramento. To that end, the City of Sacramento, through SHRA, has funded catalyst projects to encourage economic development in Oak Park, and has worked closely with property owners to improve building façades in the area.

SHRA has participated in projects in the following projects in the Oak Park area:

Food Source Grocery Store: Construction of Food Source grocery store center, including a Walgreen's Drugs and Hollywood Video. The Agency assembled more than 30 individual lots and provided land, development assistance, and a \$2.25m subsidy to make the project feasible. The project created 69 new jobs in the Project Area and the store provided a much-needed resource to the community.

Broadway & Stockton Urban Design Plan: This award winning Plan completed in 1998, identifies a comprehensive vision for the Broadway and Stockton Boulevard corridors. The Plan outlines actions for regulating land uses, focusing economic development efforts, types and location for public improvements, transportation and circulation improvements and business district management strategies.

40 Acres Complex and Guild Theater: The 40 Acres Complex stands as St. HOPE Development Company's (SHDC) complete revitalization of the former Woodruff Hotel and Guild Theater located at 35th Street/Broadway. 40 Acres includes 9,750 square feet of retail, a completely renovated multi-purpose theatre with 220 seats, an art gallery, and twelve spacious, upscale apartments. The unique blend of tenants including Starbucks, Uncle Jed's Cut Hut, Underground Books and restaurant creates a synergy of activity. The project was completed in May 2003 at a total cost of \$4m and won the California Redevelopment Association's 2004 Award of Excellence for the State's best "Mixed-Use" project.

Oak Park Victorian:

In 2001, SHDC completed the renovation of a prominent 3,000 SF Victorian on Broadway. The project is home for the Jesuit Volunteer Corps Program. The total project cost was \$.5m

ASSESSMENT METHODOLOGY

1. Base Formula

Property owners, merchants, and other Oak Park stakeholders have emphasized that an assessment formula for the proposed PBID be fair, balanced, and commensurate with benefits received.

Each property owner will pay based on benefits received. The variables used for the annual assessment formula are based on gross parcel square footage. Parcel square footage is relevant to the highest and best use of a property, and will reflect the long-term value implications of the PBID.

Annual assessment on property throughout the proposed District is \$0.12 (12 cents) per parcel square foot per year in Zone 1, or \$0.04 (4 cents) per parcel square foot per year in Zone 2. Residential properties with 4 units or less shall not be assessed.

For example, a parcel with 5,000 square feet in Zone 1 would pay \$600 per year. (5,000x 0.12 = \$600.00). Please see the assessment calculation table at the end of this section. If you would like more information about property assessments, please call Downtown Resources at (916) 325-0604.

<i>Oak Park PBID Proposed Annual Assessments</i>	
<i>Rate per Lot Sq. Foot per Year Zone 1</i>	<i>Rate per Lot Sq. Foot per Year Zone 2</i>
\$0.12	\$0.04

As members of the community, the Board of Directors will maintain every effort to be careful stewards of the annual budget; however the Board may at its discretion raise the assessment by no more than the lesser of 3% per year or CPI.

2. Determination of Special Benefit

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New physical improvements, marketing, additional security, and promotion services are anticipated throughout the District. The special benefit to properties from the proposed District exceeds the total amount of the proposed assessment. The evidence in support of this proposition is that prior to creation, owners paying a majority of the proposed assessment signed petitions in support of the District. From a market perspective, owners of commercial property do not support an additional investment unless they view the return, or benefit, as one that exceeds the investment. This special benefit to the owner, therefore is greater, than the proposed assessment. This analysis, is at least one indicator that the special benefit exceeds the assessment. Therefore, to the extent that there may be any general benefit from these activities, there need not be any other revenue source to pay for these benefits.

Assessment law provides that the expenses of the District shall be apportioned in proportion to the benefit received by each property. In addition, Proposition 218 requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. The Proposition provides that only special benefits are assessable, and that the City must separate the general benefits from the special benefits conferred on a parcel. A special benefit is a particular and distinct benefit over and above general benefits conferred on the public at large, including real property within the District. The general enhancement of property value does not constitute a special benefit.

Each parcel within the District, except for exempt parcels (discussed below), receives a particular and distinct benefit from the proposed improvements and activities, over and above general benefits conferred by the improvements and activities of the District. The proposed security program will reduce street disorder and prevent crime, thereby protecting the properties within the District and increasing their attractiveness to potential customers. The proposed marketing program will improve economic development within the District, thereby benefiting all businesses within the District. These benefits contribute to a specific enhancement of the property values of each of the parcels within the District.

2. Government-Owned Property

In accordance with Proposition 218 all public properties are required to pay assessments unless they can demonstrate by clear and convincing evidence that their property does not receive benefit. It has been proposed that the City of Sacramento pay their "fair share" of all assessments.

3. Residential Properties

The primary purpose of the PBID is to benefit commercial properties. Residential properties with 4 units or less do not derive benefit from the proposed improvements to be assessed. The incidental benefit to residential properties with 4 units or less in the Oak Park PBID does not warrant assessing those properties. Therefore, residential properties with 4 units or less within the boundaries of the District shall not be assessed.

4. Tax-Exempt Properties

Although primary focus of the PBID is to benefit commercial properties, tax exempt properties, such as religious properties, will receive some benefit from the Oak Park PBID. However, they will not receive a benefit in the same magnitude as the commercial retail properties. Because the tax-exempt will not receive the same amount of benefit, they will pay less in assessments. These properties will pay 25% of

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the full assessment rate. In Zone 1 this tax exempt rate is \$0.03 per parcel square foot per year. There are not tax exempt properties in Zone 2.

5. Assessment Notice

An Assessment Notice will be sent to owners of each property in the PBID. The Assessment Notice provides an estimated assessment based upon the parcel square footage of each individual property. The final individual assessment for any particular property may change, up or down, if the parcel square footage differs from those found on the Assessment Notice. A list of properties to be assessed in the Oak Park PBID follow this Engineer's Report and is provided within Appendix 2.

TIME AND MANNER FOR COLLECTING ASSESSMENTS

As provided by State Law, the Oak Park assessment will appear as a separate line item on annual property tax bills prepared by the County of Sacramento. Property tax bills are generally distributed in the fall, and payment is expected by lump sum or installment. The County of Sacramento shall distribute Oak Park PBID funds collected to the City of Sacramento and then to the non-profit corporation managing the PBID pursuant to the authorization of this Plan. Existing laws for enforcement and appeal of property taxes apply to the PBID assessments.

Review of this Oak Park Management District Plan and preparation of the Engineers Report was completed by:

Orin N. Bennett
State of California
Registered Civil Engineer No. 25169

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**Oak Park Property and Business Improvement District
Assessment Calculation Table**

APN	Parcel Square Footage	Rate	Zone	Assessment	
010-0301-009-0000	35,340.00	\$0.03	1	\$1,060.20	*
010-0301-012-0000	24,480.00	\$0.03	1	\$734.40	*
010-0306-003-0000	6,000.00	\$0.03	1	\$180.00	*
010-0306-004-0000	6,000.00	\$0.03	1	\$180.00	*
010-0306-005-0000	6,000.00	\$0.03	1	\$180.00	*
010-0306-008-0000	15,360.00	\$0.03	1	\$460.80	*
010-0306-009-0000	6,534.00	\$0.03	1	\$196.02	*
010-0306-011-0000	36,000.00	\$0.03	1	\$1,080.00	*
010-0307-001-0000	4,792.00	\$0.03	1	\$143.76	*
010-0373-017-0000	48,000.00	\$0.03	1	\$1,440.00	*
010-0374-006-0000	6,000.00	\$0.03	1	\$180.00	*
010-0374-007-0000	18,000.00	\$0.03	1	\$540.00	*
010-0374-008-0000	4,400.00	\$0.03	1	\$132.00	*
010-0374-009-0000	7,600.00	\$0.03	1	\$228.00	*
010-0376-002-0000	4,000.00	\$0.03	1	\$120.00	*
010-0377-003-0000	6,000.00	\$0.03	1	\$180.00	*
010-0377-017-0000	12,013.00	\$0.03	1	\$360.39	*
010-0377-018-0000	23,086.80	\$0.03	1	\$692.60	*
010-0381-007-0000	6,000.00	\$0.03	1	\$180.00	*
010-0381-008-0000	6,000.00	\$0.03	1	\$180.00	*
010-0381-011-0000	6,000.00	\$0.03	1	\$180.00	*
010-0381-019-0000	12,000.00	\$0.03	1	\$360.00	*
013-0141-014-0000	14,619.00	\$0.03	1	\$438.57	*
013-0142-028-0000	3,000.00	\$0.03	1	\$90.00	*
013-0142-031-0000	6,000.00	\$0.03	1	\$180.00	*
013-0152-001-0000	40,058.00	\$0.03	1	\$1,201.74	*
013-0153-014-0000	10,632.60	\$0.03	1	\$318.98	*
013-0251-005-0000	5,000.00	\$0.03	1	\$150.00	*
013-0251-009-0000	5,000.00	\$0.03	1	\$150.00	*
013-0251-027-0000	15,000.00	\$0.03	1	\$450.00	*
013-0251-028-0000	20,000.00	\$0.03	1	\$600.00	*
010-0251-020-0000	10,410.00	\$0.12	1	\$1,249.20	
010-0252-008-0000	25,510.00	\$0.12	1	\$3,061.20	
010-0252-019-0000	11,326.00	\$0.12	1	\$1,359.12	
010-0252-020-0000	12,800.00	\$0.12	1	\$1,536.00	
010-0254-020-0000	22,365.00	\$0.12	1	\$2,683.80	
010-0255-001-0000	6,970.00	\$0.12	1	\$836.40	

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**Oak Park Property and Business Improvement District
Assessment Calculation Table**

010-0255-002-0000	6,970.00	\$0.12	1	\$836.40	
010-0255-003-0000	6,970.00	\$0.12	1	\$836.40	
010-0255-016-0000	26,800.00	\$0.12	1	\$3,216.00	
010-0303-003-0000	4,180.00	\$0.12	1	\$501.60	
010-0303-004-0000	7,130.00	\$0.12	1	\$855.60	
010-0303-005-0000	5,460.00	\$0.12	1	\$655.20	
010-0304-002-0000	5,663.00	\$0.12	1	\$679.56	
010-0304-003-0000	11,326.00	\$0.12	1	\$1,359.12	
010-0304-009-0000	8,760.00	\$0.12	1	\$1,051.20	
010-0304-011-0000	15,660.00	\$0.12	1	\$1,879.20	
010-0308-001-0000	6,000.00	\$0.12	1	\$720.00	
010-0308-002-0000	5,280.00	\$0.12	1	\$633.60	
010-0308-003-0000	4,020.00	\$0.12	1	\$482.40	
010-0308-004-0000	2,840.00	\$0.12	1	\$340.80	
010-0308-005-0000	1,742.00	\$0.12	1	\$209.04	
010-0308-006-0000	4,356.00	\$0.12	1	\$522.72	
010-0308-014-0000	125.00	\$0.12	1	\$15.00	
010-0308-015-0000	5,750.00	\$0.12	1	\$690.00	
010-0312-001-0000	13,504.00	\$0.12	1	\$1,620.48	
010-0312-007-0000	2,840.00	\$0.12	1	\$340.80	
010-0312-014-0000	66,647.00	\$0.12	1	\$7,997.64	
010-0313-001-0000	2,021.00	\$0.12	1	\$242.52	
010-0315-001-0000	3,360.00	\$0.12	1	\$403.20	
010-0315-002-0000	8,640.00	\$0.12	1	\$1,036.80	
010-0315-011-0000	6,000.00	\$0.12	1	\$720.00	
010-0315-012-0000	6,000.00	\$0.12	1	\$720.00	
010-0315-014-0000	6,000.00	\$0.12	1	\$720.00	
010-0315-015-0000	6,000.00	\$0.12	1	\$720.00	
010-0315-016-0000	6,000.00	\$0.12	1	\$720.00	
010-0315-017-0000	6,000.00	\$0.12	1	\$720.00	
010-0315-018-0000	6,000.00	\$0.12	1	\$720.00	
010-0322-017-0000	6,000.00	\$0.12	1	\$720.00	
010-0322-018-0000	6,000.00	\$0.12	1	\$720.00	
010-0322-019-0000	6,000.00	\$0.12	1	\$720.00	
010-0322-021-0000	5,600.00	\$0.12	1	\$672.00	
010-0322-022-0000	2,614.00	\$0.12	1	\$313.68	
010-0322-024-0000	7,700.00	\$0.12	1	\$924.00	
010-0373-002-0000	2,000.00	\$0.12	1	\$240.00	
010-0373-003-0000	6,000.00	\$0.12	1	\$720.00	
010-0373-004-0000	6,000.00	\$0.12	1	\$720.00	

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**Oak Park Property and Business Improvement District
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010-0373-008-0000	4,792.00	\$0.12	1	\$575.04	
010-0373-018-0000	9,583.00	\$0.12	1	\$1,149.96	
010-0375-001-0000	12,180.00	\$0.12	1	\$1,461.60	
010-0375-002-0000	3,000.00	\$0.12	1	\$360.00	
010-0375-003-0000	3,000.00	\$0.12	1	\$360.00	
010-0375-004-0000	6,000.00	\$0.12	1	\$720.00	
010-0375-005-0000	6,000.00	\$0.12	1	\$720.00	
010-0375-006-0000	6,000.00	\$0.12	1	\$720.00	
010-0375-008-0000	8,385.00	\$0.12	1	\$1,006.20	
010-0375-009-0000	3,000.00	\$0.12	1	\$360.00	
010-0375-010-0000	3,000.00	\$0.12	1	\$360.00	
010-0376-001-0000	4,290.00	\$0.12	1	\$514.80	
010-0376-005-0000	6,000.00	\$0.12	1	\$720.00	
010-0377-001-0000	6,000.00	\$0.12	1	\$720.00	
010-0377-002-0000	6,000.00	\$0.12	1	\$720.00	
010-0377-011-0000	6,000.00	\$0.12	1	\$720.00	
010-0381-001-0000	9,148.00	\$0.12	1	\$1,097.76	
010-0381-012-0000	6,000.00	\$0.12	1	\$720.00	
010-0381-013-0000	6,000.00	\$0.12	1	\$720.00	
010-0381-015-0000	3,000.00	\$0.12	1	\$360.00	
010-0381-016-0000	3,000.00	\$0.12	1	\$360.00	
010-0381-017-0000	3,000.00	\$0.12	1	\$360.00	
010-0381-018-0000	3,000.00	\$0.12	1	\$360.00	
010-0382-001-0000	5,663.00	\$0.12	1	\$679.56	
010-0382-002-0000	4,000.00	\$0.12	1	\$480.00	
010-0382-003-0000	5,000.00	\$0.12	1	\$600.00	
010-0382-004-0000	6,376.00	\$0.12	1	\$765.12	
010-0382-005-0000	4,963.20	\$0.12	1	\$595.58	
010-0382-006-0000	2,178.00	\$0.12	1	\$261.36	
010-0383-003-0000	5,096.00	\$0.12	1	\$611.52	
010-0383-004-0000	3,876.00	\$0.12	1	\$465.12	
010-0383-005-0000	4,289.00	\$0.12	1	\$514.68	
010-0383-012-0000	11,761.20	\$0.12	1	\$1,411.34	
010-0383-013-0000	10,200.00	\$0.12	1	\$1,224.00	
010-0385-005-0000	6,098.00	\$0.12	1	\$731.76	
010-0385-012-0000	6,000.00	\$0.12	1	\$720.00	
010-0385-014-0000	9,000.00	\$0.12	1	\$1,080.00	
010-0385-015-0000	4,720.00	\$0.12	1	\$566.40	
013-0141-004-0000	6,400.00	\$0.12	1	\$768.00	
013-0141-005-0000	5,600.00	\$0.12	1	\$672.00	

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**Oak Park Property and Business Improvement District
Assessment Calculation Table**

013-0141-006-0000	7,052.00	\$0.12	1	\$846.24	
013-0141-007-0000	5,558.00	\$0.12	1	\$666.96	
013-0141-008-0000	3,272.00	\$0.12	1	\$392.64	
013-0141-009-0000	6,056.20	\$0.12	1	\$726.74	
013-0141-010-0000	5,524.20	\$0.12	1	\$662.90	
013-0142-037-0000	66,211.20	\$0.12	1	\$7,945.34	
013-0142-038-0000	9,000.00	\$0.12	1	\$1,080.00	
013-0143-001-0000	3,000.00	\$0.12	1	\$360.00	
013-0143-002-0000	3,824.00	\$0.12	1	\$458.88	
013-0143-004-0000	2,800.00	\$0.12	1	\$336.00	
013-0143-008-0000	6,000.00	\$0.12	1	\$720.00	
013-0143-030-0000	1,500.00	\$0.12	1	\$180.00	
013-0143-031-0000	12,000.00	\$0.12	1	\$1,440.00	
013-0143-032-0000	6,000.00	\$0.12	1	\$720.00	
013-0143-033-0000	6,000.00	\$0.12	1	\$720.00	
013-0143-034-0000	3,000.00	\$0.12	1	\$360.00	
013-0143-035-0000	3,000.00	\$0.12	1	\$360.00	
013-0143-036-0000	3,000.00	\$0.12	1	\$360.00	
013-0143-038-0000	113,265.00	\$0.12	1	\$13,591.80	
013-0151-003-0000	2,617.00	\$0.12	1	\$314.04	
013-0151-005-0000	12,090.00	\$0.12	1	\$1,450.80	
013-0152-006-0000	9,600.00	\$0.12	1	\$1,152.00	
013-0152-007-0000	7,817.48	\$0.12	1	\$938.10	
013-0153-001-0000	3,200.00	\$0.12	1	\$384.00	
013-0153-017-0000	1,480.00	\$0.12	1	\$177.60	
013-0153-040-0000	6,419.00	\$0.12	1	\$770.28	
013-0153-041-0000	4,789.00	\$0.12	1	\$574.68	
013-0153-048-0000	19,200.00	\$0.12	1	\$2,304.00	
013-0154-031-0000	6,587.00	\$0.12	1	\$790.44	
013-0154-033-0000	9,960.00	\$0.12	1	\$1,195.20	
013-0251-002-0000	9,125.00	\$0.12	1	\$1,095.00	
014-0131-024-0000	12,367.00	\$0.12	1	\$1,484.04	
014-0131-027-0000	9,148.00	\$0.12	1	\$1,097.76	
014-0131-031-0000	5,663.00	\$0.12	1	\$679.56	
014-0171-001-0000	16,270.00	\$0.12	1	\$1,952.40	
013-0133-020-0000	3,811.70	\$0.04	2	\$152.47	
013-0133-025-0000	71,002.80	\$0.04	2	\$2,840.11	
013-0136-001-0000	3,354.00	\$0.04	2	\$134.16	
013-0136-005-0000	2,500.00	\$0.04	2	\$100.00	
013-0136-015-0000	210,830.40	\$0.04	2	\$8,433.22	

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**Oak Park Property and Business Improvement District
Assessment Calculation Table**

013-0141-013-0000	15,820.00	\$0.04	2	\$632.80	
013-0142-012-0000	9,000.00	\$0.04	2	\$360.00	
013-0142-013-0000	13,500.00	\$0.04	2	\$540.00	
013-0142-039-0000	15,784.00	\$0.04	2	\$631.36	
013-0142-040-0000	9,770.00	\$0.04	2	\$390.80	
013-0243-011-0000	4,387.72	\$0.04	2	\$175.51	
013-0243-012-0000	3,571.40	\$0.04	2	\$142.86	
013-0243-013-0000	4,387.72	\$0.04	2	\$175.51	
013-0243-033-0000	4,356.00	\$0.04	2	\$174.24	
013-0243-035-0000	4,369.00	\$0.04	2	\$174.76	
013-0243-037-0000	42,112.00	\$0.04	2	\$1,684.48	
013-0243-042-0000	115,434.00	\$0.04	2	\$4,617.36	
013-0244-025-0000	175,546.80	\$0.04	2	\$7,021.87	
013-0244-026-0000	7,980.00	\$0.04	2	\$319.20	
013-0251-001-0000	662,199.12	\$0.04	2	\$26,487.96	
013-0283-048-0000	46,173.60	\$0.04	2	\$1,846.94	
013-0291-030-0000	37,347.00	\$0.04	2	\$1,493.88	
013-0292-003-0000	6,419.00	\$0.04	2	\$256.76	
<p>* Tax exempt properties in Zone 1 will pay 25% of the full assessment rate. The tax exempt rate for Zone 1 is \$0.03 per parcel square foot. There are no tax exempt properties in Zone 2.</p>					

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CITY BASE LEVELS OF SERVICE POLICY

Throughout the process of establishing the Oak Park PBID, stakeholders and business and property owners have voiced concerns that the City of Sacramento maintains existing services at verifiable “baseline” service levels. A formal base level of service policy ensures that existing City services are enhanced, not replaced, by new PBID services.

CITY COUNCIL RESOLUTION

The Oak Park PBID has requested that the Sacramento City Council adopt Resolutions committing the City to establish and maintain base levels of service within the PBID. The policy states that “basic service levels” provided to the area must be paid for by the general City revenues, and not subsidized by revenue which the PBID generates for enhanced and supplemented levels of service.

The policy allows for adjustments in the “basic service levels” commensurate with changes in the City’s overall financial condition. City wide service reductions can trigger a proportionate reduction in base levels of service within a PBID.

A draft City of Sacramento Resolution establishing this policy is provided in Appendix 3.

Consistent with this proposed City policy, Oak Park’s base levels of service will be quantified in an “area specific current services agreement” between the City of Sacramento and the PBID.

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PBID Governance

OAK PARK PBID CORPORATION GOVERNANCE

A non-profit corporation shall be charged with the day-to-day operations of the PBID. A majority of the members of the Board of Directors of the corporation shall be private commercial property owners who are paying assessments into the PBID. The Board of Directors shall also have representation from public agencies that are paying into the District as well as commercial tenants, and an at large community representative.

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**STREETS AND HIGHWAYS CODE
SECTION 36600 et seq.**

As Amended January 1, 2002

DECLARATIONS

36600. This part shall be known and may be cited as the "Property and Business Improvement District Law of 1994."
36601. The Legislature finds and declares all of the following:
- (a) Businesses located and operating within the business districts of this state's communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.
 - (b) It is in the public interest to promote the economic revitalization and physical maintenance of the business districts of its cities in order to create jobs, attract new businesses, and prevent the erosion of the business districts.
 - (c) It is of particular local benefit to allow cities to fund property related improvements, maintenance, and activities through the levy of assessments upon the real property that benefits from those improvements.
 - (d) Assessments levied for the purpose of providing improvements and promoting activities that benefit real property are not taxes for the general benefit of a city, but are assessments for the improvements and activities which confer special benefits upon the real property for which the improvement and activities are provided.
36602. The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within a business improvement area. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.
36603. Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).
36604. This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

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DEFINITIONS

36605. "Advisory board" means the advisory board or commission appointed by the city council pursuant to Section 36631.
36606. "Assessment" means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and promoting activities which will benefit the properties located within a property and business improvement district.
36607. "Business" means all types of businesses and includes financial institutions and professions.
36608. "City" means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county.
36609. "City council" means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.
36610. "Improvement" means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:
- (a) Parking facilities.
 - (b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
 - (c) Trash receptacles and public restrooms.
 - (d) Lighting and heating facilities.
 - (e) Decorations.
 - (f) Parks.
 - (g) Fountains.
 - (h) Planting areas.
 - (i) Closing, opening, widening, or narrowing of existing streets.
 - (j) Facilities or equipment, or both, to enhance security of persons and property within the area.
 - (k) Ramps, sidewalks, plazas, and pedestrian malls.
 - (l) Rehabilitation or removal of existing structures.
36611. "Property and business improvement district," or "district," means a property and business improvement district established pursuant to this part.
36612. "Property" means real property situated within a district.
36613. "Activities" means, but is not limited to, all of the following:
- (a) Promotion of public events which benefit businesses or real property in the district.
 - (b) Furnishing of music in any public place within the district.

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- (c) Promotion of tourism within the district.
- (d) Marketing and economic development, including retail retention and recruitment.
- (e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
- (f) Activities which benefit businesses and real property located in the district.

36614. "Management District Plan" or "plan" means a proposal as defined in Section 36622.

36614.5 "Owners' association" means a private nonprofit entity that is under contract with a city to administer or implement activities and improvements specified in the Management District Plan. An owners' association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners' association is a private entity and may not be consider a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners' association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), for all documents relating to activities of the district.

36615. "Property owner" or "owner" means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. The city council has no obligation to obtain other information as to the ownership of land, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this subdivision requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient.

36616. "Tenant" means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

PRIOR LAW

36617. This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

ESTABLISHMENT

36620. A property and business improvement district may be established as provided in this chapter.

36620.5. A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

36621. (a) Upon the submission of a written petition, signed by the property owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property owned by the same property owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.

(b) The petition of property owners required under subdivision (a) shall include a summary of the Management District Plan. That summary shall include all of the following:

- (1) A map showing the boundaries of the district.
- (2) Information specifying where the complete Management District Plan can be obtained.
- (3) Information specifying that the complete Management District Plan shall be furnished upon request.

(c) The resolution of intention described in subdivision (a) shall contain all of the following:

- (1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, and a description of the exterior boundaries of the proposed district. The descriptions do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.
- (2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall not be held more than 90 days after the adoption of the resolution of intention.

36622. The Management District Plan shall contain all of the following:

- (a) A map of the district in sufficient detail to locate each parcel of property within the district.
- (b) The name of the proposed district.
- (c) A description of the boundaries of the district, including the boundaries of any benefit zones, proposed for establishment or extension in a manner sufficient to identify the lands included. Under no circumstances shall the boundaries of a proposed district overlap with the boundaries of another existing district created

pursuant to this part. Nothing in this part prohibits the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law including, but not limited to, the Parking and Business Improvement Area Law of 1989.

- (d) The improvements and activities proposed for each year of operation of the district and the maximum cost thereof.
- (e) The total annual amount proposed to be expended for improvements, maintenance and operations in each year of operation of the district.
- (f) The proposed source or sources of financing including the proposed method and basis of levying the assessment in sufficient detail to allow each property owner to calculate the amount of the assessment to be levied against his or her property.
- (g) The time and manner of collecting the assessments.
- (h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. The Management District Plan may set forth specific increases in assessments for each year of operation of the district.
- (i) The proposed time for implementation and completion of the Management District Plan.
- (j) Any proposed rules and regulations to be applicable to the district.
- (k) A list of the properties to be assessed, including the assessor's parcel numbers, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property, in proportion to the benefit received by the property, to defray the cost thereof, including operation and maintenance. The plan may provide that all or any class or category of real property which is exempt by law from real property taxation may nevertheless be included within the boundaries of the district but shall not be subject to the assessment.
- (l) Any other item or matter required to be incorporated therein by the city council.

36623. If a city council proposes to levy a new or increased benefit assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.

36624. At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements or activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

36625. (a) If the city council, following the public hearing, decides to establish the proposed property and business improvement district, and the city council has made changes pursuant to Section 36624, and the changes substantially change the

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proposed assessment, the city council shall adopt a resolution of preliminary adoption that shall contain all of the following:

- (1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, and a description of the exterior boundaries of the proposed district. The descriptions do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.
 - (2) The number, date of adoption, and title of the resolution of intention.
 - (3) The time and place where the public hearing was held concerning the establishment of the district.
 - (4) A determination regarding any protests received.
 - (5) A statement that the properties in the district established by the resolution shall be subject to any amendments to this part.
 - (6) A statement that the improvements and activities to be provided in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district.
 - (7) A finding that the property within the business and improvement area will be benefited by the improvements and activities funded by the assessments proposed to be levied.
- (b) Not earlier than 30 days after the resolution of preliminary adoption, if the city council decides to establish the proposed property and business improvement district, the council shall consider all written protests. If written protests are received from property owners in the proposed district who pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than that 50 percent, the proceedings to create the proposed district shall be terminated.
- (c) If not required to terminate the proceedings in compliance with subdivision (b), the city council shall adopt a resolution consistent with the resolution of preliminary adoption. The adoption of the resolution and recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the Management District Plan. The resolution shall contain all of the following:
- (1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, and a description of the exterior boundaries of the proposed district. The descriptions do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.
 - (2) The number, date of adoption, and title of the resolution of intention and resolution of preliminary adoption.
 - (3) The time and place where the public hearing was held concerning the establishment of the district.
 - (4) A determination regarding any protests received.

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- (5) A statement that a property and business improvement district has been established.
- (6) A statement that the properties in the district established by the resolution shall be subject to any amendments to this part.
- (7) A statement that the improvements and activities to be provided in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district.
- (8) A finding that the property within the property and business improvement district will be benefited by the improvements and activities funded by the assessments proposed to be levied.

36626. If the city council, following the public hearing, desires to establish the proposed property and business improvement district, and the city council has not made changes pursuant to Section 36624, or has made changes that do not substantially change the proposed assessment, the city council shall adopt a resolution establishing the district. The resolution shall contain all of the information specified in paragraphs (1) to (8), inclusive, of subdivision (b) of Section 36625, but need not contain information about the preliminary resolution if none has been adopted.

36627. Following adoption of the resolution establishing the district pursuant to Section 36625 or 36626, the clerk of the city shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

36628. The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone.

36629. All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones. The city council shall, to establish, modify, or disestablish a benefit zone, follow the procedure to establish, modify, or disestablish a parking and business improvement area.

36630. If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new Management District Plan may be created and a new district established pursuant to this part.

ASSESSMENTS

36631. The collection of assessments levies pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution establishing the Management District Plan described in Section 36622. The assessments may be

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collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part shall be charged interest and penalties.

36632. (a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.
- (b) Properties zoned exclusively for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

36633. The validity of an assessment levied under this part shall not be contested in any action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36626. Any appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

36634. The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

36635. The owners' association may, at any time, request that the city council may modify the Management District Plan. Any modification of the Management District Plan shall be made pursuant to this chapter.

36636. (a) **Upon the written request of the owners' association, the city council may modify the Management District Plan after conducting one public hearing on the proposed modification. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of assessments by adopting by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. Notice of the public hearing and the proposed modifications shall be published as provided in Section 36623. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 53753 of the Government Code.**

- (b) The city council shall adopt a resolution of intention which states the proposed modifications prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

36637. Any subsequent modifications of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100).

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GOVERNANCE

36650

- (a) The owners' association shall cause to be prepared a report for each fiscal year, except for the first year, for which assessments are to be levied and collected to pay for the costs of the improvements and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district, or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, if a classification is used.
- (b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information.
 - (1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones within the district.
 - (2) The improvements and activities to be provided for that fiscal year.
 - (3) An estimate of the cost of providing the improvements and the activities for that fiscal year.
 - (4) The method and basis for levying the assessment in sufficient detail to allow each real property owner to estimate the amount of the assessment to be levied against his or her property for that fiscal year.
 - (5) The amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
 - (6) The amount of any contributions to be made from sources other than assessments levied pursuant to this part,
- (c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city Council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments.

36651. The Management District Plan may, but is not required to, state that an owners' association will prove the improvements or activities described in the Management District Plan. If the Management District Plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

RENEWAL

36660

- (a) Any district previously established whose term has expired, may be renewed by following the procedures for establishment as provided in this chapter.
- (b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels not included in the prior district, the remaining revenues shall be spent to benefit only the parcels in the prior district. If the renewed district does not include parcels included in the prior district, the remaining revenues attributable to these parcels

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shall be refunded to the owners of these parcels.

- (c) Upon renewal, a district shall have a term not to exceed 10 years. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

DISESTABLISHMENT

36670 (a) Any district previously established or extended pursuant to the provisions of this part, where there is no independent indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:

- (1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.
- (2) During the operation of the district, there shall be a 30-day period each year in which assesses may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners of real property in the area who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.

- (b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel in the district. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

36671 (a) Upon the disestablishment of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, shall be refunded to the owners of the property then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the Management District Plan.

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RESOLUTION NO: _____

DATE ADOPTED: _____

- (b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

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RESOLUTION NO: _____

DATE ADOPTED: _____

Appendix 2 – Properties TO BE ASSESSED within the proposed Oak Park PBID:

010-0251-020-0000	010-0315-014-0000	010-0381-011-0000
010-0252-008-0000	010-0315-015-0000	010-0381-012-0000
010-0252-019-0000	010-0315-016-0000	010-0381-013-0000
010-0252-020-0000	010-0315-017-0000	010-0381-015-0000
010-0254-020-0000	010-0315-018-0000	010-0381-016-0000
010-0255-001-0000	010-0322-017-0000	010-0381-017-0000
010-0255-002-0000	010-0322-018-0000	010-0381-018-0000
010-0255-003-0000	010-0322-019-0000	010-0381-019-0000
010-0255-016-0000	010-0322-021-0000	010-0382-001-0000
010-0301-009-0000	010-0322-024-0000	010-0382-002-0000
010-0301-012-0000	010-0373-002-0000	010-0382-003-0000
010-0303-003-0000	010-0373-003-0000	010-0382-004-0000
010-0303-004-0000	010-0373-004-0000	010-0382-005-0000
010-0303-005-0000	010-0373-008-0000	010-0382-006-0000
010-0304-002-0000	010-0373-017-0000	010-0383-003-0000
010-0304-003-0000	010-0373-018-0000	010-0383-004-0000
010-0304-009-0000	010-0374-006-0000	010-0383-005-0000
010-0304-011-0000	010-0374-007-0000	010-0383-012-0000
010-0306-003-0000	010-0374-008-0000	010-0383-013-0000
010-0306-004-0000	010-0374-009-0000	010-0385-005-0000
010-0306-005-0000	010-0375-001-0000	010-0385-012-0000
010-0306-008-0000	010-0375-002-0000	010-0385-014-0000
010-0306-009-0000	010-0375-003-0000	010-0385-015-0000
010-0306-011-0000	010-0375-004-0000	013-0133-020-0000
010-0307-001-0000	010-0375-005-0000	013-0133-025-0000
010-0308-001-0000	010-0375-006-0000	013-0136-001-0000
010-0308-002-0000	010-0375-008-0000	013-0136-005-0000
010-0308-003-0000	010-0375-009-0000	013-0136-015-0000
010-0308-004-0000	010-0375-010-0000	013-0141-004-0000
010-0308-005-0000	010-0376-001-0000	013-0141-005-0000
010-0308-006-0000	010-0376-002-0000	013-0141-006-0000
010-0308-014-0000	010-0376-005-0000	013-0141-007-0000
010-0308-015-0000	010-0377-001-0000	013-0141-008-0000
010-0312-001-0000	010-0377-002-0000	013-0141-009-0000
010-0312-007-0000	010-0377-003-0000	013-0141-010-0000
010-0312-014-0000	010-0377-011-0000	013-0141-013-0000
010-0313-001-0000	010-0377-017-0000	013-0141-014-0000
010-0315-001-0000	010-0377-018-0000	013-0142-012-0000
010-0315-002-0000	010-0381-001-0000	013-0142-013-0000
010-0315-011-0000	010-0381-007-0000	013-0142-028-0000
010-0315-012-0000	010-0381-008-0000	013-0142-031-0000

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RESOLUTION NO: _____

DATE ADOPTED: _____

013-0142-037-0000
013-0142-038-0000
013-0142-039-0000
013-0142-040-0000
013-0143-001-0000
013-0143-002-0000
013-0143-004-0000
013-0143-008-0000
013-0143-030-0000
013-0143-031-0000
013-0143-032-0000
013-0143-033-0000
013-0143-034-0000
013-0143-035-0000
013-0143-036-0000
013-0143-038-0000
013-0151-003-0000
013-0151-005-0000
013-0152-001-0000
013-0152-006-0000
013-0152-007-0000
013-0153-001-0000
013-0153-014-0000
013-0153-017-0000
013-0153-040-0000
013-0153-041-0000
013-0153-048-0000
013-0154-031-0000
013-0154-033-0000
013-0243-011-0000
013-0243-012-0000
013-0243-013-0000
013-0243-033-0000
013-0243-035-0000
013-0243-037-0000
013-0243-042-0000
013-0244-025-0000
013-0244-026-0000
013-0251-001-0000
013-0251-002-0000
013-0251-005-0000
013-0251-009-0000
013-0251-027-0000

013-0251-028-0000
013-0283-048-0000
013-0291-030-0000
013-0292-003-0000
014-0131-024-0000
014-0131-027-0000
014-0131-031-0000
014-0171-001-0000

FOR CITY CLERK USE ONLY

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RESOLUTION NO: _____

DATE ADOPTED: _____

The following sample draft resolution can be used by the Sacramento City Council.

RESOLUTION NO. _____

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON THE DATE OF _____

ADOPTING CITY POLICY REGARDING BUSINESS IMPROVEMENT DISTRICTS:

BASE LEVELS OF SERVICE

WHEREAS, business area often face a need for collective efforts to promote their businesses and to improve the overall business climate and health of their Districts, and

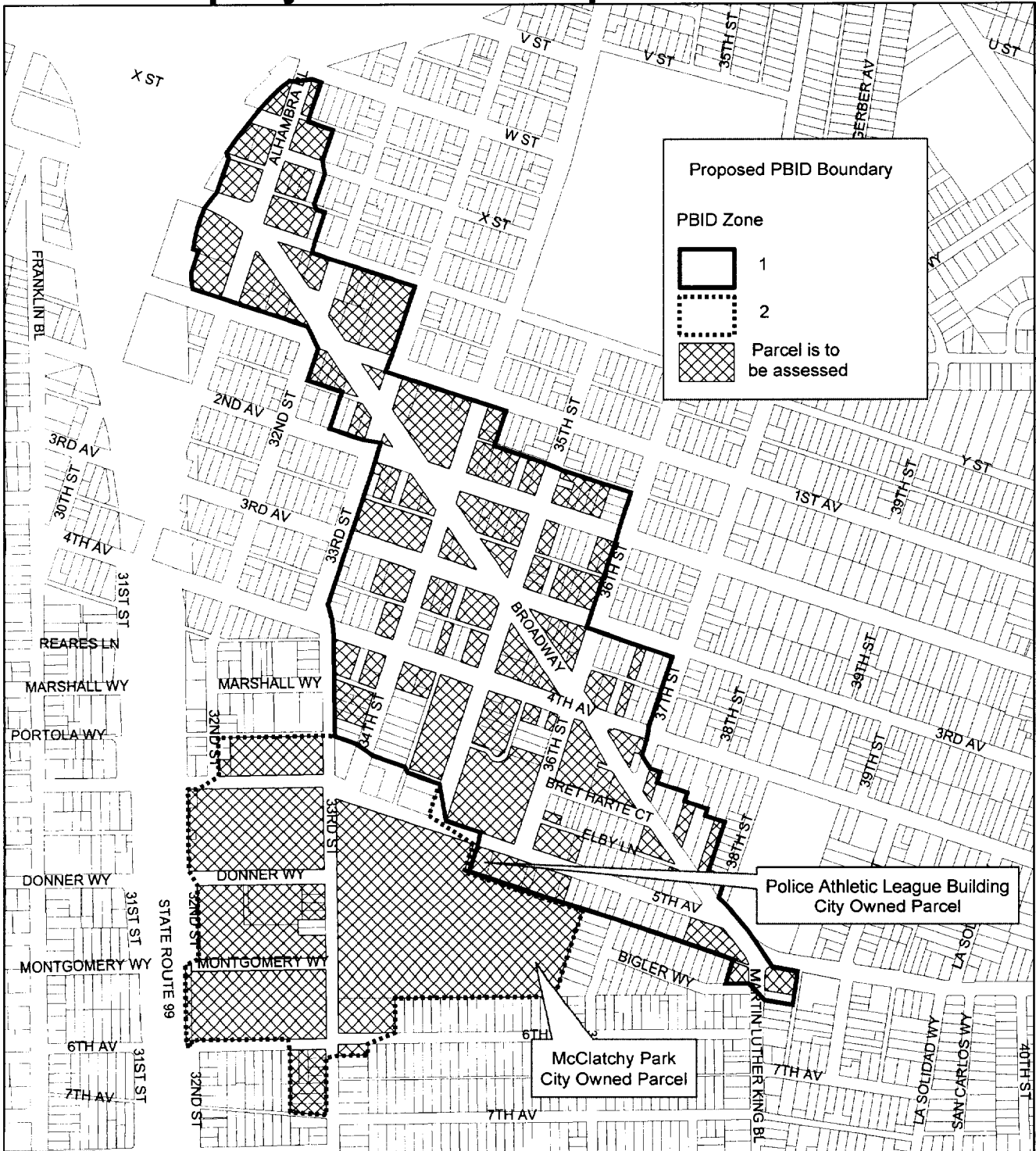
WHEREAS, businesses often seek enhanced city services and infrastructure improvements.

NOW BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO,

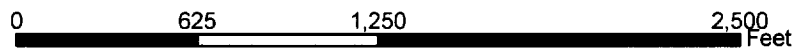
1. Revenue garnered from a business improvement district (BID) or other similar assessment district should be used to improve the overall business climate of the area through various promotional programs and service enhancements. To that end, base service level measures should be established and agreed to at the inception of the financing of the district.
2. In the event of a significant downturn in citywide revenues, the Council may be forced to reduce base levels of municipal services citywide unless a substitute source of citywide revenues is available.

Mayor

Oak Park Proposed Property & Business Improvement District



BMueller 12/24/03



FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION APPROVING THE BUDGET FOR THE FY 2004-05 OAK PARK PROPERTY AND BUSINESS IMPROVEMENT DISTRICT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

1. The Fiscal Year 2004-05 Expenditure Budget for the Oak Park Property and Business Improvement District is adopted as follows:

<u>Oak Park</u>	2XX-750-7110-4258	\$189,561
<u>Department</u>		
Development Services	2XX-480-4815-4390	\$ 2,500
Finance	2XX-110-1131-4390	\$ 939
Subtotal for Department		\$ 3,439
TOTAL		\$193,000

2. The Fiscal Year 2004/05 Revenue (\$193,000) from property owners for the Oak Park Property and Business Improvement District is adopted as follows:

2XX-480-4815-3657	\$193,000
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MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

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RESOLUTION NO: _____

DATE ADOPTED: _____