

2

DEPARTMENT OF
FINANCE

REVENUE DIVISION

CITY OF SACRAMENTO
CALIFORNIA

October 30, 1987
RD: 871412:ADM:LM:ldm

CITY HALL
ROOM 104
915 I STREET
SACRAMENTO, CA
95814-2696

916-449-5454

Budget and Finance Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: ADMINISTRATION OF STOCKTON BOULEVARD BUSINESS IMPROVEMENT AREA

SUMMARY

This report recommends that the Budget and Finance Committee recommend the City Council approve the attached report regarding the administration of the Stockton Boulevard Business Improvement Area.

DISCUSSION

Historically, the City of Sacramento has executed agreements with business organizations in each Business Improvement Area to administer each Area's promotional activities. The Stockton Boulevard Merchants and Property Owners Association has requested to be the administrative organization for the Stockton Boulevard Business Improvement Area. Staff has reviewed the Association's proposal and recommends approval.

RECOMMENDATION

It is requested that the Budget and Finance Committee recommend approval to the City Council the attached report and resolution authorizing the City to execute the attached agreement with the Stockton Boulevard Merchants and Property Owners Association to administer the promotional activities of the Stockton Boulevard Business Improvement Area.

Respectfully submitted,

Louis Myles
Assistant Revenue Manager

RECOMMENDATION APPROVED:

JACK R. CRIST
Deputy City Manager

Attachment

November 10, 1987
District 5



DEPARTMENT OF
FINANCE

REVENUE DIVISION

CITY OF SACRAMENTO
CALIFORNIA

October 30, 1987
RD:871414-ADM:LM:ldm

CITY HALL
ROOM 104
915 I STREET
SACRAMENTO, CA
95814-2696

916-449-5454

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: ADMINISTRATION OF STOCKTON BOULEVARD BUSINESS IMPROVEMENT AREA

SUMMARY

The Budget and Finance Committee recommends that the City Council authorize the City Manager and the City Clerk to execute an agreement with the Stockton Boulevard Merchants and Property Owners Association for the administration of the Stockton Boulevard Business Improvement Area.

BACKGROUND

On October 20, 1987 the City Council approved an amendment to Chapter 23 of the City Code which established the Stockton Boulevard Business Improvement Area. The Stockton Boulevard Merchants and Property Owners Association initiated efforts to establish the Area.

DISCUSSION

Section 23.908 of the City Code permits the City Council to execute an agreement with an organization to administer the promotional activities authorized by the City Code for the funds received from the businesses within the Area. The Stockton Boulevard Merchants and Property Owners Association has requested that it be considered for this agreement.

Staff is satisfied that the Stockton Boulevard Merchants and Property Owners Association meets the criteria of the agreement organization in that:

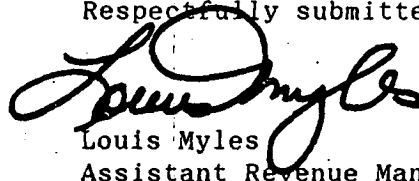
1. The Stockton Boulevard Merchants and Property Owners Association represents approximately one half of the businesses and is the only business oriented community organization in the Area.
2. The bylaws of the Stockton Boulevard Merchants and Property Owners Association are consistent with the objectives of the Area.
3. The Stockton Boulevard Merchants and Property Owners Association has demonstrated that it has the resources to effectively achieve the objectives of the Area.

No other group or organization has requested to be considered for an agreement with the City for administration of the promotional activities of the Area.

RECOMMENDATION

The Budget and Finance Committee recommends the City Council adopt the attached resolution authorizing the City Manager and the City Clerk, on behalf of the City Council, to execute the attached agreement with the Stockton Boulevard Merchants and Property Owners Association to administer the promotional activities of the Stockton Boulevard Business Improvement Area.

Respectfully submitted,



Louis Myles
Assistant Revenue Manager

RECOMMENDATION APPROVED:

WALTER J. SLIPE, City Manager

Attachments

November 17, 1987
District 5

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE ON BEHALF OF THE CITY COUNCIL AN AGREEMENT WITH THE STOCKTON BOULEVARD MERCHANTS AND PROPERTY OWNERS ASSOCIATION TO ADMINISTER THE PROMOTIONAL ACTIVITIES OF THE STOCKTON BOULEVARD BUSINESS IMPROVEMENT AREA

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

That the City Manager and the City Clerk are hereby authorized to execute on behalf of the City Council the attached agreement with the Stockton Boulevard Merchants and Property Owners Association to administer the promotional activities of the Stockton Boulevard Business Improvement Area.

MAYOR

ATTEST:

CITY CLERK

BUSINESS IMPROVEMENT AREA ADMINISTRATION AGREEMENT

THIS AGREEMENT is made and entered into between the CITY OF SACRAMENTO, a municipal corporation, hereinafter called "City", and the Stockton Boulevard Merchants and Property Owners Association, a California nonprofit corporation, hereinafter called "Association".

WHEREAS there was formed and established by the City, pursuant to Ordinance No. 87-100, the "Stockton Boulevard Business Improvement Area of the City of Sacramento" under the authority of the Parking and Business Improvement Area Law of 1979, and

WHEREAS under the terms of the said Ordinance an additional charge is levied on businesses in the said Area for the purpose of promoting business activity therein, and

WHEREAS such purpose can best be served by an organization having available the resources, expertise and time, and reflecting the said Area's point of view, so as to facilitate the planning for, and the day-to-day administration and implementation of the said Area's activities to effectively carry out the purposes of the Ordinance, and

WHEREAS the City finds that the Association best meets these qualifications,

NOW THEREFORE, in consideration of the mutual covenants and promises herein contained, the parties hereto agree as follows:

1. City agrees that it will provide the President or other designated officer of the Association in writing upon the execution hereof, and no later than May 31 of each year thereafter, with an estimate of anticipated receipts of the said tax expected to be collected from the Area for the following fiscal year from July 1 through June 30.

2. Association agrees that based on such estimate it shall prepare and submit to the City Council, no later than July 1 of each year, a report setting forth in general terms the planned activities, programs and events, and the estimated expenditures therefor, for the ensuing year. After acceptance of such report by the City Council, the City agrees to disburse said charge receipts from the "Stockton Boulevard Business Improvement Area Fund" to the Association as hereinafter set forth.

3. Association agrees that at the conclusion of the first year of its services hereunder, and thereafter, it will at the same time as it submits the aforesaid report to City Council, also submit a report to it describing in general terms its actual activities and expenditures during the preceding year.

4. Association agrees that it will use its best efforts to develop, implement, promote and administer programs within the purposes authorized by the said Ordinance for the benefit of the said Area and all businesses paying the said charge.

5. Pursuant to the terms of the said Ordinance, City shall collect the said charge at the same time and in the same manner as the general business operations tax, depositing such collections in a special fund to be known as the "Stockton Boulevard Business Improvement Area Fund". Disbursements therefrom shall be made by City to Association at such times and in such manner as is to be mutually agreed upon in writing by the parties.

6. Association represents and covenants that subject only to reasonable rules and regulations, membership in Association is open to any business in the Area paying the said charge.

7. Association agrees that it shall hold at least one meeting a year for the purpose of considering the proposed Area budget and the activities incident

thereto, which shall be a public meeting open to representatives of all businesses in the Area paying the said charge.

8. Association agrees to keep all necessary books and records in connection with the services performed under this Agreement, and agrees to make them available to the City's Director of Finance or his designated representative at all reasonable times for audit purposes.

9. * The term of this initial Agreement shall be for six months from January 2, 1988 through June 30, 1988, and thereafter shall be automatically renewed annually for a one-year term unless one of the parties gives written notice to the other of its desire not to renew at least thirty (30) days before the end of the term, provided, however, that the Agreement may be terminated by either party after sixty (60) days written notice to the other. In the event of such termination, Association shall account to the City Council, as under Paragraph 3, above, no later than thirty (30) days prior to the termination date, and simultaneously therewith remit to City any unexpended funds in its possession.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the dates set forth opposite their respective signatures.

Date: _____

CITY OF SACRAMENTO, a
municipal corporation

By: _____

ATTEST:

CITY CLERK

Date: _____

By: _____

APPROVED AS TO FORM:

JOHN B. NAUGLE, PRESIDENT
STOCKTON BOULEVARD MERCHANTS AND
PROPERTY OWNERS ASSOCIATION
5060 Stockton Boulevard
Sacramento, CA 95820

CITY ATTORNEY