



REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

CONSENT
May 18, 2010

**Honorable Mayor and
Members of the City Council**

**Title: Del Paso Boulevard Property and Business Improvement District #2010-01 –
Resolution of Intention to Renew**

Location/Council District: Del Paso Boulevard Commercial Corridor, located in Council District 2 (Exhibit A, Page 8).

Recommendation: Adopt a **Resolution of Intention** to renew the Del Paso Boulevard PBID in accordance with the Property and Business Improvement District Law of 1994 ("PBID Law") and Sacramento City Code Section 3.92.050 and schedule a Public Hearing.

Contact: Brian Wong, Program Specialist, (916) 808-5778; Mark Griffin, Fiscal Manager, (916) 808-8788

Presenters: Not Applicable

Department: Finance Department

Division: Public Improvement Financing

Organization No: 06001321

Description/Analysis

Issue: The property owners along the Del Paso Boulevard commercial corridor proposed to renew the Del Paso Boulevard PBID ("District") for a five-year term. Approval of the Resolution of Intention to renew the District will set the time and place for the Public Hearing on the renewal of the District and the proposed assessment, and authorize staff to mail notices to all property owners within the District.

Policy Considerations: The proceedings under which this District is being processed are set forth in Section 36600 of the California Streets and Highways Code, entitled "Property and Business Improvement District Law of 1994" ("PBID Law"). This action is consistent with the Strategic Planning Focus Area of Sustainability and Livability.

Environmental Considerations

California Environmental Quality Act (CEQA): The renewal of a district does not constitute a project under CEQA and is therefore exempt from review pursuant to Guidelines Section 15378(b)(4).

Sustainability Considerations: There are no sustainability considerations applicable to the formation or renewal process and administration of an assessment district.


Committee/Commission: None

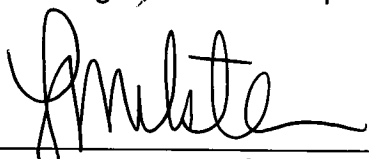
Rationale for Recommendation: The actions in the recommended Resolution are procedures prescribed by part 7 (beginning with section 36600) of Division 18 in the California Streets and Highways Code for the renewal of a district.

Financial Considerations: Financing will be provided by the levy of assessments upon real property that benefit from improvements and activities of the District. The District does not issue bonds.

The District assessment budget for FY2010/11 is \$366,179 as shown on Exhibit B, page 9. If this District is renewed, the City of Sacramento will be participating as a property owner in the District. The City owns 18 parcels with the District and will have a total first-year annual assessment of \$43,263. Future assessment rates may be subject to an increase of no more than 3% annually. Funds are currently budgeted for continued participation in the District.

Emerging Small Business Development (ESBD): City Council approval of these proceedings is not affected by City policy related to the ESBD Program.

Respectfully Submitted by: 
Mark Griffin
Fiscal Manager, Finance Department

Approved by: 
Leyne Milstein
Director, Finance Department

Recommendation Approved:

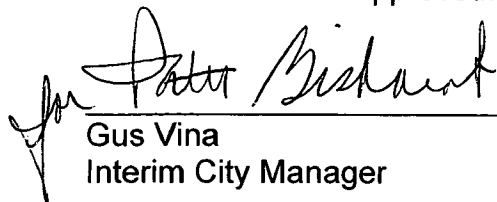

Gus Vina
Interim City Manager

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BACKGROUND

The Del Paso Boulevard PBID ("District") was approved by City Council on May 24, 2005, in accordance with the Property and Business Improvement District Area Law of 1994, and became effective on January 1, 2006. The property owners within the District would like to renew the District for a five year term.

The District will continue to provide funding for services in the Del Paso Boulevard commercial corridor:

- Public Safety and Maintenance Program
 - Clean and Safe Program
 - Integration with City Police
 - Maintenance Patrol

- Advocacy / Administration

- Image Enhancement Program

The District Business Association has prepared the Management Plan ("Plan"), which is on file with the City Clerk. The Plan is a comprehensive document which describes the process of forming the District and providing the services identified by the property and business owners. The attached resolution will initiate the renewal proceedings of the District.

The annual assessments are based upon allocation of program costs and a calculation per parcel square foot. The cost to a property owner in Zone 1 is \$0.0975 per parcel square foot, while the cost to a property owner in Zone 2 is \$0.0341 per parcel square foot. Tax exempt properties are assessed at 50% of the respective Zone 1 or Zone 2 assessment rates. Additionally, parcels in Zone 1 with an auto-wrecking land use will be subject to an assessment of \$0.02925 per parcel square foot, while parcels of the same land use in Zone 2 will be subject to an assessment of \$0.0102 per parcel square foot.

Del Paso Boulevard PBID FY2010/11 Budget

Program	Budget	% of Total
Security and Maintenance Enhancement (Clean and Safe)	\$201,398	55.00
Image Enhancement	\$84,221	23.00
Advocacy / Administration	\$54,927	15.00
Contingency / PBID Renewal *	\$25,633	7.00
Total	\$366,179	100.00

RESOLUTION NO.

Adopted by the Sacramento City Council

**INTENTION TO RENEW THE DEL PASO BOULEVARD
PROPERTY AND BUSINESS IMPROVEMENT DISTRICT**

BACKGROUND:

A. Attached hereto and incorporated herein by this reference is the Del Paso Boulevard PBID No. 2010-01 ("District") Management District Plan ("Plan"), which provides for a security and maintenance coordination effort and an advocacy program with the intent of increasing the commercial activity and overall image of Del Paso Boulevard.

B. The City owns the following property within the proposed District:

265-0292-024-0000	2512 Rio Linda Boulevard
265-0292-025-0000	2522 Rio Linda Boulevard
265-0292-040-0000	2528 Rio Linda Boulevard
265-0293-022-0000	Parcel fronting El Camino Avenue at intersection of Del Paso Blvd.
275-0044-022-0000	Right Turn lane from El Camino Avenue onto Del Paso Blvd.
275-0089-001-0000	Median and Easterly roadway on Arden Way
275-0132-003-0000	Arden Way between Canterbury Road and Oxford Street
275-0134-003-0000	300 Arden Way
275-0134-004-0000	Parcel located near Parks and Recreation admin building 490 Arden Way
275-0134-005-0000	490 Arden Way (Parks and Recreation admin building)
275-0134-011-0000	Near Woodlake Park
275-0134-012-0000	Woodlake Park
275-0134-013-0000	Woodlake Park
275-0142-001-0000	Woodlake Park
275-0149-007-0000	Light Rail right-of-way (tracks)
275-0149-008-0000	Light Rail right-of-way (tracks)
275-0149-009-0000	Light Rail right-of-way (tracks)
275-0156-003-0000	Light Rail right-of-way (tracks)

C. The property owners of the properties within the District have submitted petitions asking that the City Council renew the District. Included with each petition was a Plan summary and a map showing the boundaries of the District ("Proposed District Map"). The Proposed District Map is entitled "Del Paso Boulevard Property and Business Improvement District 2010-01." The petitions, the Proposed District Map, and the Plan are on file with the City Clerk.

- D. The City Council finds that the City has received the petitions signed by the property owners in the proposed District who will pay more than 50 percent of the proposed total assessment. The City Council thus accepts the petitions and intends to establish the District and to levy an assessment on real property within the District Boundaries in accordance with the Property and Business Improvement District Law of 1994 ("PBID Law") and Sacramento City Code Section 3.92.050.
- E. At the direction of the City Council, the Fiscal Manager of the Public Improvement Financing Division for the proceedings for renewal of this District has filed the Plan with the City Clerk, which was prepared in accordance with the provisions of Streets and Highways Code Section 36622.
- F. The City Council finds that the Plan satisfies all of the requirements of Streets and Highways Code Section 36622. The Plan provides for the following improvements and services within the District, all of which are intended to make the District safer, cleaner, and increase the commercial activity: (1) a security coordination effort 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. The Plan proposes to fund these improvements and services through the levy of a benefit assessment on real property within the District.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1.** The City Council finds and determines that the recitals set forth above are true.
- Section 2.** The City Council finds that the property owners representing over 50% of the total assessment amounts, signed the petitions requesting the renewal process be undertaken. The City Council thus accepts the petitions and intends to renew the District and to levy an assessment on real property within the District boundaries in accordance with the PBID Law and Sacramento City Code section 3.92.050. In the first year of the five year term, the proposed assessment is approximately \$366,179, as shown on Exhibit B.
- Section 3.** The City Council finds that the Plan satisfies all requirements of Streets and Highway Code sections 36622 and 36660.
- Section 4.** The exterior boundaries of the District are shown on the Proposed District Map attached to this resolution as Exhibit A.
- Section 5.** No bonds will be issued for the District.

- Section 6.** The time and place for the public hearing on the renewal of the District and the proposed assessment is set for July 13, 2010, at 6:00 p.m. in the City Council's Chambers, New City Hall, 915 "I" Street (first floor), Sacramento, California. The City Council may continue the public hearing from time to time.
- Section 7.** The City Clerk is directed to give notice of the time and place of the public hearing in accordance with Streets and Highways Code section 36623. The City Clerk is to do this by mailing (or causing to be mailed) written notices and assessment ballots in the time, form, and manner provided by Government Code section 53753 to all persons who own real property that is within the District and will be subject to the proposed assessment. The forms of the notices and ballots must be approved by the City Attorney. The City Clerk is further directed to file an affidavit with the City Council when all notices and ballots have been mailed, setting forth the time and manner of her compliance with the requirements of law for mailing the notices and ballots.
- Section 8.** At the public hearing, the City Council will consider all objections or protests to the proposed assessment, and any interested person will be permitted to present written or oral testimony. At the conclusion of the public hearing, all ballots submitted and not withdrawn will be tabulated in accordance with Government Code section 53753.

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EXHIBIT A

**Del Paso Boulevard
Property and Business Improvement District 2010-01**

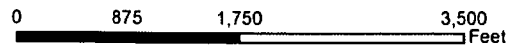
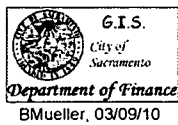
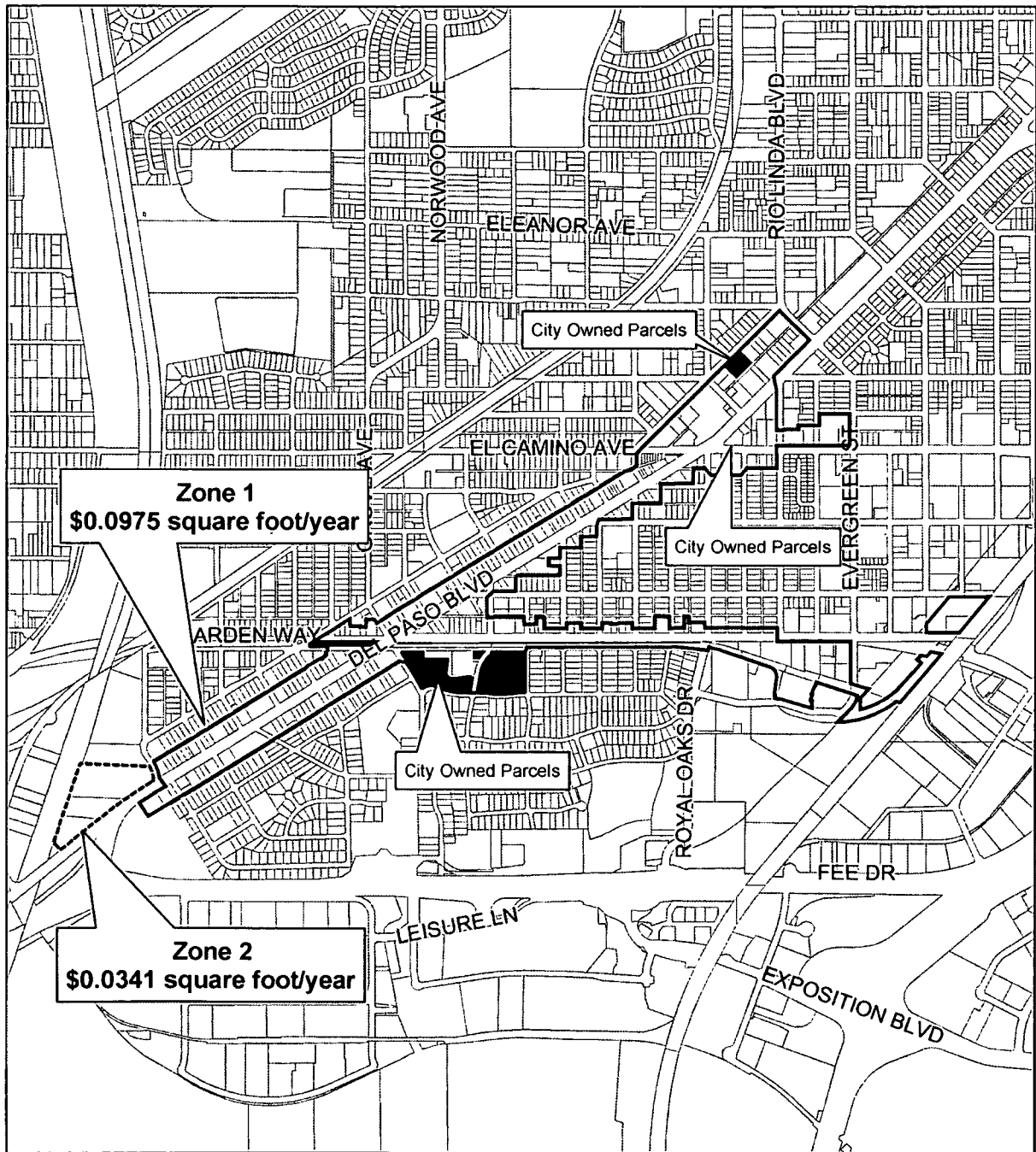


EXHIBIT B

**DEL PASO BOULEVARD
PROPERTY AND BUSINESS IMPROVEMENT DISTRICT, FUND 2218
FY2010/11 DISTRICT BUDGET**

Total Assessment Budget		\$366,179
Total Revenue		<u>\$366,179</u>
Special Districts Administration	\$6,298	
Consultant (NBS) Reporting	250	
Finance Administration	1,276	
County Billing Cost	<u>210</u>	
Less: Total Administration Expense		<u>\$8,034</u>
 Estimated Total PBID Disbursement		 <u>\$358,145</u>

Parcel Assessment

FY2010/11	Rate per Parcel Square Footage ZONE 1	Rate per Parcel Square Footage ZONE 2
Commercial Property	\$0.09750	\$0.03410
Religious and Tax- Exempt Property	\$0.04875	\$0.01700
Auto Wrecking Property	\$0.02925	\$0.01020
Residential (4 units or less)	Not Assessed	Not Assessed

Annual assessment rates are based on an allocation of program costs and a calculation of parcel square footage. Assessment rates may be subject to an increase by no more than 3% per year based on the discretion of the Del Paso Boulevard Board of Directors.

**SCHEDULE OF PROCEEDINGS
DEL PASO BOULEVARD
PROPERTY AND BUSINESS IMPROVEMENT DISTRICT #2010-01**

December 1, 2009 Petition Drive Kick-off

May 10, 2009 Receive Signed Petitions

May 18, 2010	Resolution of Intention to Renew – City Council
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May 20, 2010 Record Boundary Map

May 20, 2010 Mail, Publish Notice of Hearing, Management Plan, and Ballot

July 13, 2010 Public Hearing – City Council

July 20, 2010 Ballot Results – City Council

July 22, 2010 Record Notice of Assessment and Assessment Diagram

August 2010 Assessment Roll to County