

## **RESOLUTION NO. 2006-438**

Adopted by the Sacramento City Council

June 13, 2006

### **DECLARING THE RESULTS OF THE MAJORITY-PROTEST PROCEEDINGS AND RENEWING THE STOCKTON BOULEVARD PROPERTY AND BUSINESS IMPROVEMENT DISTRICT**

#### **BACKGROUND:**

**A.** The Stockton Boulevard Property and Business Improvement District (the PBID) was formed in August 2001 under the Property and Business Improvement District Law of 1994, which is set forth at sections 36600 through 36671 of the Streets and Highways Code. The PBID's term expires on December 31, 2006.

**B.** The owners of property within the PBID have submitted petitions asking that the City Council renew the PBID when its term expires. Included with the petitions was a management district plan (the PBID Management Plan) that describes the proposed assessment to be levied on property within the PBID to pay for the following activities and improvements: (1) image enhancement and street maintenance, providing daily street maintenance and monitoring illegal dumping issues; (2) security and safety services, providing daily security patrols and maintaining the Safety on Stockton committee; (3) Advocacy, to attain well established community and government relationship; and (4) Economic Development, to attract new business and retain current business partners. The Stockton Boulevard PBID Management Plan is on file with the City Clerk and made reference to. Attached, as Exhibit A, is a map the exterior boundaries of the PBID and is part of this resolution.

**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 April 26, 2006, the City Clerk mailed to each record owner of each parcel within the Districts exterior boundaries a notice concerning the public hearing on the renewal 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.

**E.** At 2:00 p.m. on June 13, 2006, in the City Council's chambers, Sacramento City Hall, 915 "I" Street (first floor), Sacramento, California, the City Council held a public hearing regarding the renewal of the Stockton Boulevard PBID and the levy of the assessment. During the public hearing, the City Council heard and received all objections and protests to the renewal 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 A through E were undertaken and completed in accordance with the Property and Business Improvement District Law of 1994.

**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 background statements, A through E are true and correct.

**Section 2.** Renewal of the Stockton Boulevard Property and Business Improvement District.

- (a) The PBID is renewed for an additional five-year term that will expire on December 31, 2011.
- (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 the Stockton Boulevard PBID Management Plan, which is on file with the City Clerk.
- (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.

**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 A.

**Section 5. Authorization.** The City Manager (or his designee) is directed to take all necessary actions to complete the renewal 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.

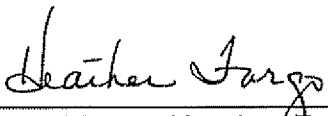
Adopted by the City of Sacramento City Council on June 13, 2006 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell Sheedy, Tretheway, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

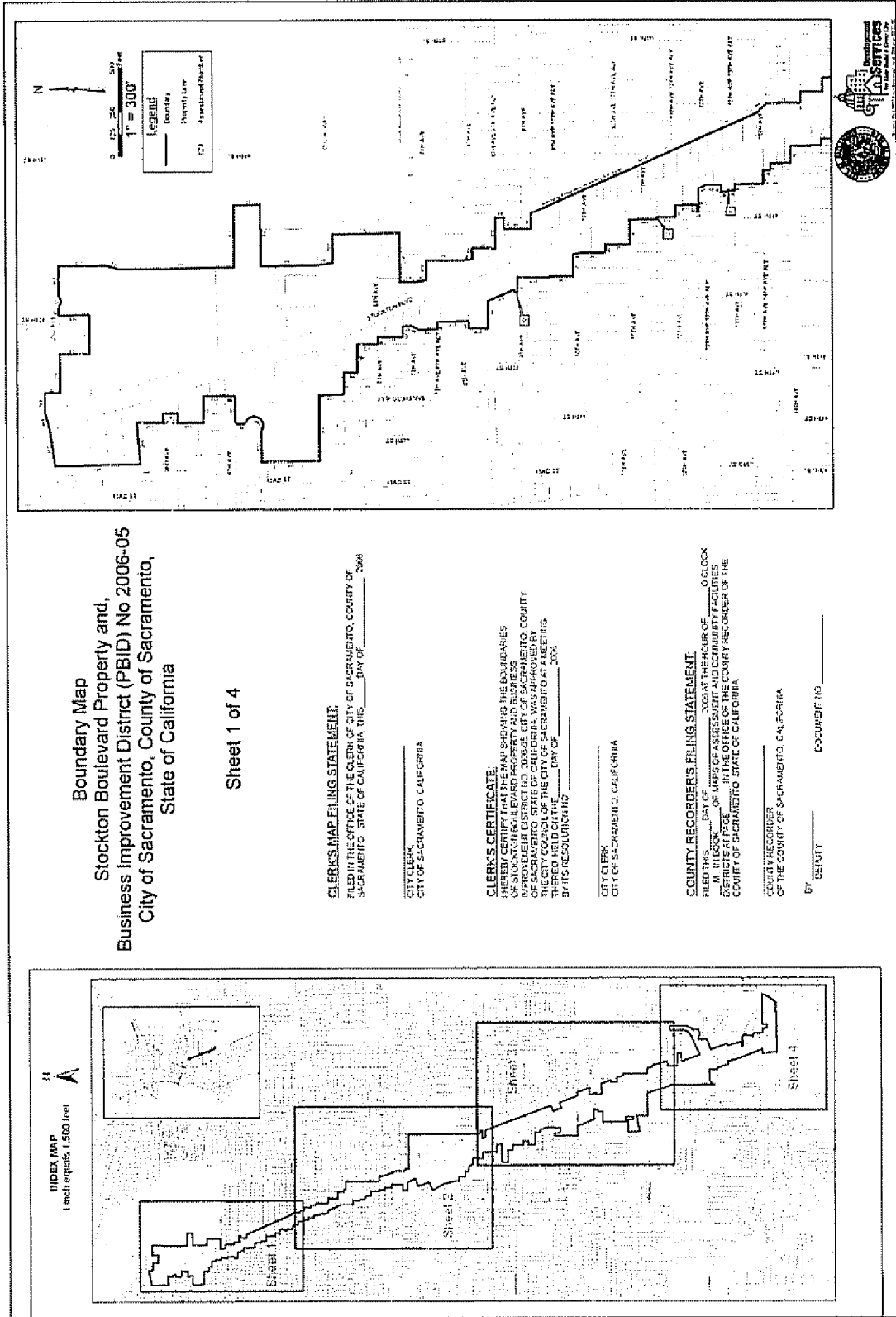
Absent: None.

  
\_\_\_\_\_  
Mayor, Heather Fargo

Attest:

  
\_\_\_\_\_  
Shirley Concolino, City Clerk

# EXHIBIT A



**Boundary Map**  
**Stockton Boulevard Property and**  
**Business Improvement District (PBID) No 2006-05**  
**City of Sacramento, County of Sacramento,**  
**State of California**

Sheet 1 of 4

**CITY CLERK**  
 CITY OF SACRAMENTO, CALIFORNIA

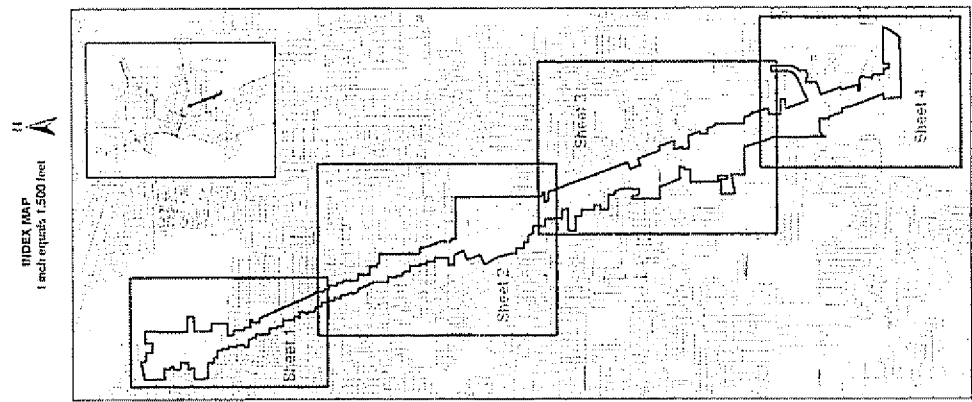
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 CITY OF SACRAMENTO, CALIFORNIA

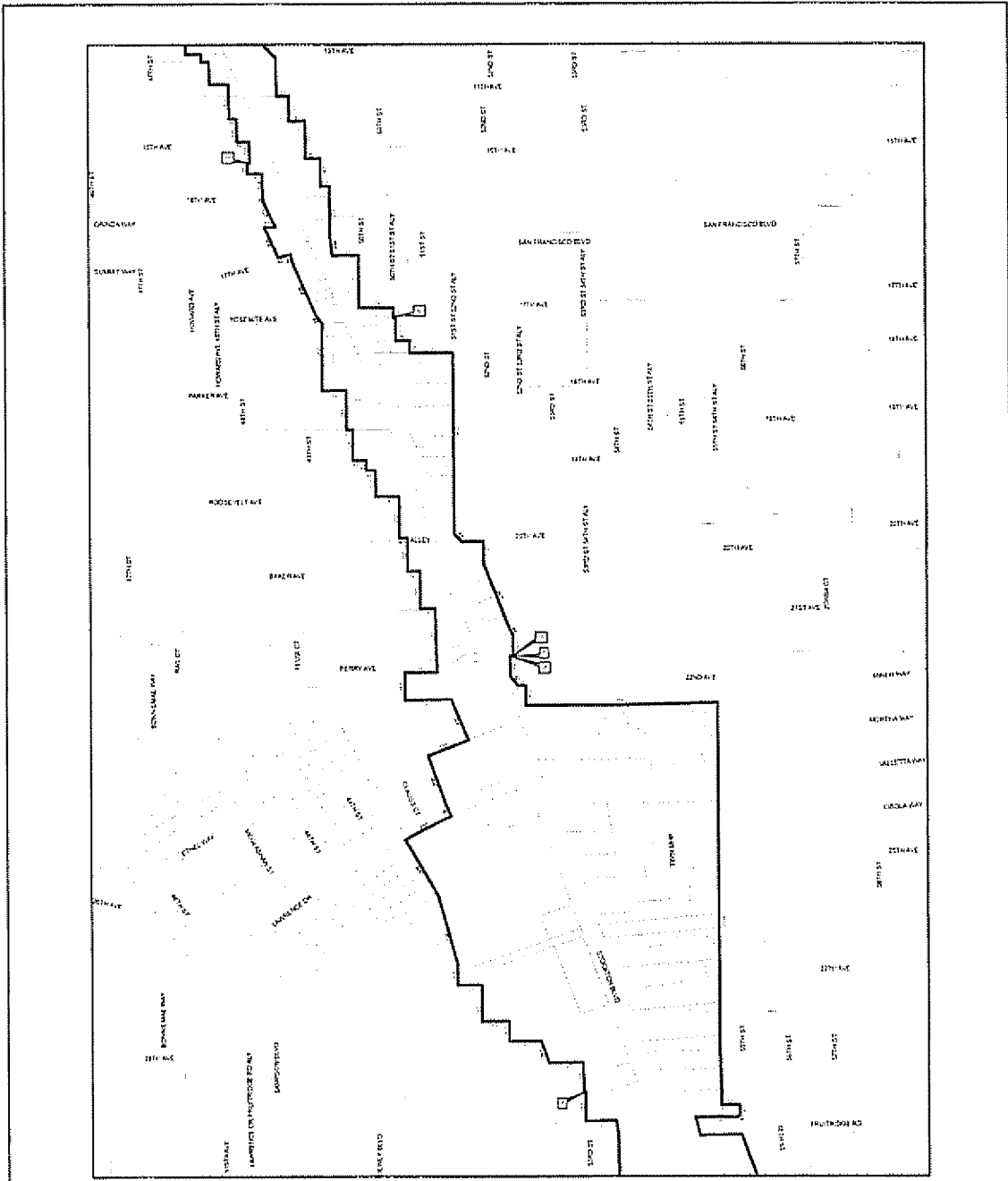
**COUNTY RECORDER'S FILING STATEMENT**  
 FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ AT \_\_\_\_\_ O'CLOCK  
 IN THE OFFICE OF THE COUNTY RECORDER OF THE  
 COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

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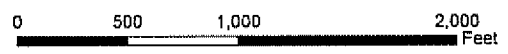
**COUNTY RECORDER**  
 COUNTY OF SACRAMENTO, CALIFORNIA





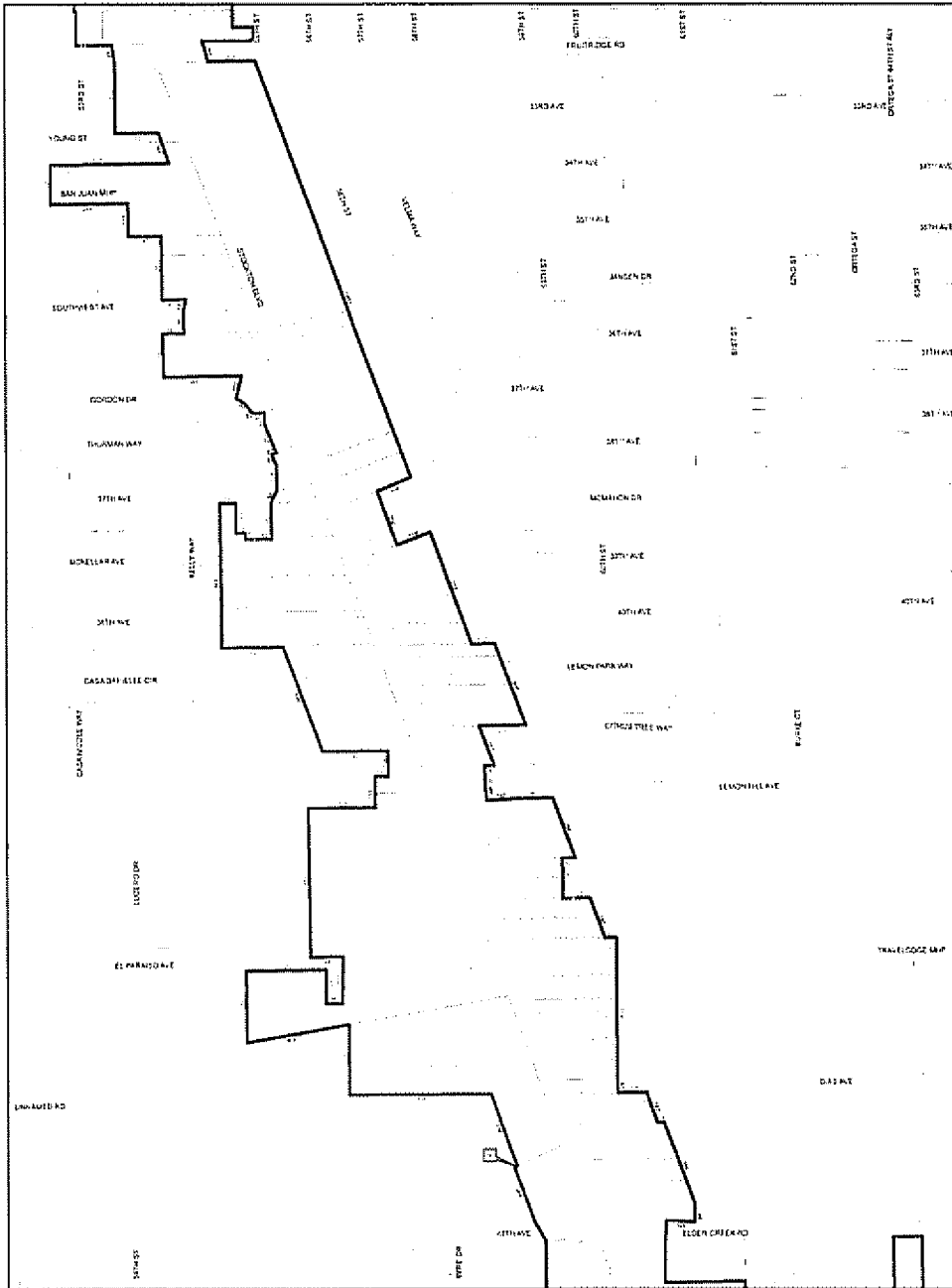
Boundary Map  
 Stockton Boulevard Property and,  
 Business Improvement District (PBID) No 2006-05  
 City of Sacramento, County of Sacramento, State of California

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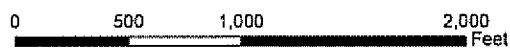
1" = 300'





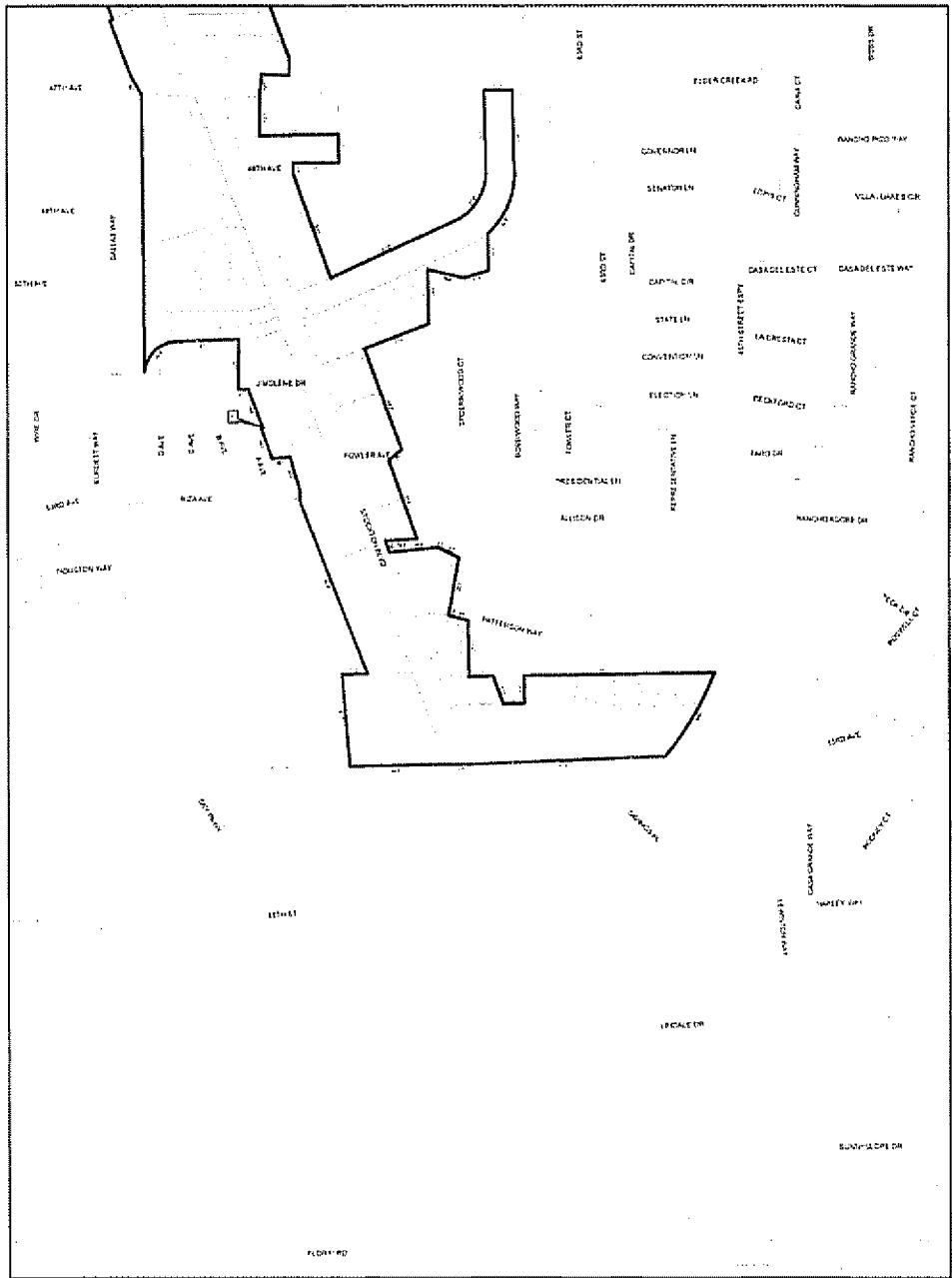
Boundary Map  
 Stockton Boulevard Property and,  
 Business Improvement District (PBID) No 2006-05  
 City of Sacramento, County of Sacramento, State of California

Sheet 3 of 4



1" = 300'





Assessment Diagram  
 Stockton Boulevard Property and,  
 Business Improvement District (PBID) No 2006-05  
 City of Sacramento, County of Sacramento, State of California

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