



APPROVED
BY THE CITY COUNCIL

SEP 29 1987

CITY CLERK

18

DEPARTMENT OF
FINANCE

REVENUE DIVISION

CITY OF SACRAMENTO
CALIFORNIA

September 11, 1987
RD:871333:ADM:LM:lv

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

916-449-5454

City Council
Sacramento, California

CITY MANAGER'S OFFICE

RECEIVED

SEP 23 1987

Honorable Members in Session:

SUBJECT: PROPOSED STOCKTON BOULEVARD BUSINESS IMPROVEMENT AREA

SUMMARY

The Budget and Finance Committee recommends that the City Council establish Tuesday, October 20, 1987 as the date of hearing for the establishment of a business improvement area (BIA) for the Stockton Boulevard area.

BACKGROUND

The Sacramento Housing and Redevelopment Agency (SHRA) commissioned the consulting firm of Small Business Improvement Network, in conjunction with the Stockton Boulevard Merchants and Property Owners Association, to develop a revitalization plan for the Stockton Boulevard area. One of the recommendations of Stockton Boulevard Merchants and Property Owners Association was the establishment of a business improvement area (BIA) pursuant to the Parking and Business Improvement Area Law of 1979. The establishment of such an area allows the imposition of a charge for the general promotion of business activities in the area. The assessments or charges must be imposed, to the maximum extent feasible, on the basis of estimated benefit to the businesses in the area. The funds collected may be used for the following purposes:

- (a) The acquisition, construction or maintenance of parking facilities for the benefit of the area.
- (b) The decoration of any public place in the area.
- (c) The promotion of public events which are to take place on or in public places in the area.

- (d) The furnishing of music in any place in the area.
- (e) The general promotion of business activities in the area.

DISCUSSION

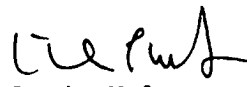
Staff has received a request from the Stockton Boulevard Merchants and Property Owners Association to assist in the formation of a Stockton Boulevard Business Improvement Area. That organization, whose membership consists of a majority of the businesses and property owners in the proposed area (see attached map), has held preliminary formation meetings with the business and property owners in the proposed area. No firm opposition to the proposed BIA has surfaced at these meetings. The usual procedure followed for the formation of a BIA, upon request of a majority of the businesses in the proposed area, is for the City Council to: establish a date for the hearing to consider the establishment of the BIA; direct the City Clerk to publish the Resolution of Intention to establish the BIA; and direct the Revenue Officer, on behalf of the City Clerk, to provide notice of the hearing to such businesses in the proposed BIA.

RECOMMENDATION

The Budget and Finance Committee recommends that the City Council:

1. Adopt the attached Resolution of Intention to establish a business improvement area (BIA) in the Stockton Boulevard area; and
2. Direct the Revenue Officer to act on behalf of the City Clerk in providing notice of the hearing and matters related thereto to the businesses in the proposed BIA.

Respectfully submitted,

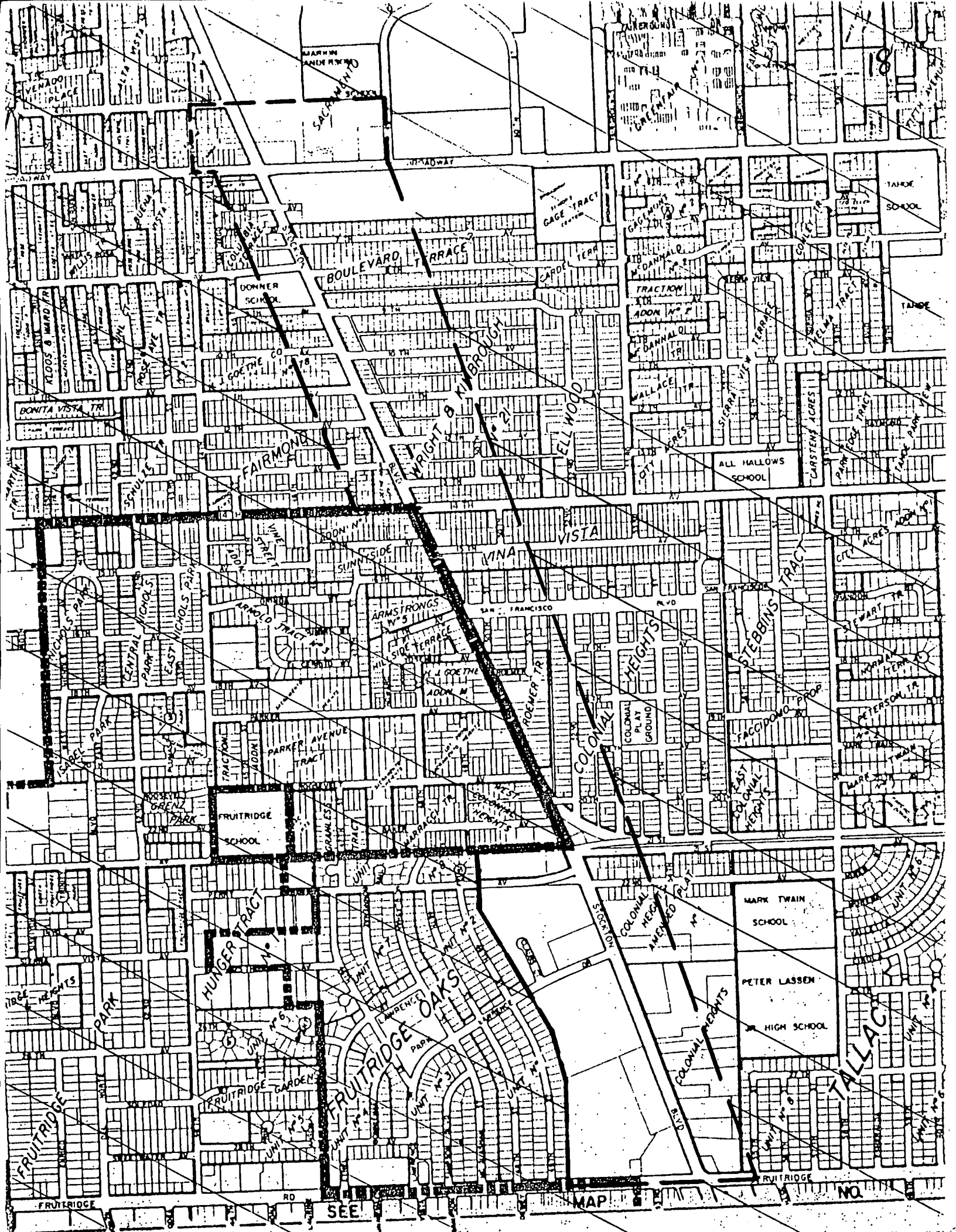

✓ Louis Myles
Chief of Revenue

RECOMMENDATION APPROVED:


WALTER J. SLUPE, City Manager

Attachments

District 5
September 29, 1987



SACRAMENTO

UPADWAY

BOULEVARD

DONNER SCHOOL

FAIRMONT

WRIGHT & WROUGHT

ELLWOOD

VISTA

SAN FRANCISCO

FRUITRIDGE SCHOOL

HUNGER TRACT

FRUITRIDGE OAKS

COLONIAL HEIGHTS

MARK TWAIN SCHOOL

PETER LASSEN HIGH SCHOOL

TALLAC

SEE

MAP

NO

RESOLUTION NO. 87-805

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APPROVED
BY THE CITY COUNCIL

SEP 29 1987

CITY CLERK

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO, CALIFORNIA, DECLARING ITS INTENTIONS TO ESTABLISH A BUSINESS IMPROVEMENT AREA IN THE STOCKTON BOULEVARD AREA, TO PROVIDE FOR THE LEVYING OF CHARGES ON SPECIFIED BUSINESSES CONDUCTED WITHIN SUCH AREA, CLASSIFYING VARIOUS BUSINESSES FOR SUCH PURPOSES, DESCRIBING THE BOUNDARIES OF THE PROPOSED AREA, THE AUTHORIZED USES TO WHICH THE PROPOSED REVENUES SHALL BE PUT, THE RATE OF SUCH CHARGES, FIXING THE DATE, TIME AND PLACE OF A HEARING TO BE HELD BY THE CITY COUNCIL TO CONSIDER THE ESTABLISHMENT OF SUCH AN AREA, AND DIRECTING THE GIVING OF NOTICE OF SUCH HEARING

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

SECTION 1. Authority and Intention. The City Council of the City of Sacramento hereby declares its intention of establishing a business improvement area in the Stockton Boulevard area under the Parking and Business Improvement Area Law of 1979, being Part 6 of Division 18 of the Streets and Highways Code S36500 through 35681 of said Streets and Highways Code of the State of California.

SECTION 2. Name. The name of the proposed business improvement area intended to be formed is to be the "Stockton Boulevard Business Improvement Area of the City of Sacramento", hereinafter referred to as the "Area".

SECTION 3. Authorized Uses. The proposed authorized uses to which the proposed revenue shall be put are as follows:

- (a) The general promotion of business activities in the Area;
- (b) The promotion of public events which are to take place on or in public places in the Area;
- (c) The decoration of any public place in the Area;
- (d) The furnishing of music in any public place in the Area.

SECTION 4. Area and Benefit Zone. A description of the Area is as follows:

Beginning at the intersection, 55th Street and Fruitridge Road, proceeding northwesterly on a straight line to the intersection of Broadway and 49th Street then proceeding north on 49th Street to the northeast corner of County Assessor Parcel Number 011-200-55 then proceeding west on a straight line to the intersection of 44th Street and 4th Avenue then proceeding south to the intersection of 44th Street and Broadway then proceeding east to the intersection of Broadway and San Diego Way then proceeding southeasterly on a straight line to the intersection of 14th Avenue and 47th Street then proceeding east to Stockton Boulevard then proceeding southeasterly to the northeast corner of County Assessor Parcel Number 22-280-29 then proceeding west along the north property line to the north west corner of County Assessor Parcel Number 22-280-28 then proceeding southerly along the east boundary of Fruitridge Oaks Subdivision to Fruitridge Road then proceeding east to the beginning.

SECTION 5. Levy of Charge in Addition to Business Operations Tax. It is proposed that a charge, which is in addition to the business operations tax as it is or may be imposed pursuant to Chapter 23 of the Sacramento City Code, be imposed. Such additional charge is to be imposed at the rates hereinafter set forth for the specified business classifications.

SECTION 6. Classification of Businesses and Charges Imposed. It is proposed that the businesses conducted in the Area be classified as follows so as to promote the equitable imposition of the additional charge, hereunder, in relation to the relative benefits to be derived. The proposed charge, over and above the business operations tax, imposed on each business within the Area shall be as follows:

- (a) Retailing Activity: \$25.00 fee for gross receipts of \$50,000 or less plus \$.0005 for each dollar of gross receipts in excess of \$50,000 for the reporting period.
- (b) Non-Retail: Flat fee of \$25.00
- (c) There shall be a minimum charge of \$25.00 per year for any business conducting business in the Area and a maximum charge of \$250.00 per year.

The determination of the type or class of business or businesses a charge payer is engaged in or about to engage in shall be an administrative function of the Revenue Officer of the City of Sacramento. In cases where a charge payer believes he is placed in the wrong business or class of business or businesses, he may apply in writing to the Revenue Officer for a change in his classification, setting forth in full his reason for requesting such change. The Revenue Officer shall conduct an investigation and shall, thereupon, render his decision in writing as to the proper classification or classifications.

If the charge payer is aggrieved by the Revenue Officer's decision, he shall have the right of appeal to the Director of Finance. The appeal shall be filed with the Director of Finance within ten (10) days of the date of the Revenue Officer's decision and shall be heard by the Director of Finance within thirty (30) days, thereafter. The charge payer shall be given at least seven (7) days notice of the hearing by the Director of Finance.

On July 1, 1988 and each July 1 thereafter, the amount of non-retail charges in subparagraph (b), above, and the maximum and minimum charges in subparagraph (c), shall be automatically increased by the amount of increase in the consumer price index, San Francisco area, all items, most recently available prior to the date of increase, provided, however, that in no event shall any automatic increase, hereunder, exceed ten percent (10%), and provided that the amounts of the charges which result from the application of the automatic increases, hereunder, shall be rounded to the nearest whole dollar.

SECTION 7. Exemption; Voluntary Contribution. Any business, person or institution located in the Area, which is exempt from the payment of the ordinary business operations tax of the City by reason of the provisions of the laws of the United States or the City or by reason of the provisions of the United States or California Constitution, is not to be charged under this proceeding but may make a voluntary contribution to the City of Sacramento. Such contribution shall be used for the purposes provided in this Resolution.

SECTION 8. Modification or Disestablishment of the Area. The City Council, by ordinance, may modify the provisions of the ordinance hereby proposed and may disestablish the Area after adopting a Resolution of Intention to such effect. Such resolution shall describe the proposed change or changes, or indicate that it is proposed to disestablish the Area and shall state the date, time, and place of a hearing to be held by the City Council to consider the proposed action.

If a majority of the businesses in the Area file a petition with the City Clerk requesting the Council to adopt a Resolution of Intention to modify or disestablish the Area, the Council shall adopt such resolution and act upon it as hereinafter provided. Signatures on such petitions shall be those of duly authorized representatives of businesses in the Area and the petition shall be filed with the City Clerk within two (2) weeks of the date on which the first signature was affixed.

The City Clerk shall cause such resolution to be published at least once in the official newspaper of the City of Sacramento, and shall also mail a complete copy thereof, postage prepaid, to each business in the Area, or, if it is proposed to enlarge the boundaries of the Area, to each business in the Area as it is proposed to be enlarged, such publication and mailing shall be completed at least fifteen (15) days prior to the date of the said hearing.

In the event that the resolution proposes to modify any of the provisions of the ordinance, including changes in the existing charges or in the existing boundaries of the Area, such proceedings shall terminate if protest is made by a majority of the businesses in the Area, or in the Area as it is proposed to be enlarged, provided that the City Council may modify the boundaries or charges as specified in Streets and Highways Code Section 36528.

In the event that the resolution proposes disestablishment of the Area, the City Council shall disestablish the Area; unless, at such hearing, protest against disestablishment is made by a majority of the businesses in the Area.

At the hearing, the City Council shall hear all protests and receive evidence for and against the proposed action, shall rule upon all protests, their determination in this regard being final; and may continue the hearing from time to time.

SECTION 9. Administration. It is the intention of the City to provide for the administration of the Area's activities by seeking to enter into an agreement with a business organization or association, which, in the opinion of the City Council, has the capability of representing the interests of the businesses in the Area, whose general objectives are consistent with the purposes of this Resolution, and who will provide the resources to effectively achieve those objectives. However, the City Council will reserve unto itself sole discretion as to how the revenue derived from the charges, hereunder, is to be used within the scope of the said authorized purposes.

SECTION 10. Payment of Charge -- Effective Date. The collection of the charges proposed, hereunder, shall be at the same time and in the same manner as the general business operations tax under Chapter 23 of the Sacramento City Code. If the Area is established, the effective date for commencement of the charges to be imposed will be January 2, 1988.

SECTION 11. Applicability of Relevant General Business Operations Tax Provisions. The provisions of Chapter 23 of the Code of the City, insofar as they are relevant to the provisions hereunder, shall be made applicable to all businesses subject to the said charges. No business operations tax certificate shall be issued pursuant to the said Chapter 23 of the City Code unless the charges pursuant hereto are paid together with the applicable general business operations tax.

SECTION 12. Date, Time, and Place of Hearing, Notice. Notice is hereby given that the 20th of October, 1987, at a regular meeting of the City Council to commence at or about 7:30 p.m., in the Council Chambers of the City Hall at 915 "I" Street, Sacramento, California, is the date, time, and place fixed for the hearing on this Resolution of Intention for the proposed formation and establishment of the said "Stockton Boulevard Business Improvement Area" of the City of Sacramento.

Any person interested in, or desiring to protest the formation and establishment of said Area, and/or the extent thereof, the boundaries thereof, the proposed amount of the charges, the classification of businesses, the drawing of benefit zones, or to any other proposal or matter set forth in this Resolution of Intention, may appear before the Council at said time and place and be heard.

SECTION 13. Publication and Mailing of Notice. The City Clerk shall cause this Resolution of Intention to be published at least once in the official newspaper of the City of Sacramento, the first publication to be at least ten (10) days prior to the date of said hearing.

The City Clerk shall also mail a copy of this Resolution, postage prepaid, to each business in the proposed Area as described herein, which mailing shall be completed at least ten (10) days prior to the date of said hearing, all in accordance with S36522 of the California Streets and Highways Code.

Mayor

ATTEST:

City Clerk



DEPARTMENT OF
FINANCE

CITY OF SACRAMENTO
CALIFORNIA

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

REVENUE DIVISION

September 11, 1987
RD:871328-ADM:LM:lv

916-449-5454

Budget & Finance Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: PROPOSED STOCKTON BOULEVARD BUSINESS IMPROVEMENT AREA

SUMMARY

This report initiates the process of establishing a business improvement area (BIA) for the Stockton Boulevard area.

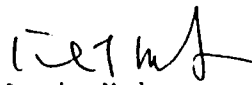
DISCUSSION

Staff has received a request from the Stockton Boulevard Merchants and Property Owners Association to assist in the formation of the Stockton Boulevard Business Improvement Area. Members of the Association in the proposed BIA (see attached map) have held formation meetings and no firm opposition to the proposed BIA has surfaced.

RECOMMENDATION

Staff requests that the Budget and Finance Committee recommend the City Council approve the attached report, adopt the attached Resolution of Intention, and establish Tuesday, October 20, 1987 as the date of hearing for the establishment of the Stockton Boulevard Business Improvement Area.

Respectfully submitted,


Louis Myles
Chief of Revenue

RECOMMENDATION APPROVED:



JACK R. CRIST
Deputy City Manager

Attachment

District 5
September 23, 1987



APPROVED
BY THE CITY COUNCIL

19

SEP 29 1987

OFFICE OF THE
CITY CLERK

DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 207
915 I STREET
SACRAMENTO, CA
95814-2673

OFFICE OF THE DIRECTOR

916-449-5283

September 29, 1987

MELVIN H. JOHNSON
DIRECTOR
LESLIE M. FRINK
DEPUTY DIRECTOR
REGINALD YOUNG
DEPUTY DIRECTOR

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Resolution Adjusting the Capital Improvement Budget for
Final SB 300 Funding

SUMMARY

This report recommends that the City Council adopt the attached resolution which adjusts the Capital Improvement Budget to fully expend all receipts of SB 300 State funds. This item was heard by the Budget and Finance Committee on September 29, 1987.

BACKGROUND

Over the past two years the City has received SB 300 funds from the State to be used for street maintenance projects. These funds must be expended before October 1, 1987. In February 1987, staff was advised of the approximate total of the SB 300 program and adjusted the Capital Improvement Budget correspondingly. However, during a review of the SB 300 Fund, the City has received additional revenue and has additional unexpended funds in the Street Pavement Rejuvenation Program (RB46). Therefore, it is necessary to adjust the Capital Improvement Budget to expend the funds before the October 1, 1987 deadline.

FINANCIAL

Additional unexpended funds total \$90,500. It is recommended that the portion Street Slurry Seal Program funded by Gas Tax funds be replaced by the additional SB 300 funds.

City Council
September 29, 1987
Page 2

RECOMMENDATION

It is recommended that the City Council approve the attached resolution amending the Capital Improvement Budget to fully expend SB 300 funds.

Respectfully submitted,

L. M. Friel
FOR Melvin H. Johnson
Director of Public Works

RECOMMENDATION APPROVED:

Walter J. Slipe, Jr.
for: Walter J. Slipe
City Manager

September 29, 1987
All Districts

RESOLUTION No. 87-806

Adopted by The Sacramento City Council on date of

APPROVED
BY THE CITY COUNCIL

SEP 29 1987

CITY CLERK

RESOLUTION AMENDING THE 1987-88 CAPITAL
IMPROVEMENT BUDGET TO UTILIZE SB 300 FUNDS

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

1. Revenue Budget projections for the SB 300 funds are hereby increased by \$75,500 (247-110-1122-35xx), thereby increasing the SB 300 Contingency Reserve (247-710-7012-4999) by \$75,500.
2. The Street Pavement Rejuvenation Program (247-500-RB46-4820) is hereby defunded by transferring \$15,000 to the SB 300 Contingency Reserve (247-710-7012-4999).
3. The Capital Improvement Budget is hereby amended by transferring \$90,500 from the SB 300 Contingency Reserve (247-710-7012-4999) to the Street Slurry Seal Program (247-500-RB06-4820). The Street Slurry Seal Program (202-500-RB06-4820) is hereby further amended by transferring \$90,500 of Gas Tax funds to the Gas Tax Contingency Reserve (202-710-7012-4999).

MAYOR

ATTEST:

CITY CLERK



19

DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 207
915 I STREET
SACRAMENTO, CA
95814-2673

OFFICE OF THE DIRECTOR

September 29, 1987

916-449-5283

Budget and Finance Committee
Sacramento, California

MELVIN H. JOHNSON
DIRECTOR
LESLIE M. FRINK
DEPUTY DIRECTOR
REGINALD YOUNG
DEPUTY DIRECTOR

Honorable Members in Session:

SUBJECT: Resolution Adjusting the Capital Improvement Budget for Final SB 300
Funding

SUMMARY

The attached report recommends that the City Council approve a resolution which adjusts the Capital Improvement Budget to fully expend all State SB 300 street maintenance funds.

BACKGROUND

The attached City Council report contains the background information

FINANCIAL

The attached City Council report contains the financial data.

RECOMMENDATION

It is recommended that the Budget and Finance Committee forward the attached report to the full City Council with a recommendation of approval.

Respectfully submitted,

MELVIN H. JOHNSON
Director of Public Works

RECOMMENDATION APPROVED:

JACK R. CRIST
Deputy City Manager