

RESOLUTION NO. 2005-372

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON MAY 24 2005

**RESOLUTION DECLARING THE RESULTS OF THE MAJORITY-PROTEST
PROCEEDINGS AND ESTABLISHING THE DEL PASO BOULEVARD
PROPERTY AND BUSINESS IMPROVEMENT DISTRICT**

A. The owners of property within the boundaries of the Del Paso Boulevard Property and Business Improvement District (PBID) have submitted petitions asking that the City Council establish the PBID and included with the petitions was a management district plan (The Del Paso Boulevard 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 coordination program and maintenance program to coordinate efforts amongst existing law enforcement and the property and business owners; (2) a maintenance program responsive to property and business owners efforts to clean and improve Del Paso Boulevard; (3) maintenance services to increase removal of litter, debris, and graffiti; (4) an advocacy program to promote business interests and allow the business community to speak with one voice to leverage additional funding for improvements to Del Paso Boulevard. The Del Paso Boulevard PBID Management District Plan is on file with the City Clerk and made reference to. Attached, as Exhibit A, is a map of the exterior boundaries of the PBID and is part of this resolution.

B. The proposed owners who signed the petitions will collectively pay more than 50% of the proposed assessment. Accordingly, on April 5, 2005, the City Council adopted Resolution No. 2005-219, entitled "Resolution of Intention to Establish the Del Paso Boulevard 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 May 24, 2005, 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 Del Paso Boulevard 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 April 6, 2005, the City Clerk mailed to each record owner of each parcel within the Districts 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.

E. At 2:00 p.m. on May 24, 2005, in the City Council's chambers, Interim Sacramento City Hall, 730 "I" Street (first floor), Sacramento, California, the City Council held a public

FOR CITY CLERK USE ONLY

RESOLUTION NO: 2005-372

DATE ADOPTED: MAY 24 2005

hearing regarding the establishment of the Del Paso Boulevard 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; and

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 F are true and adopts them as findings.

Section 2. Establishment of the Del Paso Boulevard Property and Business Improvement District;

- (a) The PBID is established for a 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 Del Paso Boulevard the 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.

FOR CITY CLERK USE ONLY

2005-372

RESOLUTION NO: _____

MAY 24 2005

DATE ADOPTED: _____

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 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 May 24, 2005, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

HEATHER FARGO

MAYOR

ATTEST:

SHIRLEY CONCOLINO

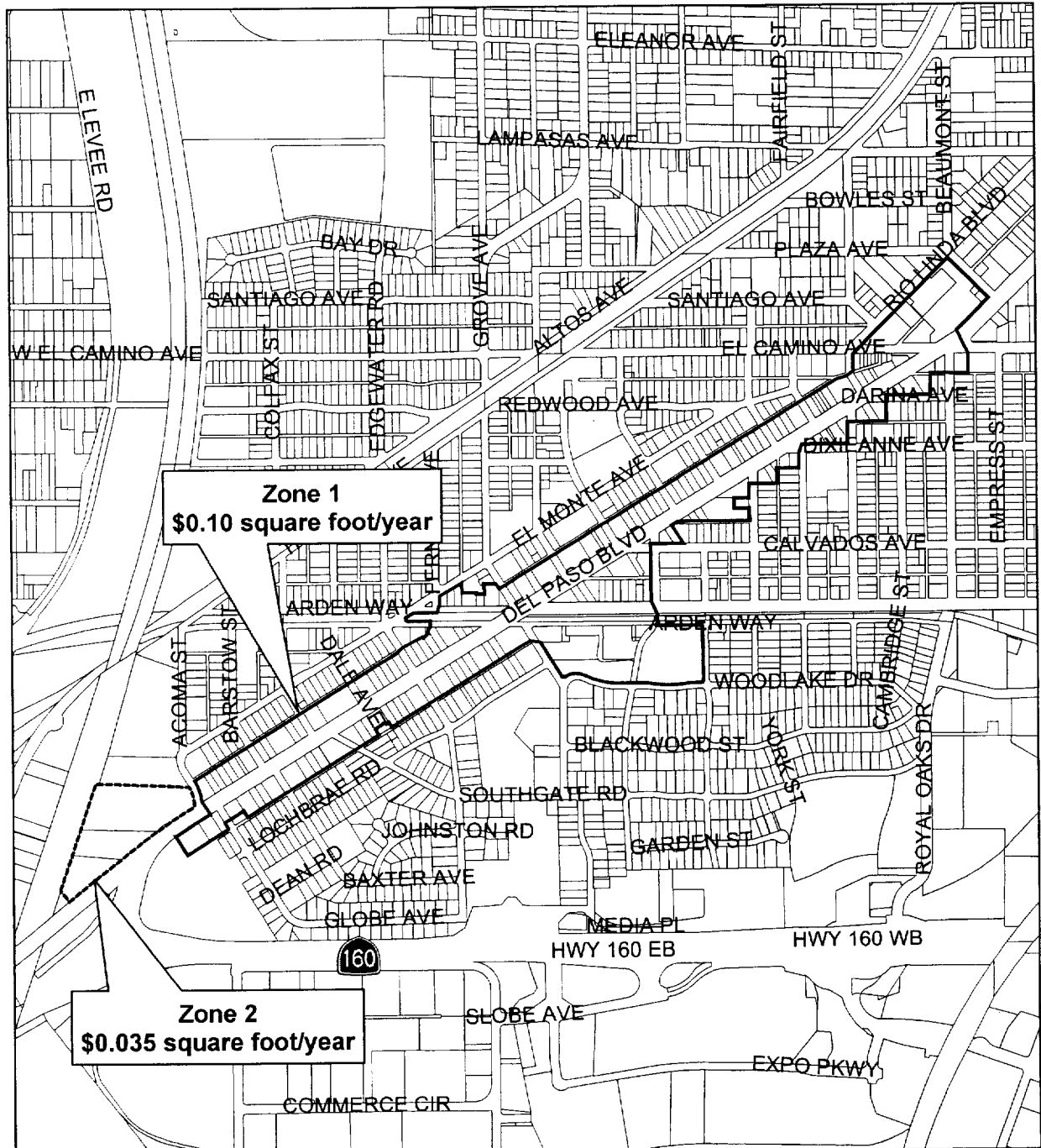
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RESOLUTION NO: 2005-372

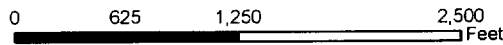
DATE ADOPTED: MAY 24 2005

Proposed Map Del Paso Boulevard PBID



City Of Sacramento
Development Services
Department
Special Districts

BMueller, 03/03/05



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10

RESOLUTION NO: _____

DATE ADOPTED: _____

EXHIBIT B

**DEL PASO BOULEVARD PROPERTY AND
BUSINESS IMPROVEMENT DISTRICTFY 2005/06
BUDGET & PARCEL ASSESSMENT**

BUDGET

Del Paso Boulevard PBID	205,909
Special Districts Administration	3,000
Consultant (NBS) Reporting	443
Finance Administration	500
County Billing Cost	<u>148</u>
Subtotal	\$210,000
Total Assessed to Property Owners	\$210,000

PARCEL ASSESSMENT

ANNUAL ASSESSMENT RATES ARE BASED ON AN ALLOCATION OF PROGRAM COSTS ON A PER SQUARE FOOT (SQ.FT.) CALCULATION AS REFLECTED BELOW:

DISTRICT NAME	FY 2005/06 Zone 1 Per Parcel Sq. Ft.	FY 2005/06 Zone 2 Per Parcel Sq. Ft.	FY 2005/06 Religious Properties Per Parcel Sq. Ft.
Del Paso Boulevard Property and Business Improvement District No. 2005-03	\$0.10	\$0.035	\$0.0500 Zone 1 \$0.0175 Zone 2

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