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OAKLAND CITY COUNCIL

RESOLUTION No. 87068 C.M.S.

RESOLUTION CONFIRMING THE ANNUAL REPORT OF THE ROCKRIDGE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD AND LEVYING THE ANNUAL ASSESSMENT FOR THE ROCKRIDGE BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2018-2019

WHEREAS, the State of California allows for the formation of business assessment districts under Street and Highways Code Section 36500 *et seq.*; and

WHEREAS, the business license holders in the Rockridge business district petitioned to form the Rockridge Business Improvement District ("District") under said legislation to undertake the Management Plan for the District ("Plan") which is on file with the City Clerk; and

WHEREAS, the Plan provides for special benefit services such as enhanced security, beautification, sidewalk sweeping, and economic development and marketing activities with the intent of creating a positive atmosphere in the District area (as more specifically identified in the Plan); and

WHEREAS, the Rockridge Business Improvement District was established by the City Council on November 28, 2000 pursuant to Ordinance No. 12301 C.M.S, as amended; and

WHEREAS, pursuant to Streets and Highways Code Section 36533, the Rockridge Business Improvement District Advisory Board has prepared and filed with the City Clerk, the Annual Assessment Report (attached hereto as **Exhibit A**) ("Report"), which contains the required particulars including a detailed description of the improvements and activities to be provided for the 2018-2019 fiscal year (March 1, 2018 through February 28, 2019), the boundaries of the area and any benefit zones within the area, and the proposed assessments to be levied upon the businesses within the area for the 2018-2019 fiscal year; and

WHEREAS, the City Council desires to confirm the Report, and levy the annual assessment for the Rockridge Business Improvement District for fiscal year 2018-2019; and

WHEREAS, on November 28, 2017, the City Council Adopted a Resolution of Intention to levy the fiscal year 2018-2019 assessment, approve the district's annual

report, and schedule a related public hearing for December 12, 2017, as required by Government Code section 36534; and

WHEREAS, if the District's proposed assessments for FY 2018-2019 are approved and levied, they will be held (until disbursed) in a special trust fund established by the Finance Management Bureau on behalf of the District in Miscellaneous Trusts Fund (7999)/Economic Development Organization (85411)/Pass Thru Assessments Account (24224)/ Administrative Project (1000019)/Rockridge BID Program (RBID); now therefore be it

RESOLVED: that the Council of the City of Oakland does hereby find and determine as follows:

1. The Rockridge Business Improvement District was established in the Rockridge area of the City of Oakland, California as a parking and business improvement area pursuant to Street and Highways Code section 36500 *et seq.* with the boundaries as specified in the Plan on file with the City Clerk.
2. Pursuant to Streets and Highways Code Section 36535, a Public Hearing was held on December 12, 2017, to hear all public comments, protests, and take final action as to the levying of the proposed assessments for the District for the fiscal year 2018-2019. The City Council finds that there was no majority protest as defined in the Street and Highways Code Section 36500 *et seq.*
3. The Annual Assessment Report for the District is approved and confirmed.
4. The City Council approves and adopts the assessments as provided for in the Plan and the Annual Report of the Advisory Board and does hereby levy and direct the collection of the assessments for the 2018-2019 fiscal year as provided for in the Annual Assessment Report in accordance with the assessment formula as provided for in the Plan and Annual Assessment Report.
5. The proposed method and basis of calculating the assessments to be levied against each business in the District are those specified in the Plan and Annual Assessment Report on file with the City Clerk. For the fiscal year 2018-2019 assessment a temporary sub-classification of businesses that earn annual gross receipts of \$25,000 or less is hereby created with a reduced fee of \$60 (instead of the \$120 fee). This temporary sub-classification and reduced fee applies to fiscal year 2018-2019 only and will not apply to future assessment years unless renewed in the annual assessment resolution for such future years.
6. The time and manner of collecting assessments shall be at the same time and in the same manner as for the annual business tax billings and may provide for the same penalties for delinquent payment. The City may use the same process and procedures for the collection of delinquent assessments as it uses to collect delinquent business tax billings or such other processes and procedures as are

convenient to complete such collection and may reimburse itself out of the proceeds collected for the costs of such collection. The assessments shall be coordinated with the City of Oakland's annual business tax billing cycle, and shall be included along with the annual business tax notifications, or in a supplemental notice following thereafter if, for any reason, they are not ready or cannot be included along with the business tax notices. Supplemental notices shall be permissible for new businesses or for correction or supplementation of prior notices.

7. The boundaries of the District shall remain the same as specified in the Plan on file with the City Clerk and there are no changes to the boundaries or benefit zones.
8. The types of the improvements and activities proposed to be funded by the levy of assessments on businesses in the area are those described in the Plan and the Annual Assessment Report on file with the City Clerk. There are no substantial changes in the improvements or activities for the District.
9. Until disbursed, BID assessments will be held in a special trust fund established by the City on behalf of the Rockridge Business Improvement District in: Miscellaneous Trusts Fund (7999), Economic Development Organization (85411), Pass Thru Assessments Account (24224), Administrative Project (1000019), Rockridge Business Improvement District Program (RBID).
10. The City Administrator is hereby authorized to enter into annual contracts and related amendments for the security, marketing, maintenance, or other activities and improvements for the District, or to conduct or contract for such services and improvements as provided for in the State of California Streets and Highways Code Section 36500 *et seq.*

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 20 2018

PASSED BY THE FOLLOWING VOTE:

AYES- ~~BRUNO, GIBSON, MCELHANEY, GUILLEN, KALB,~~ GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, REID, and ~~WASHINGTON~~ - 5

NOES- ~~Brooks, Campbell, Washington + Reid~~ + 3

ABSENT- 0

ABSTENTION- 0

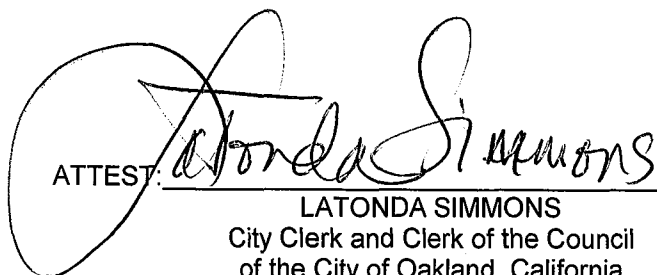
ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

Exhibit A

(To the Resolution to Levy the FY 2018/19 Rockridge BID Assessment)

**Rockridge Business Improvement District
Annual Report To The City Of Oakland
Relating to the Fiscal Year 2018-2019**

Pursuant to California Streets and Highways Code Part 6
Parking and Business Improvement Area Law of 1989
Chapter 3, Section 36533

I. Proposed changes in the boundaries of the parking and business improvement area or in any benefit zone within the area.

There are no proposed changes to the boundaries of the Rockridge Business Improvement District

II. Improvements and activities to be provided for in fiscal year 2018-2019

Please see attached Accomplishments for this year to date. We plan to continue on the same course.

III. Estimate of the cost of providing the improvements and activities for fiscal year 2018-2019

See attached budget.

IV. Method and basis of levying the assessment.

The fee structure for assessments will remain as previously approved, including the change in classifications of businesses by temporarily creating a sub-classification for businesses that earn annual gross receipts of \$25,000 or less. Businesses which fall into this sub-classification would pay an annual assessment fee of \$60.00. This is not a property based district, therefore property owners are not assessed.

V. The amount of any surplus or deficit revenues to be carried over from the previous fiscal year.

Our fiscal year ends on 2/28. The first disbursement of assessments occurs on 4/30. Funds have been kept to cover recurring expensed for March and April.

VI. The amount of any contributions to be made from sources other than assessments levied.

The Rockridge Business Improvement District will seek sponsorship funds for our promotional and beautification efforts.

VII. Annual Renewal Notice.

Starting in 2014 the notice has to be sent every five years.

The notice will be sent again in 2018 as the last notice was sent in 2013. Section 12 of the amended Ordinance 12301 C.M.S. now states:

The Governing Council (Advisory Board) of the Rockridge BID shall annually 45 days before the anniversary of the establishment of Rockridge Business Improvement District Ordinance give the assesses of the District written notice of their rights to seek disestablishment of the district and the process therefore. Commencing with the year 2014, said notice shall no longer be required annually, but shall be given once every five years, with the next notice to be sent 45 days before the District's formation anniversary in the year 2018. In their annual report to Council, the Advisory Board shall report that they have provided this notice.

Please contact Anthony Barr, Treasurer of the Rockridge Business Improvement District, should you have any questions regarding this report.

August 24, 2017

RDA, a Rockridge Business Improvement District
Proposed Budget
March 2018 to February 2019

Income

Gross BID Revenue	\$158,400
Capital Projects Carryforward	<u>\$50,000</u>
Total Income	\$208,400

Expense

Organization	\$77,000
City of Oakland- Collection Cost	\$2,400
City of Oakland- Noticing	\$1,100
Marketing & Promotion	\$37,900
Streetscape & Security	\$40,000
Capital Projects	<u>\$50,000</u>
Total Expense	\$208,400



ACCOMPLISHMENTS 2017

Let me start by saying that the Rockridge District continues to be one of the largest tax revenue generators for the city of Oakland for a district of this kind and that in itself, in this tumultuous time, is an accomplishment.

We were able, after a year and a half of negotiation with the city, for the 1st time to bring lighted holiday decorations to the Avenue. This was no small feat. The district will invest approximately \$40,000 of member's funds to accomplish this. The RDA has been working to make the Avenue a more festive place for holiday shoppers and all of Oakland. This also lays the groundwork for other districts to follow if they feel it's appropriate. We have donated our existing decorations to the KONO district to help bring cheer to Telegraph Avenue.

The RDA continues our ongoing maintenance and upkeep of the Avenue; We had just completed another round of tree trimming of city street trees, we soon will have the decomposed granite replenished in all of the tree wells, We continue to maintain the watering of our newly planted trees to ensure their success, and have replaced several trees that have been damaged by trucks delivering goods to our merchants.

The RDA has purchased 12 PVC trash container liners that will be installed shortly. The reason for this is to help eliminate the unsightly staining of the concrete and odor due to the broken galvanized liners. To further improve cleanliness our board has voted to allocate funds for power washing of the city trash containers.

We continue to work very closely with the Oakland Police Department to help in the reduction of crime to both our members and the community at large. We are grateful to have been assigned a walking officer as well as support from our Community Resource Ofc.

The RDA was very pleased to be able to attract 4 new board members. This was particularly exciting for us as they represent 1st floor businesses, coming from the backgrounds of restaurant, fitness and financial. These folks are a great representation of the young entrepreneurial spirit of Oakland.

We have been working quite closely and partnering with the bike share folks and try to lessen the impact on parking to our district. I'm very happy to say that we worked out an agreement with the city and we were able to take some remaining 12 feet of an existing parking space left over from the bike kiosk and turn it to usable scooter and motorcycle parking. This creates an asset for our district as well as a revenue generator for the city.

The district is looking forward to another successful Out and About street fair coming up September 17. Another accomplishment that will be celebrated by Market Hall is their 30th year here on the Avenue, and it goes without saying what they bring to College Avenue and Oakland.

To summarize, we continue to work with one of the smallest of any BID budgets in the City of Oakland. The RDA is proud to be able to deliver this level of service and improvements to our members and will continue to do so.

Report by Chris Jackson, Manager

Rockridge District Association, a Rockridge Business Improvement District

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