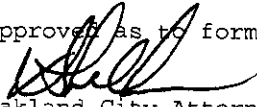


Approved as to form and legality

  
Oakland City Attorney's Office  
OFFICE OF THE CITY CLERK  
OAKLAND

## OAKLAND CITY COUNCIL

2005 NOV -2 PM 4:35

RESOLUTION NO. 79595 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 2006/07**

**WHEREAS**, the State of California allows for the formation of business assessment districts under Streets and Highways Code Section 36500 et seq. [Senate Bill 1424]; and

**WHEREAS**, the City Council approved a Neighborhood Business Improvement District ("NBID") Program pursuant to Oakland City Council Resolution No. 75323, dated November 9, 1999, to provide technical and financial assistance to stakeholder groups of business owners in the City to assist in the formation of such districts; 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 services such as new security, crime prevention, beautification, sidewalk sweeping, 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 Plan was prepared in accord with the provisions of the law overseeing the formation of the District as referenced above, and has been filed with the City; and

**WHEREAS**, pursuant to the requirements of the law the Rockridge Business Improvement District was established by the City Council on December 12, 2000 pursuant to Ordinance Number 12301; and

**WHEREAS**, the Annual Report (attached as Exhibit A) has been prepared by the Rockridge Business Improvement District Advisory Board and filed with the City Clerk, and the City Council desires to confirm the Report, and levy the annual assessment for the Rockridge Business Improvement District for fiscal year 2006/07;

**WHEREAS**, until disbursed, BID assessments will be held in a special trust fund established by the Finance and Management Agency on behalf of the Rockridge Business Improvement District in trust fund number: Miscellaneous Trusts Fund (7999)/Neighborhood Commercial Revitalization & Service Delivery System Organization (88569)/Pass Thru Assessments Account (24224)/Undetermined Project (0000000).

**NOW, THEREFORE**, the Council of the City of Oakland does hereby find and resolve 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 Streets and Highways Code section 36500 et seq with the boundaries as specified in the Plan on file with the City Clerk.
2. A Public Hearing was held on November 15, 2005, 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 2006/07. The City Council finds that there was no majority protest as defined in the Streets 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 2006/07 fiscal year as provided for in the Annual Report in accordance with the assessment formula as provided for in the Plan and Annual Report.
5. The proposed method and basis of levying the assessments to be levied against each business in the District have not been changed and are those specified in the Plan and Annual Report on file with the City Clerk. For the fiscal year 2006/2007 assessment a sub-classification of businesses that earn annual gross receipts of \$25,000 or less is created with a temporarily reduced fee for that assessment year of \$60. Such sub-classification is temporarily created to reduce the number and expense of processing hardship partial fee waiver requests, and the reduced fee amount shall 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 specified above in this Resolution and more specifically as described in the Plan and the Annual Report on file with the City Clerk. There are no substantial changes in the improvements or activities for the District.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, **NOV 15 2005**

**PASSED BY THE FOLLOWING VOTE:**

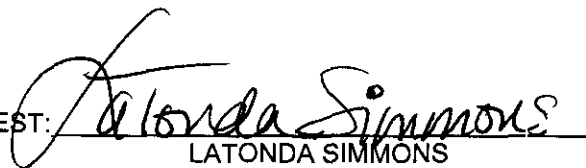
AYES- BRUNNER, CHANG, BROOKS, NADEL, REID, QUAN, KERHIGHAN and PRESIDENT DE LA FUENTE - 8

NOES- 0

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 confirming the Rockridge BID annual report**  
**and levying the FY 06/07 assessment)**

OFFICE OF THE CITY CLERK  
CANTLAND

2005 NOV -2 PM 4: 35

**ROCKRIDGE BUSINESS IMPROVEMENT DISTRICT**  
**ANNUAL REPORT TO THE NEIGHBORHOOD COMMERCIAL**  
**REVITALIZATION PROGRAM/CEDA FOR FISCAL YEAR**  
**2006-2007**

Section 36533

(b)(1)

There are no proposed changes to the boundaries of the Rockridge Business Improvement District (RDA).

(b)(2)

Please see the attached budget, which will outline the improvements and activities to be funded and provided in the upcoming fiscal year through February 28, 2007. Due to the City's request for loan reimbursement, we will have to make budget cuts in services including, but not limited to, street cleaning and security.

(b)(3)

Please see attached budget.

(b)(4)

The Rockridge Business Improvement District proposes to change the classification of businesses by creating a subcategory for businesses that earn annual gross receipts of \$25,000.00 or less. Businesses which fall into this subcategory would pay an annual assessment fee of \$60.00.

(b)(5)

A cash basis net was carried over from 2004 in the amount of \$45,584.77. This cash carryover was the result of un-invoiced expenses (paid in 2005) and lack of regular staff expense in 2004.

(b)(6)

The Rockridge District Association will seek funds from corporations for sponsorship of the annual street festival and holiday promotional activities.

Annual Renewal Notice:

"Per Council adoption of the Rockridge ordinance in November 2000, the Governing Council (Advisory Board) of the Rockridge BID shall annually 45 days before the anniversary of the establishment of the Rockridge Business Improvement Management District Ordinance give the assessees of the District written notice of their rights to disestablish the district and the process therefore, and shall report that they have done so each year in the annual report to the Council." The notice will be given as required by the ordinance.

Please contact Mary D'Orazi, Program Manager for Rockridge B.I.D., should you have any questions regarding this report.

August 31, 2005

# Rockridge District Association Budget Overview

March, 2006 through February, 2007

Cash Basis

<b>Ordinary Income/Expense</b>	
<b>Income</b>	
BID Revenues	132,000.00
In-Kind Donation	0.00
Other Income	0.00
Sponsorship	5,000.00
<b>Total Income</b>	<b>137,000.00</b>
<b>Expense</b>	
Advertising, Marketing, Promotion	3,000.00
Bank Charges	250.00
Charitable Donations	600.00
Communications - Telephone & Fax	900.00
Event Expenses-Catering, Supplie	7,800.00
<b>Insurance</b>	
Directors/Officers	2,500.00
General Liability/Property	950.00
WorkersComp	525.00
<b>Total Insurance</b>	<b>3,975.00</b>
Mileage, Parking, Tolls	150.00
Misc. Operating Expense	600.00
Office Supplies	1,200.00
<b>Payroll Expense</b>	
Payroll (IRS/EDD)	3,000.00
Payroll Service Fees	550.00
Wages	36,000.00
<b>Total Payroll Expense</b>	<b>39,550.00</b>
Postage	1,500.00
Printing/Photocopying	8,100.00
<b>Professional</b>	
Accounting	3,000.00
Consulting	700.00
Event Consulting	7,200.00
Legal	0.00
<b>Total Professional</b>	<b>10,900.00</b>
Rent	200.00
Security, Public Safety	14,400.00
Sidewalk, St Cleanup, Landscape	35,000.00
Small Equipment Purchase	150.00
Street Improvements	2,250.00
Suspense	0.00
<b>Taxes, Licenses, Permits</b>	
City	0.00
State	50.00
<b>Total Taxes, Licenses, Permits</b>	<b>50.00</b>
Website Expenses	3,000.00
<b>Total Expense</b>	<b>133,575.00</b>
<b>Net Ordinary Income</b>	<b>3,425.00</b>
<b>Other Income/Expense</b>	
<b>Other Expense</b>	
City of Oakland Loan	2,550.00
<b>Total Other Expense</b>	<b>2,550.00</b>
<b>Net Other</b>	<b>-2,550.00</b>
<b>Net Income</b>	<b>875.00</b>