

2017 NOV -2 AM 10:05 OAKLAND CITY COUNCIL

RESOLUTION NO. 86979 C.M.S.

RESOLUTION OF INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2018-2019 FOR THE ROCKRIDGE BUSINESS IMPROVEMENT DISTRICT, APPROVING THE ANNUAL REPORT OF THE ROCKRIDGE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD, AND SCHEDULING A PUBLIC HEARING FOR DECEMBER 12, 2017

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 new security, beautification, 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 12301 C.M.S (as amended by Ordinance No. 13261 on October 21, 2014).; and

WHEREAS, Streets and Highways Code Section 36533 requires that before the next annual assessment for the Rockridge Business Improvement District is levied, the City Council must: (1) approve the Report, (2) approve a Resolution of Intention that declares the City's intention to collect the assessments, and (3) schedule a public hearing to be held about the levy of the proposed assessment; and

WHEREAS, pursuant to said law, 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, 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)/NCR & SDS Org (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 find and state its intention as follows:

1. The Fiscal Year 2018-2019 Annual Assessment Report for the Rockridge Business Improvement District is hereby approved, and pursuant to Streets and Highways Code Section 36534, the City Council declares its intention to levy and collect the assessments for FY 2018-2019 as provided for in the said Annual Assessment Report and pursuant to the assessment formula as provided for in the Plan, if the requested assessments are approved by the City Council after the Public Hearing scheduled by this Resolution of Intention.
2. The location and 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.
3. The types of the improvements and activities proposed to be funded by the levy of FY 2018-2019 assessments on businesses in the area are those described in the Plan and the Annual Assessment Report on file with the City Clerk. No substantial changes in the improvements or activities for the District are proposed to be made.
4. 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 sub-classification of businesses that earn annual gross receipts of \$25,000 or less is proposed to be created with a reduced fee for that assessment year of \$60 (instead of the \$120 fee). Such sub-classification is proposed to be temporarily created to reduce the number and expense of processing hardship partial fee waiver requests, and the reduced fee amount would not apply to future assessment years unless renewed in the annual assessment resolution for such future years.
5. **A Public Hearing is set for December 12, 2017 at 6:00 p.m. in Oakland City Hall**, to hear all public comments, protests, and to take final action as to the levying of the proposed assessments for the District for the fiscal year 2018-2019.
6. The City Clerk is directed to give notice of the Public Hearing by causing the Resolution of Intention to be published once in a newspaper of general circulation in the City of Oakland not less than seven days before the Public Hearing.
7. At the Public Hearing the testimony of all interested persons for or against the proposed assessments will be heard and written and oral protests may be made.

The form and manner of protests shall comply with Sections 36524 and 36525 of the Streets and Highways Code.

8. A protest may be made orally or in writing by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made.
9. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing.
10. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the City as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business.
11. A written protest which does not comply with the requirements stated above shall not be counted in determining a majority protest.
12. If written protests are received from the owners of businesses in the District who will pay 50 percent or more of the assessments proposed to be levied, and protests are not withdrawn so as to reduce the protests to less than that 50 percent, the proposed assessment shall not be levied.

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 28 2017, _____.

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON McELHANEY, GUILLEN, KALB, KAPLAN, and PRESIDENT REID 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

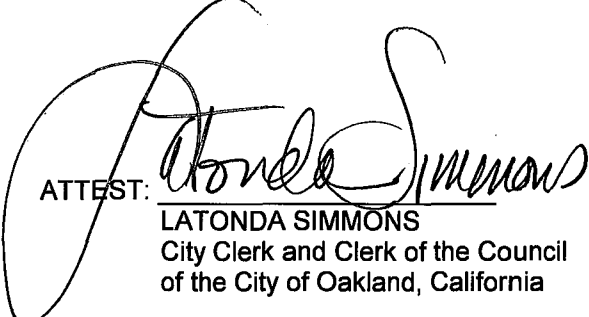
ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

Exhibit A

(To the Resolution 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 assessees 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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▪ Phone 510-604-3125 ▪
chris@rockridgedistrict.com ▪ www.rockridgedistrict.com

	Board Member Name:	Officers	OY	Business:	Business Address:	Email Address:	Elected/Re-Elected
2	Louise Rothman-Riemer			1999 DHR Investment Counsel	5435 College Ste 200	louise@dhrconsult.com	2017
4	Veronica Bhonsle			2005 VERO	6052 College	vbhonsle@aol.com	2017
1	Joyce Gardner			2006 FIT	5707 College	fitclothing@att.net	2016
3	Susan Bernosky	P		2006 Strahan Ins Svcs Inc	5940 College	susan@susanbernosky.com	2016
5	Maggie Klein			2013 Oliveto	5655 College	maggie@oliveto.com	2017
6	Lauren Field	S		2013 Lauren G Field	5332 College Ste100	laurenfield@gmail.com	2017
7	Robin Pennell	VP		2013 Jarvis Architects	5278 College Ave	rpennell@jarvisarchitects.com	2017
8	Chris Strieter			2017 Duchess Oakland	5422 College Ave	chris@duchessoakland.com	2017
9	Alex Gurov			2017 Fremont Bank	6300 College Ave Ste 160	aleksey.gurov@fremontbank.com	2017
10	Anthony Barr	T		2017 Henry Levy Group	5940 College Ave Ste F	anthony@hglcpa.com	2017
11	Katy Winter			2017 Vita	6034 College Ave	katy@myhealthyvita.com	2017