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OFFICE OF THE CITY CLERK
OAKLAND

2013 OCT 31 AM 2:48
OAKLAND CITY COUNCIL

Approved as to Form and Legality

Alvin A. K. [Signature]
Oakland City Attorney's Office

OUTSIDE COUNSEL

RESOLUTION NO. 84705 C.M.S.

**RESOLUTION OF INTENTION TO LEVY AN ANNUAL ASSESSMENT
FOR FISCAL YEAR 2014/15 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 10, 2013**

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 Number 12301; and

WHEREAS, pursuant to Streets and Highways Code Section 36533, the Annual Assessment Report (attached as Exhibit A) ("Report"), has been prepared by the Rockridge Business Improvement District Advisory Board and filed with the City Clerk;

WHEREAS, state law requires that before the 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 on the levy of the proposed assessment; and

WHEREAS, if the District assessments are approved and levied, they will be held (until disbursed) in a special trust fund established by the Finance and Management Agency on behalf of the District in Miscellaneous Trusts Fund (7999)/NCR & SDS Org (02981)/Pass Thru Assessments Account (24224)/Undetermined Project (0000000)/Rockridge BID Program (MBID); now therefore be it

RESOLVED: that the Council of the City of Oakland does 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. The Annual Assessment Report for the 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 the 2014/15 fiscal year as provided for in the 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.
3. 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.
4. 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 Assessment Report on file with the City Clerk. No substantial changes in the improvements or activities for the District are proposed to be made. Please refer to the Plan and Report on file with the City Clerk for a full and detailed description of the improvements and activities to be provided for the 2014/15 fiscal year, 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 2014/15 fiscal year.
5. The proposed method and basis of levying 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 2014/15 assessment a sub-classification of businesses that earn annual gross receipts of \$25,000 or less is proposed to be created with a temporarily reduced fee for that assessment year of \$60. 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.
6. A Public Hearing is set for December 10, 2013, 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 2014/15.
7. 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 for not less than seven days before the Public Hearing.
8. 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.

9. 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.
10. 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.
11. 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.
12. A written protest which does not comply with the requirements stated above shall not be counted in determining a majority protest.
13. If written protests are received by the owners of businesses in the proposed area which 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 19 2013

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, ~~WONG~~, SCHAAF and
PRESIDENT KERNIGHAN - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused - Reid - 1

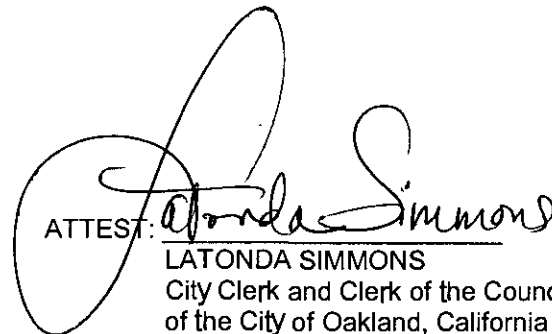
ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

Exhibit A
(To the Resolution to Levy the FY 2014/15 Rockridge BID Assessment)

Rockridge Business Improvement District
Annual Report To The City Of Oakland
For The Fiscal Year 2014-2015

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 2014/2015.

Please see the attached budget, which will outline the improvements and activities to be funded and provided in the upcoming fiscal year through Feb 28, 2015.

III. Estimate of the cost of providing the improvements and activities for fiscal year 2014/2015.

Please 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.

The district anticipates no surplus or deficit.

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.

The annual notice will be mailed to all members in good standing on/before 10/12/13.

"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 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."

Please contact Henry C. Levy, Treasurer of the Rockridge Business Improvement District, should you have any questions regarding this report.

October 2, 2013

Rockridge District Accomplishments in Review 2013-2014



- o Welcomed several new businesses into our District. Chris Jackson provided them information and support.
- o We continue to work with the City to have benches reinstalled as well as to improve the tree wells along the College Avenue.
- o Continued to market Rockridge as a "destination" spot to "Shop, Dine and Stroll"
- o Participated in Earth day at locations along College Avenue.
- o Co-sponsored Claremont Middle School Pancake Breakfast Fundraiser again where we helped raised over \$4,000 for the school- for the fourth year.
- o Sponsored both a Winter (Feb) and a Spring (May) Sounds of Music in Rockridge
- o Sponsoring the 2013 Out & About in Rockridge on October 6th
- o Co-sponsoring the Halloween Parade with RCPC on October 27, 2013
- o Sponsoring holiday events and promoting "Shop Local" during the holiday season.
- o Sent out hundreds of Constant Contact emails disseminating information and Merchant Alerts keeping our members informed and up to date.
- o Provided event posters and advertising opportunities via East Bay Express and Local On and Oakland Magazine
- o Continued to upgrade our website initiating new advertising opportunities for our Members through improved use of social media via East Bay Express and Local On.
- o Once again brought "The Rockridge in the Snow Event" to Rockridge BART the Saturday after Thanksgiving,
- o Continue to provide street and sidewalk cleaning, graffiti removal and security services for the District.
- o We have especially worked closely with Captain Toribio of OPD to abate crime in the District
- o Sponsored a December Holiday Breakfast for Members at Oliveto's
- o Working with OPD staff we sponsored Merchant Watch Sessions for the membership.
- o We have met and worked with both our new Council Member Dan Kalb and with our new BART Director, Rebecca Saltzman to further improve the District.

Rockridge district association

5435 College Ave Ste 200 ▪ Oakland ▪ CA 94618
▪ Phone 510-604-3125 ▪
chrs@rockridgedistrict.com ▪ www.rockridgedistrict.com

Rockridge District Association a RBID

Board 2013-2014

| | Board Member Name: | Business: | Business Address: | Phone:(510) | Email Address: | Elected/Re-Elected |
|----|------------------------|------------------------------|----------------------|--------------|--|------------------------|
| 1 | Beverly McArthur | First Federal Savings & Loan | 6058 College | 652-9500 | mcarthurbeverly35@yahoo.com | 2012 |
| 2 | Henry Levy | Hank Levy Group, CPA | 5940 College | 652-1000 | hank@hlgcpa.com | 2011 |
| 3 | Joyce Gardner | FIT | 5707 College | 923-0784 | fitclothing@att.net | 2012 |
| 4 | Louise Rothman-Riemer | DHR Investment Counsel | 5435 College Ste 200 | 596-2580 | louise@dhrconsult.com | 2011 |
| 5 | Susan Bernosky | Strahan Ins Svcs inc. | 5940 College | 450-9050 | susan@susanbernosky.com | 2012 |
| 6 | Veronica Bhonsle | VERO | 6052 College | 985-0406 | vbhonsle@aol.com | 2011 |
| 7 | Maggie Klein | Oliveto | 5655 College | 547-5356 | maggie@oliveto.com | 2013 |
| 8 | Laurie Field | Lauren G Field | 5332 College Ste100 | 658-2525 | laurenfield@gmail.com | 2013 |
| 9 | Robin Pennell | Jarvis Architects | 5278 College Ave | 654-6755 | roennell@jarvisarchitects.com | 2013 |
| 10 | Tom Ginty | Community Member | | | tom.ginty@raymondjames.com | 2013 |
| | Other: | | | | | |
| | Chris Jackson | Operations Mgr | | 604-3125 | chris@rockridgedistrict.com | |
| | Tuula Tilander | Bookkeeper | | 550-4200 | tuula@shastapros.com | |
| | Michael Kilian | Taxes / Review | | 414-2536 | mkilian@gmail.com | |
| | Former Members: | | | | | Date left Board |
| | Brian Marsmaker | Pavé Fine Jewelry | 5496 College | 547-7000 | brian@pavefinejewelry.com | 2012 |
| | Bill Chung | Rockridge Café | 5492 College | 589-6472 | billwchung@gmail.com | 2012 |
| | Austin Davis | Pride Chiropractic | 6245 College | 831-566-1101 | austindavisdc@gmail.com | 2012 |
| | Liz Taylor | Tootsies Rockridge | 5525 College | 595-7272 | tootsiesrockridge@gmail.com | 2012 |
| | Sara Wilson | Market Hall | 5655 College | 250-6061 | swilson@mhfoods.com | 2012 |
| | Thelma Harris | Thelma Harris Art Gallery | 5940 College | 654-0443 | tharrisartgallery@msn.com | 2011 |
| | Jessica Pitt | Resident | | | | |
| | Joe Garrett | Resident | | | | |
| | Matthew Krohn | Resident | | | | |
| | Grant Overbridge | Diesel | | | | |
| | Elizabeth | Dreyers | | | | |
| | Claudette | Agatha | | | | |
| | Jan Christensen | Christensen Heller Gallery | 5829 College | 655-5952 | | |
| | Jennifer Kaplan | Rockridge Home | 5418 College | 420-1928 | | |
| | Maggie Klein | Oliveto | | | | |
| | ? | Ben N Nicks | | | | |

RDA, a Rockridge Business Improvement District

Proposed Budget

March 2014 to February 2015

| | |
|----------------------------------|------------------|
| Gross BID Revenue | \$158,400 |
| City of Oakland- Loan Repayment | -\$2,550 |
| City of Oakland- Collection Cost | -\$4,000 |
| City of Oakland- Noticing | -\$850 |
| Total Income | \$151,000 |
| Expense | |
| Organization | \$62,000 |
| Marketing & Promotion | \$34,000 |
| Streetscape & Security | \$55,000 |
| Total Expense | \$151,000 |