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OFFICE OF THE CITY CLERK  
OAKLAND

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Approved as to Form and Legality

  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. 87425 C.M.S.

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**RESOLUTION OF INTENTION TO LEVY AN ANNUAL ASSESSMENT  
FOR FISCAL YEAR 2019-2020 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 11, 2018**

**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 2019-2020 fiscal year (March 1, 2019 through February 28, 2020), 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 2019-2020 fiscal year; and

**WHEREAS**, if the District's proposed assessments for FY 2019-2020 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 2019-2020 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 2019-2020 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 2019-2020 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 2019-2020 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 11, 2018 at 6:00 p.m. in Oakland City Hall**, or as soon thereafter as the matter can be heard, 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 2019-2020.
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 27, 2018..

**PASSED BY THE FOLLOWING VOTE:**

AYES- ~~WASHINGTON~~ CAMPBELL WASHINGTON, GALLO, GIBSON McELHANEY, GUILLEN, KALB, KAPLAN, and PRESIDENT REID -7

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused - 1 Brooks

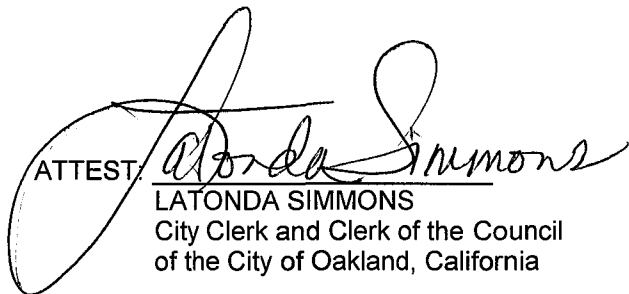
ATTEST:   
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California

Exhibit A

(To the Resolution to Levy the FY 2019/20 Rockridge BID Assessment)

**Rockridge Business Improvement District  
Annual Report To The City Of Oakland  
Relating to the Fiscal Year 2019-2020**

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 2019-2020**

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 2019-2020**

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.

October 2, 2018

**RDA, a Rockridge Business Improvement District**  
**Proposed Budget**  
**March 2019 to February 2020**

**Income**

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

**Expense**

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



## RDA accomplishments year 2018

Once again the time has come to bring our accomplishments for 2018 to you.

We continue to make the district a better place to be. I'm happy to say that we've have negotiated a new street cleaning contract and have brought on Pacific Landscaping as our preferred vendor. They have provided a better product as this is so important as our members see the results on a daily basis. Speaking of street cleaning I am working with the city to remedy the lack of mechanical cleaning on Claremont Ave.

I have brought the issue of illegal new stands to the city attorney's office that have been placed on College Ave, causing blight. We are hoping for a resolution very soon, as this is not only an RDA concern but affects all of Oakland.

We have been working with the RCPC, the City of Oakland, Ford Go Bike and BART to help with a solution for the placement of the bike kiosk in relation to the Fire Tile Memorial wall at the BART Plaza. We hope in doing this that we will see better lighting, new benches and an increased cleaning of the area.

We continue to work on such matters as increasing the numbers of auto and scooter parking by working with Ford Go Bike. I have now been able to work with OakDot to convert an unused driveway to create possibly 3 additional parking spaces here on College, further south on College we will be able to provide 3 motorcycles or scooter parking in what was left over space from the bike share kiosk.

The RDA is working with our property owners and the Department of Economic Development to help fill our vacant storefronts, I'm happy to say they are starting to fill. Soon to open is a Cider bar, boba tea bar, and our new Vietnamese restaurant is up and running, new Pizza Marica will also open very soon.

We are excited to celebrate year number 2 of our lighted holiday decorations. This brings cheer to the Ave and giving a more festive feel.

We are Working closely with OPD, we've seen a decrease in auto burglaries and other.

We have a board that has given countless hours of time to make all this happen. I make this statement every year, I'm still amazed that we can bring to Oakland and our district what we do with one of the smallest BID budgets.

**Rockridge District Association, a Rockridge Business Improvement District**

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5940 College Ave Ste F ▪ Oakland ▪ CA 94618  
▪ Phone 510-604-3125 ▪  
chris@rockridgedistrict.com ▪ www.rockridgedistrict.com

**Rockridge District Association a RBID  
Board 2018 - 2019**

|    | Board Member Name:    | Officers | OY   | Business:              | Business Address:        | Phone:<br>(510) | Email Address:   | Elected/Re-Elected |
|----|-----------------------|----------|------|------------------------|--------------------------|-----------------|--|--------------------|
| 1  | Louise Rothman-Riemer |          | 1999 | DHR Investment Counsel | 5435 College Ste 200     | 596-2580        | <a href="mailto:louise@dhr-counsel.com">louise@dhr-counsel.com</a>               | 2017               |
| 2  | Veronica Bhonsle      |          | 2005 | VERO                   | 6052 College             | 985-0406        | <a href="mailto:vbhonsle@aol.com">vbhonsle@aol.com</a>                           | 2017               |
| 3  | Joyce Gardner         |          | 2006 | FIT                    | 5707 College             | 923-0784        | <a href="mailto:fitclothing@att.net">fitclothing@att.net</a>                     | 2018               |
| 4  | Susan Bernosky        | P        | 2006 | Strahan Ins Svcs Inc   | 5940 College             | 450-9050        | <a href="mailto:susan@susanbernosky.com">susan@susanbernosky.com</a>             | 2018               |
| 5  | Maggie Klein          |          | 2013 | Oliveto                | 5655 College             | 547-5356        | <a href="mailto:maggie@oliveto.com">maggie@oliveto.com</a>                       | 2017               |
| 6  | Lauren Field          | S        | 2013 | Lauren G Field         | 5332 College Ste100      | 658-2525        | <a href="mailto:laurenfield@gmail.com">laurenfield@gmail.com</a>                 | 2017               |
| 7  | Robin Pennell         | VP       | 2013 | Jarvis Architects      | 5278 College Ave         | 654-6755        | <a href="mailto:rpennell@jarvisarchitects.com">rpennell@jarvisarchitects.com</a> | 2017               |
| 8  | Aleksey Gurov         |          | 2017 | Fremont Bank           | 6300 College Ave Ste 160 | 851-7741        | <a href="mailto:aleksey.gurov@fremontbank.com">aleksey.gurov@fremontbank.com</a> | 2017               |
| 9  | Anthony Barr          | T        | 2017 | Henry Levy Group       | 5940 College Ave Ste F   | 652-1000        | <a href="mailto:anthony@hglcpa.com">anthony@hglcpa.com</a>                       | 2017               |
| 10 | Katy Winter           |          | 2017 | Vita                   | 6034 College Ave         | 917-843-2758    | <a href="mailto:katy@myhealthyvita.com">katy@myhealthyvita.com</a>               | 2017               |
| 11 | Andrew Snow           |          | 2018 | The Golden Squirrel    | 5940 College Ave         | 735-9220        | <a href="mailto:andrewsnow@gmail.com">andrewsnow@gmail.com</a>                   | 2018               |
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