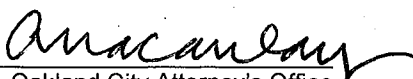


2019 DEC -5 PM 4:40

Approved as to form and legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. 87975 C.M.S.

RESOLUTION: 1) CONFIRMING THE ANNUAL REPORT OF THE ROCKRIDGE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD; AND 2) LEVYING THE ANNUAL ASSESSMENT FOR THE ROCKRIDGE BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2020-2021

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, on November 28, 2000 the City Council adopted Ordinance No. 12301 C.M.S., as amended, which established the Rockridge Business Improvement District and approved the District Plan; 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 2020-2021 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 2020-2021 fiscal year; and

WHEREAS, on November 19, 2019, the City Council Adopted a Resolution of Intention to levy the fiscal year 2020-2021 assessment, approve the district's annual report, and schedule a related public hearing for December 10, 2019, pursuant to Streets and Highways Code section 36534; and

WHEREAS, written notice of the December 10, 2019 public hearing was published in the newspaper in compliance with Streets and Highways Code section 36534(b); and

WHEREAS, if the District's proposed assessments for FY 2020-2021 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 Through Assessments Account (24224)/ Administrative Project (1000019)/Rockridge BID Program (RBID); and

WHEREAS, the Rockridge District Association of Oakland is the nonprofit corporation that administers the Rockridge Business Improvement District and oversees the disbursement of funds, pursuant to the Plan and the Disbursement Agreement between the City and Rockridge District Association of Oakland ("Disbursement Agreement"); and

WHEREAS, the funds that are levied and held by the City will be disbursed to the Rockridge District Association of Oakland pursuant to the Disbursement Agreement, which remains in effect contingent upon the annual review and approval of the District's Annual Report and the levy of the annual assessments; 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 10, 2019, 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 2020-2021. 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 2020-2021 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 2020-2021 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 2020-2021 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. The City may, but is not obligated to, 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 Through Assessments Account (24224), Administrative Project (1000019), Rockridge Business Improvement District Program (RBID).

; and be it

FURTHER RESOLVED: That the Disbursement Agreement is hereby renewed and the City Administrator is hereby authorized to make amendments if necessary pursuant to State of California Streets and Highways Code Section 36500 *et seq.*

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 10, 20

PASSED BY THE FOLLOWING VOTE:

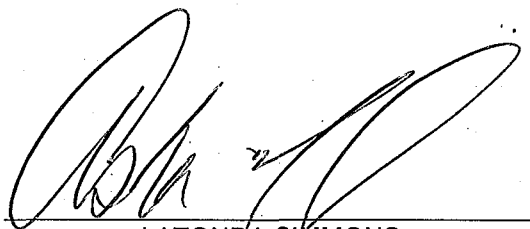
AYES- FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND
PRESIDENT KAPLAN — 8

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 2020-2021 Rockridge BID Assessment)

**Fiscal Year 2019-2020 Rockridge Business Improvement District
Annual Report To The City Of Oakland
Relating to the Fiscal Year 2020-2021 Assessment**

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 2020-2021

Please see attached Accomplishments for this year to date. We plan to continue on the same course.
Program categories are outlined in the attached FY 2020-2021 budget.

III. Estimate of the cost of providing the improvements and activities for fiscal year 2020-2021

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.

We estimate a total carryforward of \$15,000. Our fiscal year ends on 2/28. The first disbursement of assessments occurs on 4/30. Therefore, \$15,000 will be carried forward to cover recurring expenses for March and April.

Additionally, the RDA has expenses that do not recur on an annual basis. Examples are Tree Trimming, Surveillance Cameras, Banners, Signage. These items will recur every 3-5 years; therefore, an additional \$50,000 will be carried forward and allocated to a Capital Projects line item under the Streetscape and Security program category to cover these and similar expenditures.

VII. Annual Renewal Notice.

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

The notice was 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.

September 3, 2019

RDA, a Rockridge Business Improvement District
Proposed Budget
March 2020 to February 2021

Income

Gross BID Revenue	\$158,400
Capital Projects Carryforward	<u>\$50,000</u>
March/April Carryforward	<u>\$15,000</u>
Total Income	\$223,400

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

\$50,000

Reserves (needed to cover March/April expenses in 2021)

\$15,000

Total Expense

\$223,400



Accomplishments 2019

Working with the city of Oakland to abate broken and damaged newsstands.

We have contracted with a service to clean the trash container cages as well as clean and sanitize the liners and this is made a huge difference in the cleanliness and reducing odor as well as sidewalk staining

We have hired a social media specialist to help engage our members and better use of electronic advertising and promotion

We have been working with various property owners to improve the general landscaping and appearance of the district is also includes the city of Oakland with the maintaining of our pocket park at College and Claremont

Actively engaging property owners in the removal of graffiti & improve landscaping.

We've been able to attract new board members bringing fresh energy to the RDA.

We continue to operate with one of the smallest budgets in the city with one of the larger footprints. We have done this year after year without increasing the percentage our members are assessed

The district is still enjoying 98.50% to 96.00% occupancy rate. The creation of a limited supply of new vacancies will allow landlords to capture market rents.

We are continuing to add exterior cameras to many buildings to aid OPD and improve safety. We have in our continuing to provide grants to encourage this.

Once again our street fair (now in its 13th year), Out and About continues to highlight our district and attract new faces to explore the neighborhood

Rockridge District Association, a Rockridge Business Improvement District

5940 College Ave Ste F ▪ Oakland ▪ CA 94618

▪ Phone 510-604-3125 ▪

chris@rockridgedistrict.com ▪ www.rockridgedistrict.com

**Rockridge District Association a RBID
Board 2019 - 2020**

	Board Member Name:	Officers	OY	Business:	Business Address:	Phone: (510)	Email Address:	Elected/Re-Elected
1	Louise Rothman-Riemer		1999	DHR Investment Counsel	5435 College Ave Ste 200	596-2580	louise@dhrcounsel.com	June-19
2	Veronica Bhonsle		2005	VERO	6052 College Ave	985-0406	vbhonsle@aol.com	June-19
3	Susan Bernosky	P	2006	Strahan Ins Svcs Inc	5940 College Ave	450-9050	susan@strahaninsurance.com	June-18
4	Maggie Klein		2013	Oliveto	5655 College Ave	547-5356	maggie@oliveto.com	June-19
5	Lauren Field	S	2013	Lauren G Field, MFT	5332 College Ave Ste100	658-2525	laurenfield@gmail.com	June-19
6	Robin Pennell	VP	2013	Jarvis Architects	5278 College Ave	654-6755	rpennell@jarvisarchitects.com	June-19
7	Anthony Barr	T	2017	Henry Levy Group	5940 College Ave Ste F	652-1000	anthony@hglcpa.com	June-19
8	Katy Winter		2017	Vita	6034 College Ave	917-843-2758	katy@myhealthyvita.com	June-19
9	Andrew Snow		2018	Golden Squirrel	5940 College Ave	510-735-9220	goldensquirrelpub@gmail.com	June-18
10	Miles Armstead		2019	Fremont Bank	6300 College Ave Ste 160	510-709-7917	miles.armstead@fremontbank.com	June-19
11	Monte McClain		2019	College Presbyterian	5951 College Ave	510-658-3665	montemcclain@gmail.com	June-19