

RESOLUTION NO. 2015-_____

**A RESOLUTION OF INTENTION OF THE CITY COUNCIL
OF THE CITY OF FRESNO TO RENEW THE DOWNTOWN
FRESNO PROPERTY AND BUSINESS IMPROVEMENT
DISTRICT**

WHEREAS, the Property and Business Improvement District Law of 1994, Streets and Highways Code §36600 et seq., authorizes cities to establish property and business improvement districts to provide improvements and activities, which specially benefit assessed properties; and

WHEREAS, the Downtown Fresno Property and Business Improvement District (“DFPBID”) was established for a five (5) year term beginning January 1, 2011, through December 31, 2015; and

WHEREAS, incorporated herein by this reference is the DFPBID Management District Plan (“Plan”), which provides for improvements and activities, which will specially benefit assessed properties; and

WHEREAS, owners of properties within the DFPBID have submitted petitions asking the City Council to renew the DFPBID. Included with each petition was a Plan Summary including a map showing the boundaries of the DFPBID. The petitions, the boundary map, and the Plan are on file with the City Clerk; and

WHEREAS, the Plan provides for the following improvements and services within the DFPBID, all of which are intended to provide and constitute special benefits to assessed properties: Economic Enhancements, Clean & Safe Initiatives, Transportation Improvements, Fulton Zone Activation, and related Management and Administration directly and only to assessed parcels within its boundaries. The Plan proposes to fund these improvements and services through the levy of a benefit assessment on real property within the DFPBID.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The recitals set forth herein are true and correct.

2. The City Council finds property owners who will pay more than 50% of the assessment proposed in the Plan have signed petitions. The City Council accepts the petitions and intends to renew the DFPBID and to levy an assessment on real property within the DFPBID boundaries in accordance with the Property and Business Improvement District Law of 1994. In the first year of the seven (7) year term, the total proposed assessment is approximately \$720,896.41.

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: _____

Resolution No.

3. The annual cost to the parcel owner varies based on four (4) factors: parcel type, benefit zone, parcel size, and building size. Parking refers to any parking garage or parking garage contained within or underneath a building. The assessment will be imposed on real property at the following rates:

Parcel Type	Zone 1		Zone 2		Zone 3	
	Lot	Building	Lot	Building	Lot	Building
Commercial	\$0.0250	\$0.0125	\$0.110	\$0.0550	\$0.150	\$0.0750
Parking	\$0.0250	\$0.0063	\$0.110	\$0.0275	\$0.150	\$0.0375
Residential	\$0.0050	\$0.0025	\$0.079	\$0.0393	\$0.126	\$0.0632
Nonprofit	\$0.0050	\$0.0025	\$0.079	\$0.0393	\$0.126	\$0.0632

4. The City Council finds the Plan satisfies all requirements of Streets and Highways Code section 36622.

5. The exterior boundaries and benefit zones of the DFPBID are shown on the map attached hereto as Exhibit A.

6. Bonds shall not be issued for the DFPBID.

7. The time and place for the public hearing on the establishment of the DFPBID and the levy of the proposed assessment are set for 1:30 PM on June 18, 2015, at 2600 Fresno Street, Fresno, CA 93721. The City Council may continue the public hearing from time to time.

8. The City Clerk is directed to give notice of the time and place of the public hearing in accordance with Streets and Highways Code section 36623. The City Clerk is to do this by mailing (or causing to be mailed) written notices and assessment ballots in the time, form, and manner provided by Government Code section 53753 to all persons who own real property within the proposed DFPBID and will be subject to the proposed assessment no later than May 2, 2015. The City Clerk is further directed to file an affidavit with the City Council when all notices and ballots have been mailed, setting forth the time and manner of his or her compliance with the requirements of law for mailing the notices and ballots.

9. At the public hearing, the City Council will consider all objections or protests to the proposed assessment, and any interested person will be permitted to present written or oral testimony. At the conclusion of the public hearing, all ballots submitted and not withdrawn will be tabulated in accordance with Government Code section 53753.

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2015.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2015
Mayor Approval/No Return: _____, 2015
Mayor Veto: _____, 2015
Council Override Vote: _____, 2015

YVONNE SPENCE, CMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
RAJ SINGH BADHESHA [Date]
Deputy City Attorney

Attachment: Exhibit A

RSB:nd (67379nd/rsb) Rev. 03-18-15

EXHIBIT A

