SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
OF THE CITY OF FRESNO

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Oversight Board to the
Successor Agency to the Redevelopment Agency
of the City of Fresno

Chair
Alan Hofmann

Executive Director
Marlene Murphey

Members
Jeff Becker
Larry Hodges
Debbie Poochigian
Doug Vagim
Rene Watahira
Larry Westerlund

AGENCY BRIEFING REPORT

Date: January 24, 2017

To: Oversight Board Members

From: Debra Barletta

Through: Marlene Murphey

Subject: Agenda Item VI. - Line 11 – Property Based Improvement District

This obligation is the Property Based Improvement District (PBID) tax assessment for three parcels located within the Convention Center Redevelopment Project Area. Downtown Property owners voted to approve this assessment on June 24, 2010 for a term of 5 years, ending in December 2015. On June 18, 2015, the Downtown PBID tax assessment was renewed for another 7 years, ending in December of 2022. The first assessment payment was made in December 2010. As the parcels are sold, the obligation will be reduced.

The interested parties are:

- PBID Board of Directors
  - Tom Richards, Chair
  - Jeff Becker, Immediate Past Chair
  - Michelle Tutelian, Vice Chair
  - Jason Geil, Treasurer
  - Hilary Haron, Secretary
  - Dan Doyle
  - Will Dyck
  - Robert Ellis
  - Ken Ramos
  - Ashley Swearengin
  - Dennis Woods
  - Brent Weiner
  - John Hays
  - Rick Roush
  - Marlene Murphey
  - Mick Marderosian
  - Chris Johnson
- Staff
  - Aaron Blair - President/CEO
  - Rocio Andrade - Business & Community Services Manager
  - Tatevik Hovhannisyan – Event and Hospitality Coordinator
  - Craig Scharton - Fulton District Manager
  - Gretchen Moore - Vice President
  - Lee Blackwell – Clean Team Ambassador

Convention Center Line 7
& CBD Line 5

RESOLUTION NO. 2010-135

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRESNO DECLARING THE RESULTS OF THE MAJORITY PROTEST PROCEEDINGS AND ESTABLISHING THE DOWNTOWN PROPERTY AND BUSINESS IMPROVEMENT DISTRICT AND AUTHORIZING THE LEVY OF DISTRICT ASSESSMENTS

WHEREAS, the Property and Business Improvement District Law of 1994, (California Streets and Highway Code Section 36600 et seq.) (the "PBID Law") authorizes the City of Fresno to form a Downtown Property and Business Improvement District ("PBID") within the City of Fresno; and

WHEREAS, the owners of property within the boundaries of the PBID have submitted petitions asking that the City Council establish the PBID and included with the petitions a summary of the Management District Plan, that describes the proposed assessment to be levied on property within the PBID to pay for the following activities and improvements: (i) economic enhancements; (ii) environmental enhancements, (iii) Fulton Mall activation, and (iv) administration and advocacy; and

WHEREAS, on May 6, 2010, pursuant to Section 36621 of the PBID Law, the City Council was presented with executed petitions in the form on file with the City Clerk by certain property owners seeking formation of the PBID for the purpose of the activities and improvements and the amounts of the proposed assessment as described and set forth in the PBID Engineer's Report and Management Plan Summary on file with the City Clerk, and approved Resolution No. 2010-89 Declaring the Intention to Form a Downtown Property and Business Improvement District Pursuant to the Property and Business Improvement District Law of 1994 and Setting a Public Hearing for June 24, 2010 at 9:00 A.M. in City Council Chambers, 2600 Fresno Street, Fresno, CA; and

WHEREAS, on May 7, 2010, the City Clerk mailed to each record owner of each parcel within the Districts exterior boundaries a notice concerning the public hearing on the establishment of the PBID and the proposed assessment, each notice included the statutorily required information about the assessment and the majority protest procedure, as well as an assessment ballot; and

WHEREAS, the PBID Management District Plan, which satisfies all the requirements of Government Code Section 36622, is on file with the City Clerk and makes reference to a map of the exterior boundaries of the PBID, attached hereto as Attachment A and made a part of this resolution; and

WHEREAS, the properties within the exterior boundaries of the PBID will be benefited by the activities and improvements to be funded by the proposed assessment, and

Adopted
Approved
Effective

2010-135

shall be designated "Downtown Property and Business Improvement District 2010-1, City of Fresno, County of Fresno, State of California"; and

WHEREAS, on June 24, 2010 in the City Council chambers at 2600 Fresno Street the City Council held a public hearing regarding the establishment of the PBID and the levy of the assessment, and during the public hearing the City Council heard and received all objections and protests to the establishment of the PBID and the proposed assessment, and at the conclusion of the hearing and in accordance with Government Code section 53753 the City Clerk tabulated the assessment ballots submitted and not withdrawn and determined that the number of assessment ballots submitted and not withdrawn in opposition to the proposed assessment did not exceed the number of ballots submitted and not withdrawn in favor of the proposed assessment with ballots weighted according to the amount of the assessment to be imposed upon the parcel or parcels for which each ballot was submitted, and that therefore a majority protest against the proposed assessment does not exist; and

WHEREAS, all actions and proceedings described in the foregoing Recitals were undertaken and completed in accordance with the PBID Law.

BASED ON THE FOREGOING RECITALS THE CITY COUNCIL OF THE CITY OF FRESNO RESOLVES AS FOLLOWS:

Section 1. Recitals Adopted as Findings. The City Council finds that foregoing Recitals are each and all true and adopts them as findings.

Section 2. Establishment of the Downtown Property and Business Improvement District 2010-1.

a. The PBID is established for a five year term and will expire on January 1, 2016.

b. The activities and improvements to be provided for the PBID will be funded by the levy of an assessment on real property within the PBID as described in PBID Management Plan which is on file with the City Clerk.

c. Properties within the PBID will be subject to any amendments to the PBID Law.

d. The revenue from the levy of the proposed assessment on properties within the PBID may not be used to provide activities or improvements outside the PBID or for any purposes other than those specified in the Resolution of Intention.

e. In accordance with Streets and Highways Code section 36631 and the PBID Management Plan, the assessment to fund the activities and improvements for the PBID will be collected at the same time and in the same manner as are ad valorem property taxes and will have the same lien priority and penalties for delinquent payment.

Section 3. Bonds. Bonds will not be issued by the PBID.

Section 4. Boundaries. The exterior boundaries of the PBID are depicted on the map attached as Attachment A.

Section 5. Authorization. The City Manager or his designee is directed to take all necessary actions to complete the establishment of the PBID and to levy the assessment. The City Clerk is directed to record in the Fresno County Recorder's office a notice and assessment diagram as required by Streets and Highways Code section 36627. The City Clerk is further directed to certify the passage and adoption of this resolution and to enter it in the book of original resolutions.

FINALLY RESOLVED this Resolution shall take effect upon its final adoption.

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

I, REBECCA E. KLISCH, 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 24th day of June, 2010.

AYES : Borgeas, Brand, Dages, Sterling, Xiong, Westerlund

NOES : None

ABSENT : Perea

ABSTAIN : None

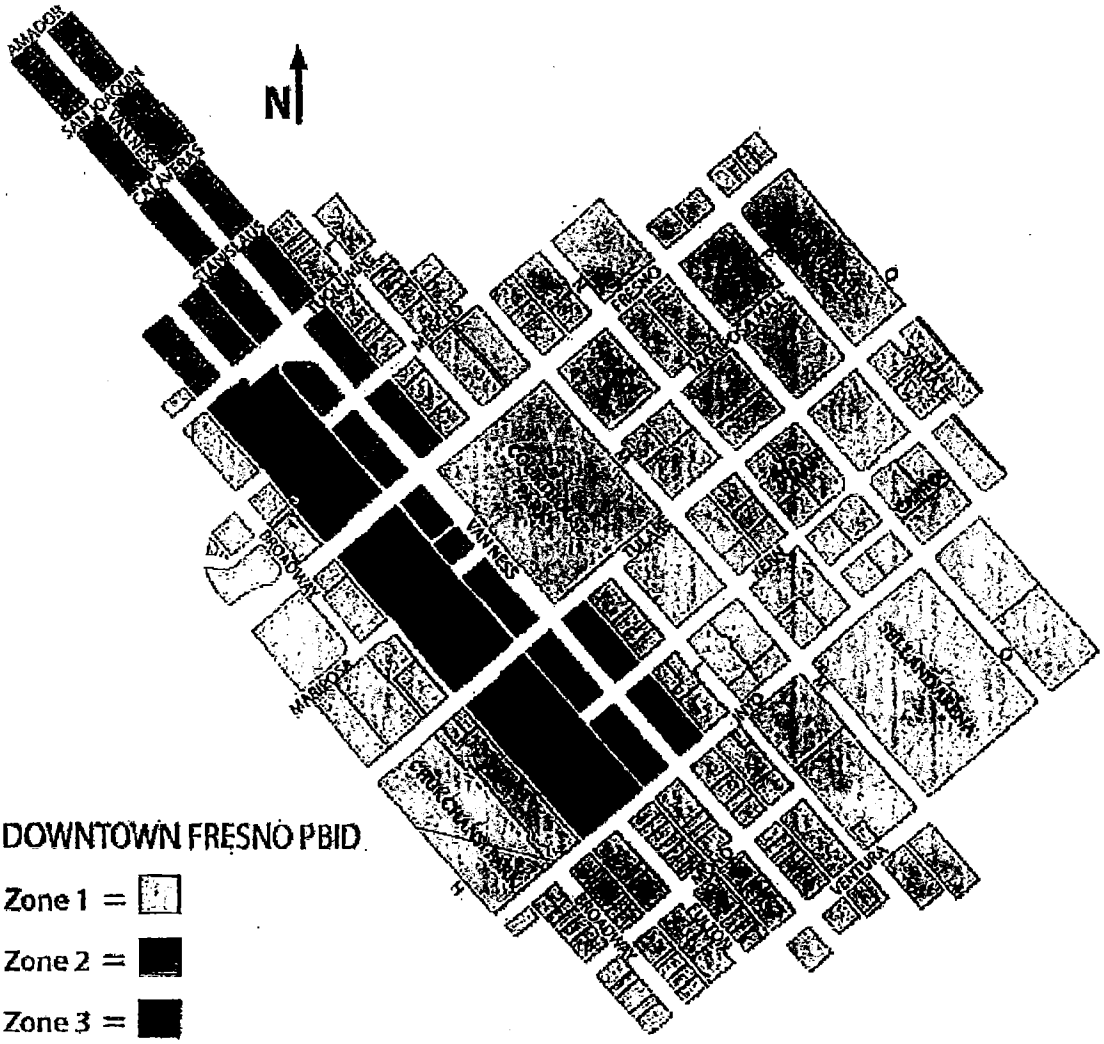
REBECCA E. KLISCH
City Clerk

By: Rebecca E. Klisch
~~Deputy~~

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

By: R 6-16-10
Robert R. Coyle Date
Senior Deputy

Resolution No. _____
Exhibit A



DOWNTOWN FRESNO PBID

Zone 1 =

Zone 2 =

Zone 3 =

Downtown Fresno Partnership 845 Fulton Mall #100 Fresno CA 93721 PHONE 559.490.9966 EMAIL pbid@downtownfresno.org