

2007 NOV 29 PM 4: 05

**CITY OF OAKLAND**  
**AGENDA REPORT**

TO: Office of the City Administrator  
ATTN: Deborah A. Edgerly  
FROM: Community and Economic Development Agency  
DATE: December 11, 2007

RE: **Resolution Approving The Annual Reports Of The Lakeshore/Lake Park Business Improvement Management District, The Temescal/Telegraph Avenue Property Business Improvement District Of 2005, The Laurel Property Business Improvement District Of 2005, And The Fruitvale Property Business Improvement District of 2006 Advisory Boards And Confirming The Continuing Annual Assessment For Each District For Fiscal Year 2007/08**

---

**SUMMARY**

Pursuant to the City of Oakland's Business Improvement Management District (BIMD) Ordinance (Ordinance No. 12190 C.M.S., 1999) and the Neighborhood Business Improvement District (NBID) Program (Resolution No. 75323 C.M.S., 1999) a resolution approving the annual reports of the Lakeshore/Lake Park Business Improvement Management District, the Temescal/Telegraph Avenue Property Business Improvement District (PBID) of 2005, the Laurel Property Business Improvement District of 2005, and the Fruitvale Property Business Improvement District of 2006 advisory boards and confirming the continuing annual assessment for each district for fiscal year 2007/08 has been prepared.

The City Council must adopt the attached resolution to approve on-going services within these districts.

**FISCAL IMPACTS**

Pursuant to state Proposition 218, the City must pay its fair share assessment of \$14,013.66 as follows: \$1,824.78 for city-owned property located within the Temescal/Telegraph Avenue PBID (the Temescal Library APN 014-1219-003-00) and \$12,188.88 for property located within the Fruitvale PBID ( Josie de la Cruz Park, formerly Sanborn Park APN 025-0722-026-00, Fruitvale Plaza Park at 3500 International Boulevard APN 033-2130-035-02, Cesar Chavez Park at 4201 Foothill Boulevard APN 035-2352-001-02, and APN 033-2135-026-02, a property located on Foothill Boulevard) .

Item: \_\_\_\_\_  
Community and Economic Development Committee  
December 11, 2007

Funds to pay the assessments have been budgeted in General Purpose Fund (1010)/Business Development Organization (88559)/Taxes and Assessments Account (53511)/ Business Improvement District Project (C138410).

Other than the above assessment, there is no fiscal impact anticipated with the passage of the attached resolution.

The related business improvement districts will pay their own operating costs, including costs for assessment collections and disbursements.

The County of Alameda will add the assessment as a line item to the annual property tax bill of each affected property owner and remit the amount collected less the County's collection fee (approximately 1.7% of total assessment) to the City. The City, in turn, will disburse the funds to the districts, pursuant to written agreements between the City and the districts' non-profit management corporations, less the City's costs of processing the disbursements.

Until disbursed, BID assessments will be held in a special trust fund established by the City's Finance and Management Agency. The trust fund number is: Miscellaneous Trusts Fund (7999)/Treasury Operations Unit Organization (08721)/Pass Thru Assessments Account (24224)/Undetermined Project (0000000).

## **BACKGROUND**

The concerned business improvement districts (BIDs) were established as follows:

- the Lakeshore/Lake Park Business Improvement Management District on July 16, 2002, pursuant to Resolution No. 77280 C.M.S.
- the Temescal/Telegraph Avenue Property Business Improvement District of 2005 on July 20, 2004 pursuant to Resolution No. 78730 C.M.S.
- the Laurel Property Business Improvement District of 2005 on July 19, 2005 pursuant to Resolution No. 79380 C.M.S.
- the Fruitvale Property Business Improvement District of 2006 on July 18, 2006 pursuant to Resolution No. 80059 C.M.S.

The PBID model for economic development has been successfully used in other commercial neighborhoods throughout the country and throughout Oakland, including in the Montclair District (established 2001), the Rockridge District (established 2000), and the Koreatown/Northgate District (established 2007).

## **KEY ISSUES AND IMPACTS**

There is no anticipated adverse impact associated with the approval of the proposed resolution.

In terms of positive impacts, adoption of the attached resolution will enable the affected neighborhood commercial districts to continue providing enhanced services such as security, maintenance, marketing and promotional activities. These services are intended to improve the conditions and image of the affected business improvement districts and to stimulate on-going economic revitalization.

### **PROGRAM DESCRIPTION**

The Lakeshore/Lake Park Business Improvement Management District encompasses approximately 47 parcels and projects an annual budget of approximately \$140,230. The district includes parcels along 5 blocks of Lakeshore and Lake Park Avenues as well as portions of nearby Rand Avenue and Wesley Way. Assessments are based on lot size and linear frontage of affected properties.

The Temescal/Telegraph Avenue PBID encompasses approximately 260 parcels and projects an annual budget of approximately \$221,100. The district includes all parcels along Telegraph from 40<sup>th</sup> Street to the Berkeley border, Shattuck Avenue to the Highway 24 overpass, Claremont one block up from Telegraph, and 51<sup>st</sup> Street up to and including Children's Hospital to one block east of Telegraph Avenue. Assessments are based on lot size, building size and linear frontage of affected properties.

The Laurel Property Business Improvement District of 2005 encompasses approximately 86 parcels and projects an annual budget of approximately \$157,607. The district includes parcels located primarily along MacArthur Boulevard from 35<sup>th</sup> Avenue to High Street. Assessments are based on lot size, building square footage, linear frontage and use of properties located within the district.

The Fruitvale Property Business Improvement District of 2006 encompasses approximately 300 parcels and projects an annual budget of approximately \$324,713. The boundaries of the proposed district include all parcels along Fruitvale Avenue from E. 12<sup>th</sup> Street to Foothill Boulevard; on Foothill Boulevard from Fruitvale Avenue to High Street, on International Boulevard from 29<sup>th</sup> to 42<sup>nd</sup> Avenue and on E. 12<sup>th</sup> Street from 33<sup>rd</sup> to 35<sup>th</sup> Avenue. Assessments are based on lot size and according to the level of service received.

By law BID assessments must be in proportion to the anticipated benefit received by each property.

Planned services for FY 2007/08 are outlined in the annual reports filed by the district advisory boards and include, but are not limited to, sidewalk sweeping and steam cleaning, landscaping, graffiti removal, creation of a district websites, and promotion of special events.

Item: \_\_\_\_\_

## **SUSTAINABLE OPPORTUNITIES**

**Economic:** The on-going levies will fund activities which are intended to support the eventual increase of property, sales, and business tax revenues as well as increased job opportunities and economic development of the affected neighborhood commercial districts.

**Environmental:** The on-going levies will enable the affected business improvement districts to continue their efforts to strengthen and beautify the physical image of their existing neighborhood commercial areas through the use of enhanced sidewalk and street cleaning and maintenance.

**Social Equity:** BIDs incorporate all members of a business community into a productive and proactive entity representing the interests of that community. Administration of the cash flow generated by the district itself contributes to local merchant and property owner self-empowerment.

## **DISABILITY AND SENIOR ACCESS**

Passage of the proposed resolution has no direct implications for disability and senior access. However, improved public safety and security provided by the BIDs could also serve to make the area safer and more accessible to all visitors, including senior citizens and disabled persons.

## **RECOMMENDATION(S) AND RATIONALE**

Adoption of the attached resolution will support the continuance of the above-referenced BIDs and their planned activities.

Revenues generated by BIDs are applied to a variety of local improvements and services beyond those already provided by existing municipal services. Examples include enhanced maintenance services, security, marketing and promotions.

Such business improvement districts represent a proactive effort on the part of neighborhood business and property owners to improve the conditions and image of their area and to assist in the economic revitalization and physical maintenance of their respective commercial corridors.

Additionally, because BIDs are self-initiated, self-funded, and self-administered entities, there are no anticipated fiscal impacts for the City associated with continuance of the above-referenced BIDs, other than a modest \$14,013.66 to pay fair share assessments on City-owned property located within the concerned districts.

Consequently, the BIDs should be viewed as positive self-help models for other neighborhood commercial areas. Accordingly, staff recommends that the City Council adopt the resolution

Item: \_\_\_\_\_

Community & Economic Development Committee  
December 11, 2007

approving the annual reports and confirming the continuing FY 2007/08 annual assessments for the above-referenced property-based BIDs.

**ACTION REQUESTED OF THE CITY COUNCIL**

The action requested of the City Council is to adopt the resolution approving the annual reports of the Lakeshore/Lake Park Business Improvement Management District, the Temescal/Telegraph Avenue Property Business Improvement District of 2005, the Laurel Property Business Improvement District of 2005, and the Fruitvale Property Business Improvement District of 2006 advisory boards and confirming the continuing annual assessment for each district for fiscal year 2007/08

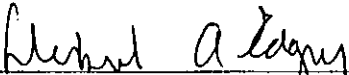
Respectfully submitted,



Gregory D. Hunter, Deputy Director  
Community & Economic Development Agency  
Economic Development and Redevelopment

Prepared by:  
Maria Rocha, BID Program Manager  
Business Development Services

APPROVED AND FORWARDED TO THE  
COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE



Office Of The City Administrator

Item: \_\_\_\_\_

Community & Economic Development Committee  
December 11, 2007

2007 NOV 29 PM 4:14 OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

---

**RESOLUTION APPROVING THE ANNUAL REPORTS OF THE LAKESHORE/LAKE PARK BUSINESS IMPROVEMENT MANAGEMENT DISTRICT, TEMESCAL/TELEGRAPH AVENUE PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2005, THE LAUREL PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2005, AND THE FRUITVALE PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2006 ADVISORY BOARDS AND CONFIRMING THE CONTINUING ANNUAL ASSESSMENT FOR EACH DISTRICT FOR FISCAL YEAR 2007/08**

**WHEREAS**, the City of Oakland Business Improvement Management District Ordinance allows for the formation of business improvement management districts (Chapter 4.48, Ordinance 12190, 1999); and

**WHEREAS**, the City Council approved a Neighborhood Business Improvement District ("NBID") Program pursuant to Oakland City Council Resolution No. 75323, dated November 9, 1999, to provide technical and financial assistance to stakeholder groups of business owners in the City to assist in the formation of such districts; and

**WHEREAS**, affected property owners petitioned to form the Lakeshore/Lake Park Business Improvement Management District, the Temescal/Telegraph Avenue Property Business Improvement District of 2005, the Laurel Property Business Improvement District of 2005, and the Fruitvale Property Business Improvement District of 2006 ("Districts") under said legislation to undertake the Management Plans for the Districts ("Plans") which are on file with the City Clerk; and

**WHEREAS**, the Plans provide for enhanced services such as new security, crime prevention, beautification, parking resolution, sidewalk sweeping, economic development, lighting, and marketing activities with the intent of creating a positive atmosphere in the District areas (as more specifically identified in their respective Plans); and

**WHEREAS**, the Plans were prepared in accord with the provisions of the law overseeing the formation of the Districts as referenced above, and have been filed with the City; and

**WHEREAS**, pursuant to the requirements of the law the Districts were established as follows:

- the Lakeshore/Lake Park Business Improvement Management District on July 16, 2002, pursuant to Resolution No. 77280 C.M.S.,
- the Temescal/Telegraph Avenue Property Business Improvement District of 2005 on July 20, 2004, pursuant to Resolution No. 78730 C.M.S.,
- the Laurel Property Business Improvement District of 2005, on July 19, 2005 pursuant to Resolution No. 79380 C.M.S.;
- the Fruitvale Property Business Improvement District of 2006, on July 18, 2006 pursuant to Resolution No. 80059 C.M.S.; and

**WHEREAS**, the Annual Reports (attached in EXHIBIT A) have been prepared by the District Advisory Boards and filed with the City Clerk; and

**WHEREAS**, the Annual Report for the Lakeshore/Lake Park Business Improvement Management District includes a determination and recommendation by the District Advisory Board for a permitted 2% increase in the amount of the annual assessment recommended by the District Advisory Board; and

**WHEREAS**, the Annual Report for the Temescal/Telegraph Avenue Property Business Improvement District of 2005 includes a determination and recommendation by the District Advisory Board for a permitted 5% increase in the amount of the annual assessment recommended by the District Advisory Board; and

**WHEREAS**, the Annual Report for the Laurel Property Business Improvement District of 2005 includes a determination and recommendation by the District Advisory Board for a permitted 5% increase in the amount of the annual assessment recommended by the District Advisory Board; and

**WHEREAS**, the City Council desires to approve and confirm the Reports, and the continuing annual assessments for the Districts for fiscal year 2007/08; and

**WHEREAS**, the City shall pay a fair share assessment of \$1,824.78 for city-owned property located within the Temescal/Telegraph Avenue PBID (the Temescal Library APN 014-1219-003-00) and \$12,188.88 for property located within the Fruitvale PBID ( Josie de la Cruz Park, formerly Sanborn Park APN 025-0722-026-00, Fruitvale Plaza Park at 3500 International Boulevard APN 033-2130-035-02, Cesar Chavez Park at 4201 Foothill Boulevard APN 035-2352-001-02, and APN 033-2135-026-02, a property located on Foothill Boulevard) and funds to pay the assessment have been budgeted in General Purpose Fund 1010/Business Development Organization 88559/Taxes and Assessments Account 53511/Business Improvement District Project C138410; and

**WHEREAS**, until disbursed, BID assessments will be held in a special trust fund established by the Finance and Management Agency on behalf of the Districts in Miscellaneous Trusts Fund (7999)/Neighborhood Commercial Revitalization & Service Delivery System Organization (08721)/Pass Thru Assessments Account (24224)/Undetermined Project (0000000); now therefore

**BE IT RESOLVED** that the Council of the City of Oakland does hereby find as follows:

1. The Advisory Boards for the Districts were duly appointed by Resolutions of the City Council and have filed their Annual Reports for the 2007/08 fiscal year as required by law.
2. The Annual Reports and the continuing annual assessments for the 2007/08 fiscal year are hereby approved, adopted, and confirmed including a 2% increase in the amount of annual assessments recommended by the Lakeshore/Lake Park Business Improvement Management District Advisory Board and a 5% increase in the amount of annual assessments recommended by the Temescal/Telegraph Avenue Property Improvement District of 2005 and a 5% increase in the Laurel Property Business Improvement District of 2005 Advisory Board and the City Council does hereby levy and direct the collection of the assessments for the 2007/08 fiscal year in accordance with the assessment formulas as provided for in the Annual Reports and the Plans on file with the City Clerk.
3. The proposed method and basis of levying the assessments to be levied against each property in the Districts have not been changed, increased, or modified and are those specified in the Plans and Annual Reports on file with the City Clerk which were previously adopted after holding the required public meetings and public hearings and protest procedures as provided for by law.
4. The assessments shall be attached to the property and collected with the annual county property taxes, and in certain cases, as specified in the Plans, through a special municipal billing.
5. The boundaries of the Districts shall remain the same as specified in the Plans on file with the City Clerk and there are no changes to the boundaries or benefit zones.
6. The types of the improvements and activities proposed to be funded by the levy of assessments on property in the BIDs are those described in the Plans and the Annual Reports on file with the City Clerk. There are no substantial changes in the improvements or activities for the Districts.
7. The 2007/08 fiscal year assessments for the Districts are as follows:
  - o Approximately \$143,230 for the Lakeshore/LakePark Business Improvement Management District; and
  - o Approximately \$232,765 for the Temescal/Telegraph Avenue Property Business Improvement District of 2005; and
  - o Approximately \$157,607 for the Laurel Property Business Improvement District of 2005; and
  - o Approximately \$324,713 for the Fruitvale Property Business Improvement District of 2006; and



the amount chargeable to each parcel in each District shall be as determined by the Plans and Annual Reports on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

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

## **EXHIBIT A**

To The Resolution Approving The Annual Reports Of The Lakeshore/Lake Park Business Improvement Management District (BIMD), The Temescal/Telegraph Avenue Property Business Improvement District (PBID) Of 2005, The Laurel Property Business Improvement District Of 2005, And The Fruitvale Property Business Improvement District Of 2006 Advisory Boards And Confirming The Continuing Annual Assessment For Each District For Fiscal Year 2007/08

- Lakeshore/Lakepark BIMD 2007 annual report and proposed 2008 budget
- Temescal/Telegraph Avenue PBID 2007 annual report and proposed 2008 budget
- Laurel PBID 2007 annual report and proposed 2008 budget
- Fruitvale PBID 2007 annual report and proposed 2008 budget

**Lakeshore/Lake Park Business Improvement Management District (BIMD)**  
**Annual Report to the City of Oakland**  
**for Fiscal Year 2007/08**

1. Proposed changes in boundaries of BIMD.

None.

2. Improvements and activities provided during fiscal year 2006/2007.

The sidewalks and gutters are cleaned daily on Lakeshore and Lake Park. The sidewalks are steam cleaned at least once a month. We have also requested, for an additional fee, that our maintenance company clean the areas under the garbage cans where waste collects due to the design of the cans.

A private security officer has been patrolling the Avenues every day from noon until 7 PM including holidays. We have increased the hours of security to 8 hours a day, 3 days a week (high traffic days-Thursday, Friday, and Saturday) and maintaining the 7 hour patrol schedule the other 4 days a week.

A landscape company plants and maintains the tree well gardens. They water as needed during the dry season. We have requested the planting and maintenance of 5 additional tree wells. Three of those are in the Lake Park section of the district and 2 are on Lakeshore.

The administrator visits and meets regularly with merchants and local residents, bringing their concerns to the Advisory Board and city and county agencies. She also organizes merchant meetings and arranges safety training through OPD for the merchants. We would still like to rid ourselves of improperly installed newspaper containers that block access to the sidewalk and are awaiting resolution through the City's new ordinance. The administrator is working closely with code compliance on unsightly facades, blight and inappropriate signage.

The BIMD changes out the banners three times a year to include "Spare the Air" banners during the summer/fall, including across the street garlands, during seasonal changes. We are still looking for a company to install our across-the-street garland that was removed when a property owner removed the wire.

The Advisory Board works with the merchants on holiday events three times a year, supporting activities, and funding necessary expenses. The BID Administrator also works with merchants, city staff, and community members to organize and advertise the parades and other special holiday events. This year our administrator joined merchants, farmers' market vendors, and neighborhood volunteers on an Advisory Board governing the Grand Lake Farmers' Market. We will attempt to join forces with merchants on Grand Avenue during our special events.

We have refurbished our display board in the walkway to the parking lot by installing plaques representing all businesses in a very visible directory board. We include the business of the month.

3. Improvements to be provided during the fiscal year 2007-2008.

We have agreed to maintain planters which we hope the city will install as described by the Lakeshore/Lake Park Traffic Calming committee as a gateway to the Avenue and a traffic calming and pedestrian safety device.

We are in the process of designing a business directory pylon to improve visibility of our businesses while serving as an attractive sculpture. We will look at additional events to bring shoppers and neighbors to our street. As previously stated we hope to work with Grand Avenue to bring our districts together to capture more of the local shoppers' dollars. We also expect to concentrate on improving safety for our neighborhood.

4. Estimate of the cost of providing services.

Please see attached budget, including reserves held out until all assessments are paid.

5. Method and Basis of Levying the Assessment.

The assessments will be collected by Alameda County and turned over to the City Treasury Office which forwards them to the Lakeshore/Lake Park Advisory Board. Given increased costs for maintenance, banner installations, and added security, we are asking for a 2% increase to our assessments. The charges will be assessed as follows: frontage charges of \$23.198 per linear foot per year and lot size charges per square foot of \$0.265 per year factored together.

6. Surplus or Deficit for fiscal year 2007/08.

It is anticipated that approximately \$913.74 will carry forward from the previous fiscal year into the FY2005/06 budget. These funds will be used to maintain a reserve in case of the continued non-payment of a large property owner.

7. Contributions from other sources.

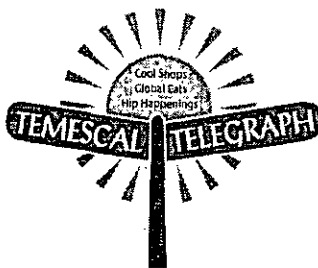
None.

# Lakeshore Avenue Business Improvement District

## Post Office Box 16268 ~ Oakland, California 94610

<b>LAKESHORE/LAKE PARK BIMD PROPOSED BUDGET FOR 2008</b>	
<b>Description</b>	<b>Amount</b>
<b><i>Income</i></b>	
Estimated BID Collections	\$140,230.00
Total Income	\$140,230.00
Carry Forward 2006 (Reserve for Nonpayment) (Interest Bearing)	\$913.74
Total Available Funds	\$141,143.74
<b><i>Expenses</i></b>	
Administration	\$37,600.00
Annual Meeting	\$1,400.00
Beautification:	\$11,000.00
Banners - \$1,000.00	
Gardeners - \$10,000.00	
City & County Collections Cost (1.7%)	\$2,383.91
Contingency (Reserve)	\$1,500.00
Dues & Fees	\$250.00
Insurance	\$2,000.00
Maintenance: Sweepers; Steam Cleaners	\$29,196.00
Office Expenses	\$1,600.00
Professional Expenses	\$600.00
Promotions; Capital Improvements	\$5,000.00
Security	\$47,000.00
Utilities	\$750.00
TOTAL	\$140,279.91
Reserve For Nonpayment – Year-End Balance	\$863.83
Total Expenditures	\$141,143.75

SHB:cm  
2007budget.doc  
updated 10/24/07



**Temescal Telegraph Avenue Community Association (TTCA)  
Business Improvement District  
Annual Report to City Council  
2007**

**I. Proposed Changes in the Boundaries of the BID or in any Benefits Zones Within the District:**

None

**II. Improvements and Activities Provided During Fiscal Year 2006 - 2007**

The following are the major improvements and activities provided:

**ORGANIZATION**

- Renewed contract with experienced part time coordinator to manage district's activities and to collaborate closely with CEDA, Public Works, and the Councilmember's office.
- Continued working with experienced accounting firm, Oto Bailey Fukumoto & Mishima, Inc. to provide financial statements for TTCA and to provide more extensive benefit zone breakdowns
- 501c4 status confirmed. Anticipated receiving additional 501c3 shortly
- Finalized Strategic Plan document through 2010 to cover organization's priorities and for public presentation.
- Advocated for the district through participation on the Oakland Merchants Leadership Forum and the Oakland Business Improvement Council.
- BID continues to be organized around the nationally recognized Main Street™ approach utilizing standing committees (Design, Promotion, Economic Development, and Organization) that meet monthly. Additionally, it has added a permanent Security Committee in response to the recent crime spate. It continues to diversify its stakeholders.
- Conducted regular letter and email campaigns to property owners and merchants to inform them of BID activities. One of the letters encouraged property owners and merchants to add pedestrian friendly and security enhancing lights, similar to the ones that will be installed with new grant. This letter was a result of a recommendation from Security Consultant
- Hired additional support staff due to increasing activities.

**ECONOMIC DEVELOPMENT**

- Enlisted CAL Berkeley graduate students to conduct a merchant survey to identify existing business mix and gaps for targeted recruitment purposes and needed business retention support services.
- Provided support to new businesses interested in moving into the area and that will enhance the current business mix. One of these, Scout Hardware opened its doors in July.

## **DESIGN**

- Renewed agreement with experienced Neighborhood Cleanliness Crew to provide sidewalk sweeping and landscaping five days a week (Tuesday through Saturday to Zone 1 (Telegraph Avenue from 4501 to the freeway) (51<sup>st</sup> Street from the freeway to one block east of Telegraph Avenue) and Zone 3 (Frontage and lot size at Oakland Children's Hospital) (576 to 747-52<sup>nd</sup> Street which includes the freeway underpass on 52<sup>nd</sup> Street).
- Increased sidewalk sweeping and landscaping in Zone 2 "South" (40<sup>th</sup> to 45<sup>th</sup>) to 5 days a week.
- Provided these same services three days a week (Tuesday, Thursday and Saturday to Zone 2 (Telegraph Avenue from 5601 to 6699)(4501 to 5216 Shattuck Avenue, 5160-5263 Claremont Avenue and 5811 – 5964 Racine Street)
- Provided sidewalk steam cleaning and graffiti abatement as needed to the entire area.
- Implemented a \$25,000 grant from the City of Oakland Redevelopment Agency adding 43 new planters on Telegraph Ave from 40<sup>th</sup> to 51<sup>st</sup>.
- Increased contract with Neighborhood Cleanliness Crew to water and maintain planters.
- Awarded a \$15,000 grant to add pedestrian friendly and security enhancing lights on buildings on Telegraph Avenue from 40<sup>th</sup> to 42<sup>nd</sup>
- Advocacy with Public Works resulted in getting deferred tree trimming maintenance along Telegraph Avenue taken care of.
- Collaborated with City's Excess Litter Maintenance Ordinance to agree on effected merchants
- Implemented Newsrack Ordinance on Telegraph Avenue working closing with CEDA and Jane Brunner's office.
- Surveyed Property Owners to develop a position on proposed zoning changes resulting in support for the General Plan strategy for Growth and Change on Telegraph Ave which includes greater than 4 story buildings and increased density.
- Provided feedback on the BRT's draft EIR report, supporting the effort, with recommendations.

## **PROMOTION**

- Provided a \$10,000 sponsorship to the 4<sup>th</sup> annual Temescal Street Fair
- Held successful 1<sup>st</sup> annual safe Temescal Trick or Treat.
- Submitted regular articles to the Temescal View.

- Collaborated with City of Oakland's Marketing Dept to produce the 2<sup>nd</sup> annual Temescal Holiday Event. It included enhanced Holiday decorations at the four corners of 51<sup>st</sup> and Telegraph.
- With the City's Marketing Dept assistance, created a logo, to be used to "brand" the district
- Provide successful Farmer's Market marketing support with \$3,000.
- Telegraph Avenue banner poles at 49<sup>th</sup> continue to promote events including Festival, Farmer's Market and other events.
- Expanded Merchant outreach by hosting 3 "Merchant Mixers"
- Created the design, received bids and await Public Works approval for placement of "Gateway" signage at multiple District entry points

## **SECURITY**

- Retained a security consultant who conducted a safety needs assessment based on "Crime prevention through environmental design" (CPTED) concepts and provided practical recommendations on how to make Temescal feel safer for its patrons
- Advocacy with City resulted in re-initiation of Walking Beat Officer in June

## **III. Improvements and Activities being considered during 2007/2008**

### **ORGANIZATION**

- Receive 501c3 status in order that organization can apply for grants
- Advocate for the district through participation on the Oakland Merchants Leadership Forum and the Oakland Business Improvement Council

### **DESIGN**

- Continuation of sidewalk steam cleaning and graffiti abatement
- Since MTC grant applied for, was not awarded, reserve funds will be used to implement a pedestrian safety improvement plan which will include crosswalk improvements, countdown pedestrian signals, and pedestrian lights, starting at 52<sup>nd</sup> and going south towards 40th St.
- Create and install way finding and district signage to include updated street banners incorporating new logo for branding purposes.
- Increase Graffiti abatement strategies above and beyond the City's current
- Advocate in order to get deferred maintenance on streetscape furniture and color unification as well.

### **PROMOTION**

- Provide a \$7,500 sponsorship to the 5<sup>th</sup> annual Temescal Fest. Streamline event so that it breaks even and possibly becomes a revenue generator in the future.
- Temescal District Website will be operating mid September 2007. It will include an online neighborhood directory.
- Update Neighborhood directory to be released in October 2007.



- Continue to provide regular email communication with stakeholders.
- Conduct second annual Temescal Trick or Treat
- Hold 3<sup>rd</sup> annual Holiday Event

#### SECURITY

- Collaborate with City of Oakland Police to conduct Merchant Watch Workshops.
- Collaborate with Homeless Organizations to determine best way to handle transient and panhandler issues.
- Respond to increased crime by adding private security

#### ECONOMIC DEVELOPMENT

- Continue to monitor economic trends in the district and inventory space to attract the right business mix.

#### IV. An Estimate of the Cost of Providing the Improvements and the Activities for 2008

Please see attached financial statements from Oto Bailey Fukumoto & Mishima, our accountant, for period covering July 1, 2006 through June 30, 2007.

#### V. Method and Basis of Levying the Assessment

##### CURRENT

<i>Property Variable</i>	<i>Benefit Zone 1</i>	<i>Benefit Zone 2</i>	<i>Benefit Zone 3</i>
Lot Size	\$0.078119	\$0.047216	\$0.009299
Building Size	\$0.060952	\$0.023468	---
Linear Frontage	\$6.815684	\$1.181375	\$11.045231

##### PROPOSED 5% INCREASE FOR 2008

<i>Property Variable</i>	<i>Benefit Zone 1</i>	<i>Benefit Zone 2</i>	<i>Benefit Zone 3</i>
Lot Size	\$0.082025	\$0.049577	\$0.009764
Building Size	\$0.064000	\$0.024641	---
Linear Frontage	\$7.156468	\$1.240444	\$11.597493

The BID wants to increase its revenues 5% from the current \$ 240,619.88 to \$ 252,650.87

We have not requested an increase since the inception of the BID in 2005. The Board voted unanimously at the July 2007 meeting, to exercise the 5% increase based on the extenuating circumstances:

1. To cover escalating operating costs (Administration /Sidewalk Sweeping/Graffiti removal/ Steam Cleaning) as well as increased costs derived from adding streetscape furniture that the BID is responsible for maintaining including benches and watering planters. It has also opted to increase sidewalk sweeping from 40<sup>th</sup> to 45<sup>th</sup>.

2. To increase capital expenditures and maintenance on such things as increasing the number of pedestrian oriented street-lights and planters, gateway signage, and adding more street furniture.
3. To add private security in response to increased crime and unreliable OPD coverage

**VI. Surplus or Deficit for 2007**

Through June 30, 2007 there is a currently a fund balance of \$272,391 (See attachment). The organization has carefully assessed its various needs agreeing to prioritize capital streetscape improvements consistent with the 2005 proposed Telegraph Avenue Streetscape Plan. In May 2006, the Board unanimously approved a motion to reserve BID surplus funds in order to provide matching funds for the streetscape project in anticipation that a future MTC/TLC application filed would be awarded to Temescal. In lieu of that grant not being awarded as of yet, it will spend a large portion of this surplus to implement an ambitious pedestrian safety improvement plan which will include *crosswalk improvements, countdown pedestrian signals, and pedestrian lights*, starting at 52<sup>nd</sup> and heading south towards 40th St.

**VII. Contribution from other sources.**

Please see attached budget. It was adopted at the August 29<sup>th</sup>, 2007, Board meeting.

**TEMESCAL/TELEGRAPH BUSINESS IMPROVEMENT DISTRICT**  
**DRAFT 2007-08 BUDGET For Consideration BY BOARD OF DIRECTORS**  
 August 6, 2007

Expected Revenue = **\$221,100**

Changed to equal ACTUAL  
 amount received, FYE 6/30/06

Expenditure Guideline -Up to 20% of total deviation allowed between Program areas.

Program	Zone	1 53.60%	2 36.40%	3 10.00%	Total 100.00%
PROWSO	61.5%	\$72,883	\$49,495	\$13,598	\$135,977
Marketing	10.4%	\$17,476	\$5,519	\$0	\$22,994 (76% to Zone 1; 24% to Zone 2)
Admin	18.7%	\$22,161	\$15,050	\$4,135	\$41,346
Contingency	9.4%	\$11,140	\$7,565	\$2,078	\$20,783
Total	100.0%	\$123,660	\$77,629	\$19,811	<b>\$221,100</b>

20% deviation allowed      \$24,732      \$15,526      \$3,962      \$44,220

Note: City BID loan payment of \$4000 is included in the above budget.



LAUREL DISTRICT ASSOCIATION (LDA)  
LAUREL BUSINESS IMPROVEMENT DISTRICT  
ANNUAL REPORT TO CITY COUNCIL 2007

**I. Proposed Changes in the Boundaries of the BID or in any Benefits Zones Within the District:**  
None

**II. Improvements and Activities Provided During Calendar Year 2007**

The following are the major improvements and activities provided:

- Held the First Annual LDA Mixer for property owners and merchants to learn about the activities of the organization and recruit members to serve on committees.
- Recruited two board members in 2007.
- Communicated to membership with a Spring Newsletter and a Special Edition of the newsletter was produced this summer. Communications were mailed and distributed to merchants regarding the following: security program, planter project,
- Organized merchants to participate in the Lion Dance to celebrate Chinese New Year in the Laurel and the Annual Egg Hunt was held at Allendale School and a record number of families participated.
- Produced a Promo DVD with clips from the 2006 Laurel World Music Festival. Over 100 were distributed and the video was uploaded on the LDA website.
- Held the 2nd Laurel World Music Festival on August 11, 2007. The event brought thousands of people into the district and featured over 80 local vendors, two stages and Kid's World. The festival generated over \$27,000 in sponsorship, vendor booth fees and day of sales to offset the majority of the production cost. Public Service Announcement was played on all local TV and radio stations two weeks before the event. Photos featured in local papers after the event.
- Bi-Monthly article in MacArthur Metro
- Available space listed on LDA website [www.laureldistrictassociation.org](http://www.laureldistrictassociation.org)
- Public Rights of Way (PROW) completed first phase of the MacArthur Planter Project. Committee consulted landscape architect to determine locations that would enhance the streetscape. The committee successfully organized over 20 community volunteers to plant on the day the 40 planters were installed. The planters have all been branded with the LDA logo to brand the district.
- Hired local landscaper (studying horticulture at Merritt College) to maintain the planters and select the plants for Phase II scheduled for October 6, 2007.
- Oversee and manage maintenance contract includes 5 days/week trash removal, sweeping, graffiti abatement, watering and steam cleaning on a bi-annual basis.
- Hired private security company (All About Security Agency) to patrol the business district.
- Implemented the Laurel Merchant Security Program, which allowed merchants to share the cost with the BID and each other. Coverage based on the number of participants. Negotiated special rate with private security company for Laurel merchants to minimize the cost. 37 merchants signed up for the program (less than \$100 per merchant quarterly) which pays for walking patrol for 4 hours in the evenings 5 days per week. Participant benefits include emergency contact number for agent on-duty, stickers for windows, nightly check-in, escort service.
- Formed the Laurel Security Council to address increase in robberies on MacArthur Blvd, to build effective communications between organizations and OPD and to strategize and collaborate

about crime issues. Council members include LDA Executive Director, Chair of Laurel NCPC, Neighborhood Services Coordinator, LDA Security Committee Chair, Security Company.

- Communications from the LDA Security Task Force and the pressure from the Laurel Security Council resulted in OPD implementing a Robbery Suppression Operation focused primarily on the MacArthur corridor. Over a 60 day period assaults and robberies were down over 70% and all violent crime was also down by at least 60%.
- Organized a meeting with Chief Tucker of the Oakland Police Department and Lt. Mufarreh.
- Continuing outreach with the officers working the Laurel beat.
- Worked with Public Works to remove benches used for loitering and considered a security issue.
- Advocated for the district through participation on the Oakland Merchants Leadership Forum and the Oakland Business Improvement Council.

### III. Improvements and Activities being considered during 2008

- Continuation of sidewalk steam cleaning and graffiti abatement
- Produce the Annual Laurel Street Festival
- Install security cameras and continue to pursue ways to make the business district safer for merchants and shoppers.
- Continue to promote the district through merchant events (Lion Dance, Egg Hunt, Halloween)
- Expand Santa Stroll holiday event
- Advocate for the district through participation on the Oakland Merchants Leadership Forum and the Oakland Business Improvement Council
- Provide a quarterly newsletter
- Research grant opportunities
- Expand website to include available retail space
- Provide assistance to new businesses interested in enhancing the current business mix
- Conduct a safety needs assessment
- Continue to collaborate with City Council, neighborhood groups to ensure open communication regarding all development plans for the Laurel district.

### IV. An Estimate of the Cost of Providing the Improvements and the Activities for 2008

Please see attached budget

### V. Method and Basis of Levying the Assessment

Assessments are collected by the Assessor's Office of Alameda County and forwarded to the City of Oakland Treasury Division which then disburses them to the Laurel District Association to be administered on behalf of the Laurel PBID. Given increased costs for maintenance of street cleaning and increased numbers of planters, and expected increased cost for security services and cost of living increase for executive director position the Laurel PBID Advisory Board is requesting a 5% increase to the assessments collected in 2008. The charges will be assessed as follows:

<i>Property Variable</i>	<i>Annual Cost</i>	<i>Building Use Code Applied</i>	<i>Total Generated by Variable</i>
Lot Square Footage	\$0.1403 per square foot per year	No	(53%) \$87,667.65
Building Square Footage (range)	\$0.05224 through \$0.9180 per square foot per year based upon building type: Building type A: \$0.9180 Building type B - G: \$0.05216 Building type H: \$252 flat fee, no linear frontage or lot size assessment  Building type I: \$0.0	Yes	(17%) \$27,944.70
Linear Frontage	\$6.2219 per linear foot per year (assessed on all sides receiving PROWSO benefits)	No	(30%) \$49,875.00

Single Family Home and Condo Annual Fee	\$252 (No condos currently exist in the district but are anticipated within 10 years)	Yes	\$ 0.0 (%)
TOTAL ANNUAL BUDGET			\$165,487.35 (100%)

**METHOD OF FINANCING:**

This method of financing the special services is based upon the levy of assessments on real property that benefits from proposed improvements and activities. This represents a *"benefit assessment district"* as defined in the California Streets and Highway Code. Assessed valuation cannot be used as the basis for special benefits assessments due to the introduction of Proposition 13 into the state constitution in 1978.

There are at least four basic factors that will be used in determining individual assessments. These factors include: 1) linear frontage, 2) land area and 3) building floor space, 4) building use. The assessments for the Laurel PBID are based upon these variables, which have been endorsed by the PBID Steering Committee as the most fair and equitable for apportionment of assessments to participating parcels. Linear frontage will be assessed on all sides of a parcel due to the allocation of special benefit services to those various sides.

Land use changes will lead to changes in the assessment formulation per parcel. As the district transitions to a mixed-use community, the assessment methodology will accommodate these changes by generating additional revenues to mitigate the impact of these new residents and businesses.

No Condos currently exist in the district. Once condos have been parceled in the future mixed-use developments, the \$240.00 annual flat condo fee will be apportioned to the PROWSO portion of the budget to provide the new residents with seven day per week cleaning services and possible supplemental security. The parcels on which condos have been built, will have the individual property owners assessed only for the condo unit, and will be exempted from lot size, building size and linear frontage

**VI. Surplus or Deficit for 2007**

There is a currently a projected surplus of \$30,000.

**VII. Contributions from other sources.**

None.

Laurel District Association 2008 Budget				
Approved as of August 27, 2007				
FY 2007/2008				
<b>REVENUE</b>				
Anticipated Assessments	157,607.00			
2007 Carryforward	30,000			
<b>TOTAL BID INCOME</b>	<b>187,607.00</b>			
<b>EXPENSES</b>		<b>Budgeted</b>		
<b>Organization</b>				
Rent	0.00			
Staffing	30,000.00			
Telephone & Fax	1,200.00			
Internet	500.00			
Insurance	3,000.00			
Accounting & Taxes	1,500.00			
Annual Dinner	1,000.00			
Office Supplies	2,000.00			
Unallocated	800.00			
<b>Subtotal</b>	<b>40,000.00</b>			
<b>District Identity &amp; Streetscape Improvements (DISI) General</b>				
Graphic Design	2,000.00			
Directory	3,000.00			
Lion Dance	1,000.00			
Egg Hunt	500.00			
World Music Festival	5,000.00			
Halloween	1,000.00			
Holiday Celebration	2,000.00			
Advertising	600.00			
Website	1,000.00			
Unallocated	2,900.00			
<b>Subtotal</b>	<b>19,000.00</b>			
<b>Public Rights of Way &amp; Sidewalk Operations (PROWSO)</b>				
Maintenance	35,000.00			
Litter Containers	0.00			
Capital Improvements	31,000.00			
Security	15,000.00			
Banners & Decorations	6,000.00			
Unallocated	3,000.00			
<b>Subtotal</b>	<b>90,000.00</b>			
<b>Other</b>				
County Fee (1.7%)	2,700.00			
City Fee	500.00			
City Loan Payment	4000.00			
Contingency Reserve	31,407.00			
<b>Subtotal</b>	<b>38,607</b>			
<b>TOTAL EXPENSES</b>	<b>187,607.00</b>			



# THE UNITY COUNCIL

## **Fruitvale Business Improvement Management District Annual Report to City Council Fiscal Year 2006-07 (July 1, 2006 – June 30, 2007)**

### **1. Proposed Changes in the Boundaries of the BIMD or in any Benefits Zones Within the District**

There are no changes.

### **2. Improvements and Activities Provided During Fiscal Year 2006-07**

The following are the major improvements and activities provided:

- Neighborhood Cleanliness Crew: more than 160 hours per week (every day except Sundays and holidays) of sidewalk, curb, and gutter sweeping, recycling, graffiti abatement, removal of flyers, posters and landscaping
- Landscaping program including maintenance of planter pots, native habitat garden at Foothill and Fruitvale, and trees; recruitment of volunteers to assist with landscape projects; worked with the City to replace broken and missing trees
- Fruitvale Ambassador: approximately 40 hours per week (on weekdays) of patrol on foot
- Valentines and Mother's Day enforcement in partnership with the police against illegal vendors who put merchandise on the side walk and those who come from the outside of the district
- Provided the vendors of 28 Fruit Carts with cart improvements. We also brought Lenders for Community Development to provide information and resources for the owners of the fruit carts
- Advocated for the improvement of some problem alcohol outlets
- Eleventh Annual Día de los Muertos Festival
- Weekly farmers market on De La Fuente Plaza-Sundays
- Weekly farmers market at Fruitvale Village- Thursdays
- Started the First Thursday of every month in the summer with the Farmers Market and Street Fair at the Fruitvale Village
- Assisted merchants in holding a Christmas Posada procession and celebration
- Participation in Oakland Merchants Leadership Forum's Shop Oakland Campaign
- Articles and advertisements for the district published in Oakland Business Review, the Oakland Tribune, and others
- Completed 20 store front and façade improvements





- Contracted with two security guards to patrol International Blvd in the late afternoon and evening 6 days a week
- Designed and printed 10,000 new business directories and 3 posters
- Sponsored 4 merchants and 2 residents to attend Neighbor Works America community development training in Houston Texas. The training allowed our team to address problems in our neighborhood. The group organized the "Brooms on the Move" clean ups.
- 1000 daffodils were planted in the BID area
- Advocacy for the district through the Oakland Merchants Leadership Forum
- Welcome visits to new merchants
- Participated in National Night Out
- One walking police officer was assigned to walk in the BID area.

### **3. Improvements and Activities To Be Provided During Fiscal Year 2007-08**

- Continuation of Neighborhood Cleanliness Crew Program
- Continuation of Fruitvale Ambassador Program
- Participate in City wide activities that build strong communities with neighbors working on events such as: Earth Day, National Night Out, etc.
- Twelfth Annual Dia de los Muertos Festival and other events
- Continued partnership with the Oakland Police on special projects
- Continued assistance to merchants and promotion of the façade improvement program
- Participation in the Shop Oakland Campaign
- Fund raising and resource development
- Advocacy for the district through the Oakland Merchants Leadership Forum and the Oakland Business Improvement District Council
- Complete the mural project at the I-880 Freeway underpass
- Provide information to the neighborhood about blight and resources to improve the neighborhood and commercial corridor
- Recruitment of 10 community volunteers

### **4. An Estimate of the Cost of Providing the Improvements and the Activities for Fiscal Year 2007-08**

Please see attached budget.

### **5. Method and Basis of Levying the Assessment**

Each property owner pays an assessment based on gross lot square footage. The district is divided into two zones. Zone One includes Fruitvale Avenue from Foothill Boulevard to East 12<sup>th</sup> Street (excluding 1500 to 1900 Fruitvale), Foothill Boulevard from Fruitvale Avenue to 34<sup>th</sup> Avenue, International Boulevard from Fruitvale Avenue to 42<sup>nd</sup> Avenue, and East 12<sup>th</sup> Street from 33<sup>rd</sup> Avenue to 35<sup>th</sup> Avenue. The remainder of the district

comprises Zone Two. Zone One properties are assessed at \$0.17 per square foot and Zone Two properties are assessed at \$0.08 per square foot. Properties owned by charitable tax-exempt organizations pay \$0.08 per square foot in both zones. Residential properties with four units or fewer are not assessed in either zone.

#### **6. Surplus or Deficit for Fiscal Year 2007-08**

The budget for Fiscal Year 2007-08 is \$324,713. The expected assessment to be collected for that year is \$324,713. Therefore, it is expected that there will be no surplus, however, the services provided in the BID are subsidized by the Unity Council. Please see the attached financial report for 2007 and budget for 2008.

#### **7. Contributions from Sources Other than Assessments**

As stated above and demonstrated in the financial report for 2007 and the budget for 2008, the Unity Council will need to raise additional funds to provide the level of service required for the Fruitvale commercial district. We project that we will be able to supplement BID services through funding sources that will include the following:

- Local Initiatives Support Corporation: \$15,000 (pending)
- City of Oakland Environmental Services: \$10,000 (in progress)
- Dia de Los Muertos Festival: \$10,000 (pending)

Additional sources for funding the services will continue to be identified throughout the year.

THE UNITY COUNCIL  
FRUITVALE BID SUPPORT SERVICES  
PROPOSED BUDGET  
CALENDAR YEAR 2008

Budget Line Item	Fruitvale BID City Contract
<b><u>PERSONNEL</u></b>	
Program Manager (Maria Sanchez)	\$ 19,083
Outreach (P/T Americorps)	-
Subtotal	19,083
Taxes/Benefits	2,565
<b>TOTAL PERSONNEL COSTS</b>	<b>21,648</b>
 <b><u>CONTRACT SERVICES</u></b>	
Security	38,965
Cleaning (PSC)	162,851
Ambassador (PSC - Kong Lao)	36,000
<b>TOTAL CONTRACT SERVICES</b>	<b>237,816</b>
 <b><u>MARKETING EXPENSES</u></b>	
Program Supplies/Equipment	4,500
Marketing Expenses(office supplies,printing,phone,etc)	2,500
Administration and Fund Development	35,519
<b>TOTAL PROGRAM/OPERATING EXPENSES</b>	<b>42,519</b>
 <b><u>LOAN REPAYMENT/COUNTY FEES/CONTINGENCY (1)</u></b>	
City of Oakland Loan Repayment	6,000
Alameda County Collection Fee (1.7%)	5,520
Contingency for Uncollectible Assessments	11,210
<b>TOTAL LOAN REPAYMENT/COUNTY FEES/CONTINGENCY</b>	<b>22,730</b>
 <b>GRAND TOTAL</b>	 <b>\$ 324,713</b>

- (1) Under the new Fruitvale BID contract, the City of Oakland requires \$22,730 of total proceeds as to be set aside for "contingency" to be used for servicing the City loan provided to establish the BID, to pay fees charged by the County for collecting the BID assessment and to create a reserve to mitigate the impact of uncollectible assessments.