

DOWNTOWN POMONA MANAGEMENT DISTRICT PLAN

*Prepared pursuant to the State of California
Property and Business Improvement District Law of 1994
to renew a Management District within the City of Pomona*

Prepared by

Civitas Advisors
(800) 999-7781

for

Downtown Pomona Owners Association

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**DOWNTOWN POMONA
MANAGEMENT DISTRICT PLAN**

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I. DOWNTOWN POMONA MANAGEMENT DISTRICT AT-A-GLANCE

The Downtown Pomona Property and Business Improvement District (PBID) has enjoyed a successful and prosperous first term. We have significantly increased the awareness of the area through an integrated marketing program, including advertising, an interactive website, and map guides. Our special events have shone a positive spotlight on the District, generating visitors and valuable press coverage. The PBID has spurred ongoing private investment in new developments and renovations. Additionally, the District has leveraged its property owner investment to maximize increased public investment resulting in an attractive user-friendly physical environment. While our businesses focus on their individual issues, the BID provides a framework to look at the area as a whole and view long-term strategies and solutions for maintaining the District's economic and social viability into the future. Since 2004 the DPOA has invested over 1.5 million dollars towards security for the PBID, making it one of the safest Districts in the State. The DPOA has added over 40 new trash containers and provided daily trash pick up to insure that the District is clean. Scheduled power washing of the District's over 10 miles of sidewalks have also created a clean environment within the PBID. The DPOA provides insurance for community events and partners with other non-profits to host events and bring awareness to the District. On-going special events hosted by the DPOA include a Wednesday Certified Farmers Market, a Saturday Certified Farmers Market, Summertime Fresh Air Flicks, Baseball Day at Dodger Stadium, and various community and educational events. A Future DPOA sponsored event will be returning the Holiday Parade to the downtown.

The term of the PBID will expire at the end of 2009. Property owners within the Downtown Pomona Management District are pleased with the services provided by the current PBID. Based on feedback from focus groups and stakeholder outreach, they created this Management Plan to renew the District. The renewed District establishes an improvement program above and beyond those baseline services provided by the City of Pomona (the "City").

- Location:** The Downtown Pomona PBID includes approximately 252 parcels and is generally bounded by First Street to the north; Rebecca Street to the west; Mission Boulevard to the south; and Eleanor Street to the east. For specific boundaries, please see Section II of this Engineer's Report.
- Services:** The improvements and activities to be provided by the District generally include: Private security services for the district; Additional maintenance services including, but not limited to, trash pickup, street, sidewalk, alley and gutter cleaning, graffiti removal; Marketing and promotional programs; Special events coordination; Streetscape improvements; Other promotional, improvement, and economic development programs; Administrative, legal and technical support services for management of the district programs.
- Budget:** Total maximum District Budget for the first year of its nine (9) year operation is approximately \$695,000 with a possible 2% increase per year.
- Cost:** The entire District will pay for services based on benefits received. Annual assessments on property will be \$0.054 (5.4 cents) per parcel square foot, plus \$14.61 per front foot and \$0.17 (17 cents) per building square foot.

Duration: The renewal of the District will have a nine-year life. After nine (9) years, the petition process, ballot process, and hearing process must be repeated for the District to be reestablished.

II. WHAT IS A MANAGEMENT DISTRICT?

In California, Management Districts are formed pursuant to the Property and Business Improvement District Law of 1994 (PBID law). A Property and Business Improvement District (PBID) is one mechanism for a property and business owner collaborative. It is an agreement between the public and private sector organized for the improvement of a specific commercial area. The public sector cannot solve all the problems facing commercial districts today; the private sector must take the initiative. The PBID law allows for the creation of a special benefit assessment district to raise funds within a specific geographic area. Before the district is formed, property owners paying over 50% of the total assessment must sign petitions in support of the district. *The key difference between PBIDs and other special benefit assessment districts is that all assessed funds are managed by business and property owners through a private non-profit corporation governing the District.*

A Management District may provide essential services, such as public safety, maintenance, marketing, advocacy, and economic development in addition to those provided by local government. These services are concentrated within a distinct geographic area and are paid for by means of a special property owner assessment. Downtown Pomona Owners Association, a California non-profit corporation, will be the organization responsible for providing these services.

While tenant or business-based Business Improvement Districts (BBID) have been in California for some time, Property-based Business Improvement Districts (PBID) are a relatively new idea in California. Many Districts have been formed by local business communities in response to declining municipal budgets and services. The first two PBIDs, the Downtown Sacramento Partnership, and the Los Angeles Fashion District, were approved in 1995. Since then, both districts have renewed and many more districts have been approved throughout California. The PBID law:

- Allows Management Districts to undertake services ranging from but not limited to security, maintenance, business advocacy, and economic development.
- Allows revenue for services to be raised from annual assessments on real property.
- Requires limits for assessments to ensure that they do not exceed pre-established levels.
- Provides a multi-year life for Management Districts. Renewal of a Management District requires a petition process, Proposition 218 ballot process and County or City hearings just like the formation process. Due to recent legislation a District may renew for up to ten years. The Downtown Pomona District will have a nine year term upon renewal.

III. MANAGEMENT DISTRICT BOUNDARIES

The Downtown Pomona Property and Business Improvement District will deliver services in the area of Downtown Pomona. The boundaries of the Downtown Pomona PBID are as follows:

Beginning at the intersection of the projection of South Rebecca Street and West First Street east along the centerline of First Street to the northwest corner of assessor's parcel number (APN) 8335-004-054; then south along the eastern boundary of APN 8335-004-054 to the southeast corner of said parcel. West along the southern boundary of parcels fronting the south side of East First Street to South Gibbs Street; then south along the centerline of South Gibbs Street to the southern edge of Second Street. East along the northern boundary of APNs 8335-007-910 and 8335-007-909; then south along the eastern boundary of APN 8335-007-909 across the alley between East Second Street and East Third Street to the northern boundary of APN 8335-007-904. East along the northern boundary of APNs 8335-007-904, across South Elm Street, and 8335-007-906; then south along the eastern boundary of APN 8335-007-906 to Third Street. East along the centerline of East Third Street to the intersection of East Third Street and South Linden Street. North along the centerline of South Linden Street to the intersection of South Linden Street and East Second Street; then east along the centerline of East Second Street to the intersection of East Second Street and the projection of South Eleanor Street. South along the east boundary of APNs 8335-005-902 and 8335-005-901, and along the centerline of South Eleanor Street to the intersection of South Eleanor Street and East Mission Boulevard; then west along the centerline of Mission Boulevard to the intersection of West Mission Boulevard and South Parcels Street. North along the centerline of South Parcels Street to the intersection of South Parcels Street and West Third Street; then west along the centerline of West Third Street to the intersection of West Third Street and South Rebecca Street. North along the centerline of South Rebecca Street, along the west boundary of APN 8341-002-803 to the intersection of South Rebecca Street and the projection of West First Street, the point of beginning.

The District area will not include the area between South Gibbs Street on the west; South Eleanor Street on the east; the southern boundary of parcels fronting the south side of East First Street on the north; and East Third Street on the south. This area is occupied by Western University and was previously known as Zone B. This area will not receive any services or benefits from the PBID and therefore will not be paying any special District assessments.

The service area includes approximately 252 parcels and 101 parcel owners. The map on the following page illustrates the Management District boundaries, with a list of map identification numbers following.

A larger map is available on request by calling Civitas at (916) 437-4300.

Downtown Pomona District Map



IV. SERVICE PLAN

A. Downtown Pomona Management District Service Plan

The PBID Steering Committee worked on a proposed budget for the new PBID and relied upon the historical information gathered from other PBIDs in Southern California and input from property owners and merchants.

The PBID services described below are not intended to replace essential public services already provided by the City of Pomona. Rather, they would be in addition to what the City provides and would be an enhancement of those baseline services. The Executive Summary of the budget, which appears at the end of this section, details the allocation of funds according to budget category. The Board of Directors of the Owner's Association will be vested with the responsibility to enter into contracts with service providers and consultants, hire staff, and manage the day-to-day affairs of the PBID.

The DPOA shall have the power to make all decisions regarding expenditures of assessments for PBID services, so long as such decisions are consistent with this Management Plan and with DPOA's contract with the City.

What follows is a general description of the types of services to be delivered according to each budget category.

1. Security

The security team for the District will be responsible for coordinating their activities with the Pomona Police Department in accordance with the Downtown Pomona Security Plan which shall be adopted by the DPOA Board of Directors. The security team shall deter crime, initiate citizens' arrests when necessary, warn and advise trespassers and panhandlers, respond to visitor inquiries, and perform other duties as consistent with the intent of the Management District Plan and approved by the DPOA Board of Directors. It is the intent that the team will consist of security officers providing security service to the District 24 hours per day, 7 days per week. This security service provides additional enhanced security serving only properties within the District. District security services are above and beyond police services already provided by the City within the District and to the City generally. Should the DPOA Board decide to hire additional officers or change the type of patrol, the time spent patrolling the area may vary from the 24/7 schedule to accommodate the budget limitations of the District. This budget item may cover deployment of security officers, office space, training, overtime, court pay, vehicles, communication and surveillance equipment, PBID staff allocation devoted to contract oversight, program monitoring, and the coordination with existing City services, and other security related expenses.

2. Streetscape Maintenance

The Joint Operations Committee will approve contracts with maintenance vendors to provide services, above those being provided by the City, including, but not limited to, street, alley, sidewalk pressure washing, gutter cleaning, light graffiti removal and sticker removal, trash removal, and certain

landscaping improvements and related services throughout the District. The DPOA Joint Operations Committee will work with the maintenance vendors to identify service levels commensurate within the District. It is anticipated that sidewalk power washing will occur twice weekly or as needed, and alley cleaning on a quarterly basis or as needed, landscaping twice weekly or as needed, additional trash receptacles will be installed as needed throughout the District, and trash receptacle refuse will be collected twice weekly or as needed. PBID staff time will be allocated to assist with the Streetscape Maintenance programs, and to coordinate with existing City services.

3. Marketing/Promotions/Special Events

The Marketing Committee shall approve contracts for the installation, preparation, maintenance, and/or distribution of any of the following: pole banners, logos, signage, directories, maps, promotional materials, brochures, advertising, visitors' guides (general or specific to arts, antiques, entertainment, restaurants, retail, services, and education), press releases, newsletters, calendars, District web site; marketing research and other similar projects. Funds may be utilized to hire a consultant to provide marketing, media relations, event planning, and/or public relations guidance to the District, and special events. The Marketing Committee may also solicit additional sources of non-assessment revenue to leverage the marketing activities of the PBID, such as corporate sponsors, grants, and donations. Staff time is also allocated to assist with marketing activities and to coordinate with existing private and public promotions and marketing efforts.

B. Service Plan Budget

A Service Plan budget has been developed to deliver service levels throughout the District.

Downtown Pomona PBID Service Plan

Multi-Year Budget reflecting possible 2% increase each year.

Budget Item	%	Year 1	Year 2	Year 3	Year 4	Year 5
Security Services	39.02%	\$271,189.00	\$276,612.78	\$282,145.04	\$287,787.94	\$293,543.70
Streetscape						
Improvements and						
Maintenance	19.66%	\$136,637.00	\$139,369.74	\$142,157.13	\$145,000.28	\$147,900.28
Marketing,						
Promotions & Special						
Events	19.66%	\$136,637.00	\$139,369.74	\$142,157.13	\$145,000.28	\$147,900.28
Professional Services						
& Administration	19.66%	\$136,637.00	\$139,369.74	\$142,157.13	\$145,000.28	\$147,900.28
Contingency	2%	\$13,900.00	\$14,178.00	\$14,461.56	\$14,750.79	\$15,045.81
Total Budget	100%	\$695,000.00	\$708,900.00	\$723,078.00	\$737,539.56	\$752,290.35

Budget Item	%	Year 6	Year 7	Year 8	Year 9
Security Services	39.02%	\$299,414.57	\$305,402.86	\$311,510.92	\$317,741.14
Streetscape					
Improvements and					
Maintenance	19.66%	\$150,858.29	\$153,875.45	\$156,952.96	\$160,092.02
Marketing,					
Promotions & Special					
Events	19.66%	\$150,858.29	\$153,875.45	\$156,952.96	\$160,092.02
Professional Services					
& Administration	19.66%	\$150,858.29	\$153,875.45	\$156,952.96	\$160,092.02
Contingency	2%	\$15,346.72	\$15,653.66	\$15,966.73	\$16,286.07
Total Budget	100%	\$767,336.16	\$782,682.88	\$798,336.54	\$814,303.27

V. ASSESSMENTS FOR SERVICES

Source of Financing: The cost of services and activities provided by the District will be paid by special assessments on the properties within the District. The entire District will pay for services based on benefits received. Annual assessments on property will be \$0.054 (5.4 cents) per parcel square foot, plus \$14.61 per front foot and \$0.17 (17 cents) per building square foot. The calculation of the proposed assessments for the first year is shown on Appendix I at the end of this Management District Plan.

An assessment notice will be sent to owners of each property in the Management District. The assessment notice provides an estimated assessment based upon the parcel front footage and parcel square footage of each parcel and the building square footage for buildings located on each parcel. The final assessment for a parcel may change, up or down, if the actual parcel front footage, parcel square footage or building square footage differs from those found on the assessment notice.

Time and Manner of Collecting Assessments: The Downtown Pomona District assessment will be collected with regular property taxes. The assessment will appear as a separate line item on annual Property Tax bills prepared by the County of Los Angeles. Property tax bills are generally distributed in the fall, and payment is expected by lump sum or installments in December and April. The County of Los Angeles shall distribute funds collected to the City of Pomona and then to the Owner's Association, pursuant to the authorization of Downtown Pomona Property and Business Improvement District Assessment Plan. Existing laws for enforcement and appeal of property taxes apply to the Downtown Pomona District assessments. The assessments will be collected annually for a period of nine years.

Budget: Total District Budget for the first year of its nine-year operation is \$695,000 with a possible 2% increase per year.

Duration: The renewed District will have a nine-year life beginning January 1, 2010 and ending December 31, 2018.

VI. DISTRICT GOVERNANCE

Governance of the proposed PBID shall be consistent with that permitted by the "Property and Business Improvement District Law of 1994" (Streets & Highways Code § 36620, *et seq.*). Presently, the following components are proposed:

A. *Summary:*

As permitted under PBID law, the PBID will be governed and operated by a non-profit owners' association, named the "Downtown Pomona Owner's Association" (DPOA). By law, the City must contract with the DPOA to implement PBID services (however, that contact may be terminated if the DPOA does not perform). The County of Los Angeles shall distribute funds collected to the City of Pomona and then the City shall distribute to the DPOA. The membership, governance, budget, and other matters of DPOA

operation are determined by the DPOA. However, such matters must be consistent with the provisions of this Management Plan and with applicable terms (if any) in the DPOA's contract with the City.

B. City Council:

Following the submission of petitions from property owners representing more than 50% of the assessments to be paid, several public hearings/meetings and the return of mailed 218 ballots documenting a majority, weighted by assessment, in favor of the assessment, the City Council will adopt certain resolutions to establish the PBID. The District will have a nine-year life, and the first assessments will appear on the October, 2009 tax bill. The District will end in 2018, unless it is renewed by the property owners.

C. Owner's Association:

The DPOA shall be the "owners' association" as such term is defined at Streets & Highways Code § 36614.5, and shall have the legal form of a non-profit 501(c)(3) corporation. The DPOA's Board of Directors shall be made up with the following:

1. One (1) Seat for One Member of the Pomona City Council, chosen by the vote of the City Council.
2. A minimum of three (3) seats for merchants who are not property owners from within the PBID district.
3. A minimum of nine (9) seats for assessed property owners.
4. In the event that the Board of Directors is organized to comprise a membership of greater numbers than the minimum provided above, any such membership shall be organized such that the ratio of merchants-to-property owners, remains unchanged.

D. Checks and Balances

The DPOA Board of Directors shall be empowered to recommend amendments to the Management District Plan, including the following elements:

1. Changes in the boundaries of the PBID.
2. Adjustments to individual assessments.
3. Changes in the assessment formula.
4. Changes in the programs and priorities of the original Management District Plan.
5. Review/approve the DPOA's annual budget; and review and recommend to the City Council any proposed budget for the PBID;

In addition, the DPOA Board of Directors shall perform such other supervisory functions as may be necessary for overseeing implementation of any contract with the City for PBID-related services.

E. Duties and Responsibilities

To deliver day-to-day services, the City of Pomona will enter into a contract with the DPOA non-profit organization. The DPOA non-profit organization implements the programs and is financed in part by proceeds from PBID assessments.

The DPOA's contract with the City shall list the services that the DPOA will provide to the City in order to implement the PBID. The contract shall be consistent with the guidelines and intent of the Management District Plan. The DPOA's contract with the City shall provide for the DPOA to generally perform the following duties and responsibilities for the PBID:

- Annually prepare and approve recommendations regarding the budget, contracts with Engineer for certification of assessment, and forwards both to City Council for approval.
- Recommends to the City Council changes to the budget and Management District Plan.
- Enters into contracts with third party vendors for the provision of services as may be authorized in the contract with the City.
- Select and hire an Executive Director and other staff as necessary to run the day to day operations of the BID, or contract with a third party management company for administrative services.
- Establishes a minimum of 4 committees and appoints Committee Chairpersons and members, and/or contracts with the Central Business District to provide promotions and marketing services.
- Review Committee contract decisions and authorize Executive Director or Board President to sign contracts. All contracts shall, to the greatest extent possible, coordinate with PBID property owners for pro rated reimbursement of such owners' existing contracts, to the extent that such existing contracts provide services to the entire PBID or any Zone therein, or to the extent that such existing contracts benefit the entire PBID or any Zone therein.

APPENDIX 1: LIST OF PROPERTIES TO BE ASSESSED BY APN

Assessor's Parcel Number (APN)		% of Assess	Linear Front Footage (Ft)	Parcel Area (Sq Ft)	Building Area (Sq Ft)	Parcel Assess Rate (\$/Sq Ft)	Frontage Assess Rate (\$/Ft)	Building Assess Rate (\$/Sq Ft)	Total Annual Assessment
8335-010-800	*	80%	195	23,392	118,868	\$0.05	\$14.61	\$0.17	\$19,455.74
8335-011-800	*	80%	195	31,198	0	\$0.05	\$14.61	\$0.17	\$3,626.91
8335-013-800	*	80%	195.0	23,392.0	0	\$0.05	\$14.61	\$0.17	\$3,289.69
8335-013-801	*	80%	120.0	7,793.0	0	\$0.05	\$14.61	\$0.17	\$1,739.22
8341-002-800	*	80%	130	11,696	1144	\$0.05	\$14.61	\$0.17	\$2,180.29
8341-002-803	*	80%	260	27,300	0	\$0.05	\$14.61	\$0.17	\$4,218.24
8341-005-002		100%	65	6,817	6,710	\$0.05	\$14.61	\$0.17	\$2,458.47
8341-007-026		100%	65	7,793	0	\$0.05	\$14.61	\$0.17	\$1,370.47
8341-007-027		100%	65	7,793	15,408	\$0.05	\$14.61	\$0.17	\$3,989.83
8341-007-020		100%	65	7,793	0	\$0.05	\$14.61	\$0.17	\$1,370.47
8335-009-015		100%	35	4,195	17,300	\$0.05	\$14.61	\$0.17	\$3,678.88
8335-009-008		100%	27.5	3,293	6,600	\$0.05	\$14.61	\$0.17	\$1,701.60
8335-009-009		100%	28.03	3,363	6,480	\$0.05	\$14.61	\$0.17	\$1,692.72
8335-009-010		100%	22.54	1,564	7,958	\$0.05	\$14.61	\$0.17	\$1,766.63
8335-009-014		100%	25	2,997	3,000	\$0.05	\$14.61	\$0.17	\$1,037.09
8335-009-017		100%	23.33	2,797	5,520	\$0.05	\$14.61	\$0.17	\$1,430.29
8335-009-001		100%	130	15,599	14,180	\$0.05	\$14.61	\$0.17	\$5,152.25
8335-009-011		100%	23.6	2,827	5,474	\$0.05	\$14.61	\$0.17	\$1,428.03
8335-011-014		100%	64.5	6765	6722	\$0.05	\$14.61	\$0.17	\$2,450.40
8335-011-016		100%	130	15,599	24,658	\$0.05	\$14.61	\$0.17	\$6,933.51
8341-008-058		100%	0	355.51	882	\$0.05	\$14.61	\$0.17	\$169.14
8341-002-005		100%	20	2,396	2,400	\$0.05	\$14.61	\$0.17	\$829.58
8341-002-022		100%	45	5,393	5,400	\$0.05	\$14.61	\$0.17	\$1,866.67
8335-013-019		100%	65	7,793	0	\$0.05	\$14.61	\$0.17	\$1,370.47
8341-005-018		100%	120	18,073	29,814	\$0.05	\$14.61	\$0.17	\$7,797.52
8335-010-003		100%	47.5	4,988	4,795	\$0.05	\$14.61	\$0.17	\$1,778.48
8335-012-012	***	5%	33.18	3,476	3,200	\$0.05	\$14.61	\$0.17	\$60.82
8335-010-016		100%	60	6,900	20,700	\$0.05	\$14.61	\$0.17	\$4,768.20

Assessor's Parcel Number (APN)	% of Assess	Linear Front Footage (Ft)	Parcel Area (Sq Ft)	Building Area (Sq Ft)	Parcel Assess Rate (\$/Sq Ft)	Frontage Assess Rate (\$/Ft)	Building Assess Rate (\$/Sq Ft)	Total Annual Assessment
8341-008-057	100%	0	383.45	943	\$0.05	\$14.61	\$0.17	\$181.02
8341-006-024	100%	120	30,379	28,195	\$0.05	\$14.61	\$0.17	\$8,186.82
8341-007-033	100%	65	7,797	0	\$0.05	\$14.61	\$0.17	\$1,370.69
8341-001-012	100%	40	2,644	0	\$0.05	\$14.61	\$0.17	\$727.18
8341-001-013	100%	65	5,297	0	\$0.05	\$14.61	\$0.17	\$1,235.69
8341-001-031	100%	45.49	5,236	0	\$0.05	\$14.61	\$0.17	\$947.35
8341-001-032	100%	83	10,180	0	\$0.05	\$14.61	\$0.17	\$1,762.35
8341-001-039	100%	195	25,348	0	\$0.05	\$14.61	\$0.17	\$4,217.74
8341-001-040	100%	65	8,446	35,760	\$0.05	\$14.61	\$0.17	\$7,484.93
8341-002-006	100%	65	7,793	0	\$0.05	\$14.61	\$0.17	\$1,370.47
8341-002-007	100%	41.5	4,979	0	\$0.05	\$14.61	\$0.17	\$875.18
8341-002-008	100%	23.5	2,814	0	\$0.05	\$14.61	\$0.17	\$495.29
8341-002-012	100%	90	5,846	0	\$0.05	\$14.61	\$0.17	\$1,630.58
8341-002-013	100%	65	5,846	0	\$0.05	\$14.61	\$0.17	\$1,265.33
8341-002-017	100%	65	7,793	7,800	\$0.05	\$14.61	\$0.17	\$2,696.47
8341-002-021	100%	21	2,518	0	\$0.05	\$14.61	\$0.17	\$442.78
8341-002-024	100%	130	11,696	0	\$0.05	\$14.61	\$0.17	\$2,530.88
8341-004-026	100%	30	1,943	3,900	\$0.05	\$14.61	\$0.17	\$1,206.22
8341-002-011	100%	44	5,275	0	\$0.05	\$14.61	\$0.17	\$927.69
8335-009-005	100%	32.5	3,899	3899	\$0.05	\$14.61	\$0.17	\$1,348.20
8335-010-018	100%	65	7797	26898	\$0.05	\$14.61	\$0.17	\$5,943.35
8335-010-014	100%	65	7,793	23,400	\$0.05	\$14.61	\$0.17	\$5,348.47
8335-013-028	100%	125	13,038	2,352	\$0.05	\$14.61	\$0.17	\$2,930.14
8341-007-029	100%	195	20,081	2,052	\$0.05	\$14.61	\$0.17	\$4,282.16
8335-004-054	100%	257.0	37,592.0	55,314	\$0.05	\$14.61	\$0.17	\$15,188.12
8335-010-008	100%	60	6,900	6,900	\$0.05	\$14.61	\$0.17	\$2,422.20
8341-008-916	100%	0	389.27	865	\$0.05	\$14.61	\$0.17	\$168.07
8341-008-049	100%	0	396.83	1066	\$0.05	\$14.61	\$0.17	\$202.65
8335-013-017	100%	65	7,793	1,196	\$0.05	\$14.61	\$0.17	\$1,573.79

Assessor's Parcel Number (APN)		% of Assess	Linear Front Footage (Ft)	Parcel Area (Sq Ft)	Building Area (Sq Ft)	Parcel Assess Rate (\$/Sq Ft)	Frontage Assess Rate (\$/Ft)	Building Assess Rate (\$/Sq Ft)	Total Annual Assessment
8335-012-015		100%	130	15,551	0	\$0.05	\$14.61	\$0.17	\$2,739.05
8335-012-017		100%	245	44,989	28,372	\$0.05	\$14.61	\$0.17	\$10,832.10
8335-011-006		100%	130	7,793	0	\$0.05	\$14.61	\$0.17	\$2,320.12
8335-011-013		100%	105	7,610	14,640	\$0.05	\$14.61	\$0.17	\$4,433.79
8341-002-019		100%	130	15,599	3,790	\$0.05	\$14.61	\$0.17	\$3,385.95
8341-008-037		100%	0	425.21	1308	\$0.05	\$14.61	\$0.17	\$245.32
8341-008-042		100%	0	381.08	946	\$0.05	\$14.61	\$0.17	\$181.40
8335-009-002		100%	32.5	3,899	3,712	\$0.05	\$14.61	\$0.17	\$1,316.41
8341-008-015		100%	65	5,772	2,480	\$0.05	\$14.61	\$0.17	\$1,682.94
8341-002-016		100%	33.42	4,008	2,240	\$0.05	\$14.61	\$0.17	\$1,085.50
8341-004-041		100%	33	3,411	0	\$0.05	\$14.61	\$0.17	\$666.32
8341-004-051		100%	245	25,230	57,846	\$0.05	\$14.61	\$0.17	\$14,775.69
8341-004-042		100%	97.5	10,237	0	\$0.05	\$14.61	\$0.17	\$1,977.27
8341-004-052		100%	155	17,838	0	\$0.05	\$14.61	\$0.17	\$3,227.80
8341-008-062		100%	0	530.74	1171	\$0.05	\$14.61	\$0.17	\$227.73
8341-002-014		100%	130	15,660	15,600	\$0.05	\$14.61	\$0.17	\$5,396.94
8341-004-024	***	5%	85	10,193	13,940	\$0.05	\$14.61	\$0.17	\$208.10
8341-005-008		100%	32.5	3,899	3,900	\$0.05	\$14.61	\$0.17	\$1,348.37
8341-003-006		100%	120	7,745	4,904	\$0.05	\$14.61	\$0.17	\$3,005.11
8341-008-039		100%	0	484.52	1270	\$0.05	\$14.61	\$0.17	\$242.06
8335-013-029		100%	105	10,938	2,202	\$0.05	\$14.61	\$0.17	\$2,499.04
8341-008-061		100%	0	369.52	915	\$0.05	\$14.61	\$0.17	\$175.50
8341-008-045		100%	0	353.28	858	\$0.05	\$14.61	\$0.17	\$164.94
8341-008-044		100%	0	463.09	1029	\$0.05	\$14.61	\$0.17	\$199.94
8341-008-052		100%	0	424.75	938	\$0.05	\$14.61	\$0.17	\$182.40
8341-008-917		100%	0	468.75	1041	\$0.05	\$14.61	\$0.17	\$202.28
8341-008-053		100%	0	398.71	978	\$0.05	\$14.61	\$0.17	\$187.79
8341-008-041		100%	0	478.21	1256	\$0.05	\$14.61	\$0.17	\$239.34
8341-005-019		100%	65	7,793	7,168	\$0.05	\$14.61	\$0.17	\$2,589.03

Assessor's Parcel Number (APN)	% of Assess	Linear Front Footage (Ft)	Parcel Area (Sq Ft)	Building Area (Sq Ft)	Parcel Assess Rate (\$/Sq Ft)	Frontage Assess Rate (\$/Ft)	Building Assess Rate (\$/Sq Ft)	Total Annual Assessment
8335-010-011	100%	21.67	2,592	3,850	\$0.05	\$14.61	\$0.17	\$1,111.07
8335-010-013	100%	48.5	5,820	5,760	\$0.05	\$14.61	\$0.17	\$2,002.07
8335-013-013	100%	55	5,772	3,850	\$0.05	\$14.61	\$0.17	\$1,769.74
8335-013-014	100%	25	2,618	660	\$0.05	\$14.61	\$0.17	\$618.82
8341-008-009	100%	65	6,739	5,972	\$0.05	\$14.61	\$0.17	\$2,328.80
8341-005-017	100%	58	7,536	1,770	\$0.05	\$14.61	\$0.17	\$1,555.22
8341-003-016	100%	22	2,640	0	\$0.05	\$14.61	\$0.17	\$463.98
8341-003-012	100%	40	4,796	12,046	\$0.05	\$14.61	\$0.17	\$2,891.20
8341-003-013	100%	25	2,962	0	\$0.05	\$14.61	\$0.17	\$525.20
8341-003-014	100%	20	2,479	0	\$0.05	\$14.61	\$0.17	\$426.07
8341-003-015	100%	44.58	5,345	0	\$0.05	\$14.61	\$0.17	\$939.94
8341-003-017	100%	43	5,158	0	\$0.05	\$14.61	\$0.17	\$906.76
8341-003-018	100%	19	2,274	1,530	\$0.05	\$14.61	\$0.17	\$660.49
8341-003-019	100%	120	5,197	0	\$0.05	\$14.61	\$0.17	\$2,033.84
8341-008-056	100%	0	356.16	884	\$0.05	\$14.61	\$0.17	\$169.51
8341-008-059	100%	0	382.18	942	\$0.05	\$14.61	\$0.17	\$180.78
8341-002-015	100%	31	3,720	8,448	\$0.05	\$14.61	\$0.17	\$2,089.95
8341-008-910	100%	322.85	57063.6	0	\$0.05	\$14.61	\$0.17	\$7,798.27
8341-008-911	100%	59.94	5619	0	\$0.05	\$14.61	\$0.17	\$1,179.15
8341-008-914	100%	109.41	5881.2	13062	\$0.05	\$14.61	\$0.17	\$4,136.60
8341-008-915	100%		5854.04	13001	\$0.05	\$14.61	\$0.17	\$2,526.29
8341-008-912	100%	61.36	3319	7325	\$0.05	\$14.61	\$0.17	\$2,320.95
8341-008-913	100%	0	3648.68	8053	\$0.05	\$14.61	\$0.17	\$1,566.04
8341-007-022	100%	60	7,109	0	\$0.05	\$14.61	\$0.17	\$1,260.49
8341-007-023	100%	105	6,212	0	\$0.05	\$14.61	\$0.17	\$1,869.50
8341-007-024	100%	65	6,817	0	\$0.05	\$14.61	\$0.17	\$1,317.77
8341-007-025	100%	130	13,643	27,638	\$0.05	\$14.61	\$0.17	\$7,334.48
8341-008-008	100%	75	7,867	1,738	\$0.05	\$14.61	\$0.17	\$1,816.03
8341-005-009	100%	32.5	3,899	3,900	\$0.05	\$14.61	\$0.17	\$1,348.37

Assessor's Parcel Number (APN)		% of Assess	Linear Front Footage (Ft)	Parcel Area (Sq Ft)	Building Area (Sq Ft)	Parcel Assess Rate (\$/Sq Ft)	Frontage Assess Rate (\$/Ft)	Building Assess Rate (\$/Sq Ft)	Total Annual Assessment
8335-012-002		100%	130	14,950	0	\$0.05	\$14.61	\$0.17	\$2,706.60
8335-012-010		100%	35	3,411	914	\$0.05	\$14.61	\$0.17	\$850.92
8341-004-022		100%	25	1,625	1,500	\$0.05	\$14.61	\$0.17	\$708.00
8341-008-024		100%	175	45,738	16,265	\$0.05	\$14.61	\$0.17	\$7,791.65
8341-008-025		100%	61	11,766	0	\$0.05	\$14.61	\$0.17	\$1,526.57
8341-008-038		100%	0	474.44	1153	\$0.05	\$14.61	\$0.17	\$221.63
8341-005-013		100%	35	4,548	8,060	\$0.05	\$14.61	\$0.17	\$2,127.14
8335-005-901		100%	260.0	31,699.0	0	\$0.05	\$14.61	\$0.17	\$5,510.35
8335-005-902		100%	260.0	31,699.0	0	\$0.05	\$14.61	\$0.17	\$5,510.35
8335-005-903		100%	590.0	53,548.0	0	\$0.05	\$14.61	\$0.17	\$11,511.49
8335-007-906		100%	130.0	15,599.0	0	\$0.05	\$14.61	\$0.17	\$2,741.65
8335-007-909	*	80%	65.0	7,797.0	0	\$0.05	\$14.61	\$0.17	\$1,096.55
8335-007-910	*	80%	120.0	7,797.0	0	\$0.05	\$14.61	\$0.17	\$1,739.39
8335-008-902		100%	590.0	53,100.0	0	\$0.05	\$14.61	\$0.17	\$11,487.30
8335-009-903		100%	539	52,969	0	\$0.05	\$14.61	\$0.17	\$10,735.12
8335-009-904		100%	60	6,900	0	\$0.05	\$14.61	\$0.17	\$1,249.20
8335-010-902		100%	5	1,198	0	\$0.05	\$14.61	\$0.17	\$137.74
8335-011-901		100%	260	31,198	0	\$0.05	\$14.61	\$0.17	\$5,483.29
8335-012-900		100%	65	7,797	0	\$0.05	\$14.61	\$0.17	\$1,370.69
8335-013-900		100%	260.0	31,198.0	0	\$0.05	\$14.61	\$0.17	\$5,483.29
8335-013-903		100%	260.0	31,198.0	0	\$0.05	\$14.61	\$0.17	\$5,483.29
8335-014-903		100%	260.0	31,198.0	0	\$0.05	\$14.61	\$0.17	\$5,483.29
8335-014-906		100%	260.0	31,198.0	0	\$0.05	\$14.61	\$0.17	\$5,483.29
8335-014-918		100%	260.0	31,198.0	0	\$0.05	\$14.61	\$0.17	\$5,483.29
8341-001-900		100%	120	10,799	0	\$0.05	\$14.61	\$0.17	\$2,336.35
8341-001-902		100%	260	23,396	0	\$0.05	\$14.61	\$0.17	\$5,061.98
8341-001-904	*	80%	51	3,598	0	\$0.05	\$14.61	\$0.17	\$751.52
8341-002-904		100%	130	11,696	0	\$0.05	\$14.61	\$0.17	\$2,530.88
8341-003-900		100%	260	67,600	1738	\$0.05	\$14.61	\$0.17	\$7,744.46

Assessor's Parcel Number (APN)		% of Assess	Linear Front Footage (Ft)	Parcel Area (Sq Ft)	Building Area (Sq Ft)	Parcel Assess Rate (\$/Sq Ft)	Frontage Assess Rate (\$/Ft)	Building Assess Rate (\$/Sq Ft)	Total Annual Assessment
8341-003-901		100%	260	31,198	0	\$0.05	\$14.61	\$0.17	\$5,483.29
8341-004-902		100%	260	7,802	0	\$0.05	\$14.61	\$0.17	\$4,219.91
8341-005-900		100%	170	20,399	0	\$0.05	\$14.61	\$0.17	\$3,585.25
8341-005-901		100%	130	14,397	0	\$0.05	\$14.61	\$0.17	\$2,676.74
8341-008-904		100%	120	14,397	0	\$0.05	\$14.61	\$0.17	\$2,530.64
8341-007-900		100%	250	14396.58	0	\$0.05	\$14.61	\$0.17	\$4,429.92
8335-007-904		100%	260.0	31,198.0	0	\$0.05	\$14.61	\$0.17	\$5,483.29
8335-010-904		100%	120	15,599	0	\$0.05	\$14.61	\$0.17	\$2,595.55
8341-001-907		100%	65	7,797	0	\$0.05	\$14.61	\$0.17	\$1,370.69
8335-014-043		100%	260.0	33,800.0	85,400	\$0.05	\$14.61	\$0.17	\$20,141.80
8341-005-014	***	5%	85	12,245	15,648	\$0.05	\$14.61	\$0.17	\$228.16
8341-005-011	***	5%	120	14,397	0	\$0.05	\$14.61	\$0.17	\$126.53
8341-006-022		100%	260	68,616	171,423	\$0.05	\$14.61	\$0.17	\$36,645.77
8341-008-035		100%		340	393	\$0.05	\$14.61	\$0.17	\$85.17
8335-013-012		100%	75	7,867	3,441	\$0.05	\$14.61	\$0.17	\$2,105.54
8335-012-901		100%	65	7,793	9312	\$0.05	\$14.61	\$0.17	\$2,953.51
8335-010-905		100%	98	4,975	0	\$0.05	\$14.61	\$0.17	\$1,700.43
8335-010-906		100%	54	5,258	0	\$0.05	\$14.61	\$0.17	\$1,072.87
8335-010-907		100%	20	1,660	0	\$0.05	\$14.61	\$0.17	\$381.84
8335-013-905		100%	65	7,797	1076	\$0.05	\$14.61	\$0.17	\$1,553.61
8335-013-906		100%	120.0	7,797.0	0	\$0.05	\$14.61	\$0.17	\$2,174.24
8335-013-907		100%	25.0	2,997.0	0	\$0.05	\$14.61	\$0.17	\$527.09
8335-013-908		100%	55.0	6,599.0	0	\$0.05	\$14.61	\$0.17	\$1,159.90
8335-013-909		100%	65	7,800	0	\$0.05	\$14.61	\$0.17	\$1,370.85
8335-014-911		100%	65.0	6,839.0	0	\$0.05	\$14.61	\$0.17	\$1,318.96
8335-014-912		100%	65.0	7,802.0	0	\$0.05	\$14.61	\$0.17	\$1,370.96
8335-014-913		100%	65.0	7,802.0	0	\$0.05	\$14.61	\$0.17	\$1,370.96
8335-014-914		100%	65.0	6,826.0	0	\$0.05	\$14.61	\$0.17	\$1,318.25
8335-013-904		100%	120.0	13,800.0	0	\$0.05	\$14.61	\$0.17	\$2,498.40

Assessor's Parcel Number (APN)		% of Assess	Linear Front Footage (Ft)	Parcel Area (Sq Ft)	Building Area (Sq Ft)	Parcel Assess Rate (\$/Sq Ft)	Frontage Assess Rate (\$/Ft)	Building Assess Rate (\$/Sq Ft)	Total Annual Assessment
8335-014-907		100%	60.0	7,196.0	0	\$0.05	\$14.61	\$0.17	\$1,265.18
8335-014-908		100%	65.0	7,802.0	0	\$0.05	\$14.61	\$0.17	\$1,370.96
8335-014-909		100%	65.0	7,797.0	0	\$0.05	\$14.61	\$0.17	\$1,370.69
8335-014-910		100%	70.0	8,350.0	0	\$0.05	\$14.61	\$0.17	\$1,473.60
8335-014-915		100%	65.0	7,802.0	0	\$0.05	\$14.61	\$0.17	\$1,370.96
8335-014-916		100%	65.0	7,610.0	0	\$0.05	\$14.61	\$0.17	\$1,360.59
8335-014-917		100%	130.0	13,652.0	0	\$0.05	\$14.61	\$0.17	\$2,636.51
8341-008-040		100%	0	397.46	982	\$0.05	\$14.61	\$0.17	\$188.40
8341-007-031		100%	65	6,761	2,711	\$0.05	\$14.61	\$0.17	\$1,775.61
8341-008-043		100%	0	389.89	1219	\$0.05	\$14.61	\$0.17	\$228.28
8341-008-007		100%	65	6,817	6,366	\$0.05	\$14.61	\$0.17	\$2,399.99
8335-013-023		100%	45	4,722	2,160	\$0.05	\$14.61	\$0.17	\$1,279.64
8335-013-022		100%	45	2,618	0	\$0.05	\$14.61	\$0.17	\$798.82
8335-013-026		100%	40	4,108	1,064	\$0.05	\$14.61	\$0.17	\$987.11
8335-010-004		100%	50	3,537	11,650	\$0.05	\$14.61	\$0.17	\$2,902.00
8341-005-015	***	5%	90	10,799	9,829	\$0.05	\$14.61	\$0.17	\$178.45
8335-012-018		100%	130	13,639	1,008	\$0.05	\$14.61	\$0.17	\$2,807.17
8341-008-060		100%	0	450.77	995	\$0.05	\$14.61	\$0.17	\$193.49
8335-010-005		100%	105	6,691	32,000	\$0.05	\$14.61	\$0.17	\$7,335.36
8335-010-010		100%	108.33	5,197	21,260	\$0.05	\$14.61	\$0.17	\$5,477.54
8335-010-012		100%	16.5	1,978	1,580	\$0.05	\$14.61	\$0.17	\$616.48
8341-001-901		100%	105	7,087	0	\$0.05	\$14.61	\$0.17	\$1,916.75
8341-008-054		100%	0	303.48	670	\$0.05	\$14.61	\$0.17	\$130.29
8335-013-806		100%	65	7,800	6670	\$0.05	\$14.61	\$0.17	\$2,504.75
8335-013-807		100%	65	7,800	3900	\$0.05	\$14.61	\$0.17	\$2,033.85
8335-013-808		100%	65	7,800	150	\$0.05	\$14.61	\$0.17	\$1,396.35
8335-013-809		100%	65	7,800	0	\$0.05	\$14.61	\$0.17	\$1,370.85
8341-008-016		100%	120	15,599	10,890	\$0.05	\$14.61	\$0.17	\$4,446.85
8341-004-015		100%	65	7,793	11,451	\$0.05	\$14.61	\$0.17	\$3,317.14

Assessor's Parcel Number (APN)		% of Assess	Linear Front Footage (Ft)	Parcel Area (Sq Ft)	Building Area (Sq Ft)	Parcel Assess Rate (\$/Sq Ft)	Frontage Assess Rate (\$/Ft)	Building Assess Rate (\$/Sq Ft)	Total Annual Assessment
8341-003-009		100%	32.5	3,898	1,008	\$0.05	\$14.61	\$0.17	\$856.68
8341-004-053		100%	120	12,288	27,296	\$0.05	\$14.61	\$0.17	\$7,057.07
8341-004-018		100%	83	9,958	15,268	\$0.05	\$14.61	\$0.17	\$4,345.92
8335-014-027		100%	50.0	5,249.0	770	\$0.05	\$14.61	\$0.17	\$1,144.85
8335-014-028		100%	80.0	8,394.0	0	\$0.05	\$14.61	\$0.17	\$1,622.08
8335-014-040		100%	125.0	13,038.0	1,650	\$0.05	\$14.61	\$0.17	\$2,810.80
8341-001-009		100%	22.5	2,701	4,050	\$0.05	\$14.61	\$0.17	\$1,163.08
8341-001-034		100%	22.5	2,696	4,682	\$0.05	\$14.61	\$0.17	\$1,270.25
8341-001-035		100%	65	5,502	4,050	\$0.05	\$14.61	\$0.17	\$1,935.26
8341-004-016		100%	22	2,579	2,580	\$0.05	\$14.61	\$0.17	\$899.29
8341-004-017		100%	43	2,579	2,451	\$0.05	\$14.61	\$0.17	\$1,184.17
8341-004-046		100%	64	7,793	3,534	\$0.05	\$14.61	\$0.17	\$1,956.64
8341-004-049	*	80%	195	23,392	15,473	\$0.05	\$14.61	\$0.17	\$5,394.02
8341-001-030		100%	51	4,500	6,248	\$0.05	\$14.61	\$0.17	\$2,050.27
8341-003-007		100%	65	7,793	2,170	\$0.05	\$14.61	\$0.17	\$1,739.37
8341-003-008		100%	32.5	3,898	720	\$0.05	\$14.61	\$0.17	\$807.72
8341-004-039		100%	69	6,547	6,156	\$0.05	\$14.61	\$0.17	\$2,408.15
8341-001-011		100%	30	3,607	6,300	\$0.05	\$14.61	\$0.17	\$1,704.08
8341-003-005		100%	65	7,793	7,800	\$0.05	\$14.61	\$0.17	\$2,696.47
8341-005-003		100%	65	7,793	15,600	\$0.05	\$14.61	\$0.17	\$4,022.47
8341-002-020		100%	65	7,793	3,469	\$0.05	\$14.61	\$0.17	\$1,960.20
8341-002-025		100%	65	7,802	5,864	\$0.05	\$14.61	\$0.17	\$2,367.84
8341-003-004		100%	65	7,793	6,496	\$0.05	\$14.61	\$0.17	\$2,474.79
8341-005-021		100%	119	14,279	39,074	\$0.05	\$14.61	\$0.17	\$9,152.24
8341-005-022		100%	76.95	17,041	18,720	\$0.05	\$14.61	\$0.17	\$5,226.85
8341-004-044		100%	90	5,846	25,746	\$0.05	\$14.61	\$0.17	\$6,007.40
8341-004-045		100%	10	1,198	0	\$0.05	\$14.61	\$0.17	\$210.79
8335-009-018		100%	65	7,793	6,040	\$0.05	\$14.61	\$0.17	\$2,397.27
8341-003-001		100%	60	7,109	7,800	\$0.05	\$14.61	\$0.17	\$2,586.49

Assessor's Parcel Number (APN)		% of Assess	Linear Front Footage (Ft)	Parcel Area (Sq Ft)	Building Area (Sq Ft)	Parcel Assess Rate (\$/Sq Ft)	Frontage Assess Rate (\$/Ft)	Building Assess Rate (\$/Sq Ft)	Total Annual Assessment
8341-003-002		100%	25	2,997	1,500	\$0.05	\$14.61	\$0.17	\$782.09
8341-003-003		100%	40	4,796	0	\$0.05	\$14.61	\$0.17	\$843.38
8341-008-048		100%	0	593.03	1314	\$0.05	\$14.61	\$0.17	\$255.40
8341-008-055		100%	0	363.13	899	\$0.05	\$14.61	\$0.17	\$172.44
8341-008-036		100%	0	571.61	1270	\$0.05	\$14.61	\$0.17	\$246.77
8341-005-016		100%	62	5,576	1850	\$0.05	\$14.61	\$0.17	\$1,521.42
8341-001-036	***	5%	100	6,499	5,982	\$0.05	\$14.61	\$0.17	\$141.44
8341-001-037	***	5%	130	12,298	0	\$0.05	\$14.61	\$0.17	\$128.17
8341-001-038	***	5%	65	6,541	0	\$0.05	\$14.61	\$0.17	\$65.14
8335-011-007		100%	130	13,643	20276	\$0.05	\$14.61	\$0.17	\$6,082.94
8335-011-015		100%	120	15,551	0	\$0.05	\$14.61	\$0.17	\$2,592.95
8335-012-011		100%	96.82	6,774	5,835	\$0.05	\$14.61	\$0.17	\$2,772.29
8341-003-010		100%	72	4,700	2,664	\$0.05	\$14.61	\$0.17	\$1,758.60
8341-003-011		100%	48	3,093	1,410	\$0.05	\$14.61	\$0.17	\$1,108.00
8341-006-004		100%	55	6939	4608	\$0.05	\$14.61	\$0.17	\$1,961.62
8341-006-005		100%	189	8612	3999	\$0.05	\$14.61	\$0.17	\$3,906.17
8341-006-003	**	0%	45	5392.728	1047	\$0.05	\$14.61	\$0.17	\$0.00
8341-006-025		100%	191	9509.148	4921	\$0.05	\$14.61	\$0.17	\$4,140.57
8341-007-030		100%	159	6520	0	\$0.05	\$14.61	\$0.17	\$2,675.07
8341-005-023		100%	195	20473.2	20390	\$0.05	\$14.61	\$0.17	\$7,420.80
8341-007-032		100%	10	1197.9	0	\$0.05	\$14.61	\$0.17	\$210.79
TOTAL			22,359.5	2,536,169	1,562,544				\$695,658.65

* Parcels used primarily for parks and utilities shall be assessed at a rate of 80% of the assessment rate.

** Parcels zoned solely for residential or agricultural uses shall not be assessed.

*** Parcels used primarily for Religious organizations, clubs, lodges, and fraternal organizations (property tax-exempt parcels) shall be assessed at a rate of 5% of the assessment rate

APPENDIX 2: THE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

STREETS AND HIGHWAYS CODE SECTION 36600 et seq.

As Amended January 1, 2009

Declarations

36600. This part shall be known and may be cited as the "Property and Business Improvement District Law of 1994."
36601. The Legislature finds and declares all of the following:
- (a) Businesses located and operating within the business districts of this state's communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.
 - (b) It is in the public interest to promote the economic revitalization and physical maintenance of the business districts of its cities in order to create jobs, attract new businesses, and prevent the erosion of the business districts.
 - (c) It is of particular local benefit to allow cities to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that benefits from those improvements.
 - (d) Assessments levied for the purpose of providing improvements and promoting activities that benefit real property or businesses are not taxes for the general benefit of a city, but are assessments for the improvements and activities which confer special benefits upon the real property or businesses for which the improvements and activities are provided.
36602. The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within a business improvement area. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.
36603. Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).
- 36603.5. Any provision in this part that conflicts with any other provision of law shall prevail over the other provision of law.
36604. This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

Definitions

36606. "Assessment" means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and promoting activities which will benefit the properties or businesses located within a property and business improvement district.
36607. "Business" means all types of businesses and includes financial institutions and professions.
36608. "City" means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county.
36609. "City council" means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.
36610. "Improvement" means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:
- (a) Parking facilities.
 - (b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
 - (c) Trash receptacles and public restrooms.
 - (d) Lighting and heating facilities.
 - (e) Decorations.
 - (f) Parks.
 - (g) Fountains.
 - (h) Planting areas.
 - (i) Closing, opening, widening, or narrowing of existing streets.
 - (j) Facilities or equipment, or both, to enhance security of persons and property within the area.
 - (k) Ramps, sidewalks, plazas, and pedestrian malls.
 - (l) Rehabilitation or removal of existing structures.
36611. "Property and business improvement district," or "district," means a property and business improvement district established pursuant to this part.
36612. "Property" means real property situated within a district.
36613. "Activities" means, but is not limited to, all of the following:
- (a) Promotion of public events which benefit businesses or real property in the district.
 - (b) Furnishing of music in any public place within the district.
 - (c) Promotion of tourism within the district.
 - (d) Marketing and economic development, including retail retention and recruitment.
 - (e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
 - (f) Activities which benefit businesses and real property located in the district.
36614. "Management district plan" or "plan" means a proposal as defined in Section 36622.
- 36614.5. "Owners' association" means a private nonprofit entity that is under contract with a city to administer or implement activities and improvements specified in the management district plan. An owners' association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners' association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this

section, an owners' association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), for all documents relating to activities of the district.

36615. "Property owner" or "owner" means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. The city council has no obligation to obtain other information as to the ownership of land, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this subdivision requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient.
36616. "Tenant" means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

Prior Law

36617. This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

Establishment

36620. A property and business improvement district may be established as provided in this chapter.
- 36620.5. A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.
36621. (a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.
- (b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:
- (1) A map showing the boundaries of the district.
 - (2) Information specifying where the complete management district plan can be obtained.
 - (3) Information specifying that the complete management district plan shall be furnished upon request.
- (c) The resolution of intention described in subdivision (a) shall contain all of the following:
- (1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district. The descriptions and statements do not need to be detailed and

shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.

- (2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

36622. The management district plan shall contain all of the following:

- (a) A map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district.
- (b) The name of the proposed district.
- (c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected lands and businesses included. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.
- (d) The improvements and activities proposed for each year of operation of the district and the maximum cost thereof.
- (e) The total annual amount proposed to be expended for improvements, maintenance and operations, and debt service in each year of operation of the district.
- (f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against his or her property or business. The plan also shall state whether bonds will be issued to finance improvements.
- (g) The time and manner of collecting the assessments.
- (h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.
- (i) The proposed time for implementation and completion of the management district plan.
- (j) Any proposed rules and regulations to be applicable to the district.
- (k) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof, including operation and maintenance. The plan may provide that all or any class or category of real property which is exempt by law from real property taxation may nevertheless be included within the boundaries of the district but shall not be subject to assessment on real property.
- (l) Any other item or matter required to be incorporated therein by the city council.

36623.(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.

- (b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in

writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. 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. A written protest which does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners of businesses in the proposed district which 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 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

36624. At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements and activities to be funded with the revenues from the assessments.

Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements or activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

36625. (a) If the city council, following the public hearing, decides to establish the proposed property and business improvement district, the city council shall adopt a resolution of formation that shall contain all of the following:

- (1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement about whether bonds will be issued, and a description of the exterior boundaries of the proposed district. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.
- (2) The number, date of adoption, and title of the resolution of intention.
- (3) The time and place where the public hearing was held concerning the establishment of the district.
- (4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.
- (5) A statement that the properties or businesses in the district established by the resolution shall be subject to any amendments to this part.
- (6) A statement that the improvements and activities to be provided in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district.
- (7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements and activities funded by the assessments proposed to be levied.

(b) The adoption of the resolution of formation and recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

36626. If the city council, following the public hearing, desires to establish the proposed property and business improvement district, and the city council has not made changes pursuant to Section 36624, or has made

changes that do not substantially change the proposed assessment, the city council shall adopt a resolution establishing the district. The resolution shall contain all of the information specified in paragraphs (1) to (8), inclusive, of subdivision (b) of Section 36625, but need not contain information about the preliminary resolution if none has been adopted.

36627. Following adoption of the resolution establishing the district pursuant to Section 36625 or 36626, the clerk of the city shall record a notice and an assessment diagram pursuant to Section 3114. If the assessment is levied on businesses, the text of the recorded notice shall be modified to reflect that the assessment will be levied on businesses, or specified categories of businesses, within the area of the district. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.
36628. The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.
- 36628.5. The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements and activities.
36629. All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a parking and business improvement area.
36630. If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and a new district established pursuant to this part.

Assessments

36631. The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution establishing the management district plan described in Section 36622. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part shall be charged interest and penalties.
36632. (a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.
- (b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.

- (c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.
36633. The validity of an assessment levied under this part shall not be contested in any action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36626. Any appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.
36634. The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.
36635. The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.
36636. (a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public meetings and public hearings pursuant to this section shall comply with both of the following:
- (1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public meeting.
 - (2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public meeting, to each business owner or property owner affected by the proposed modification.
- (b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.
36637. Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

Financing

36640. (a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.
- (b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

- (c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

Governance

36650. (a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.
- (b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:
- (1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.
 - (2) The improvements and activities to be provided for that fiscal year.
 - (3) An estimate of the cost of providing the improvements and the activities for that fiscal year.
 - (4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.
 - (5) The amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
 - (6) The amount of any contributions to be made from sources other than assessments levied pursuant to this part.
- (c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636. The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.
36651. The management district plan may, but is not required to, state that an owners' association will provide the improvements or activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

Renewal

36660. (a) Any district previously established whose term has expired, may be renewed by following the procedures for establishment as provided in this chapter.
- (b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.
- (c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

Disestablishment

36670. (a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:
- (1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.
 - (2) During the operation of the district, there shall be a 30-day period each year in which assesses may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners of real property or of businesses in the area who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.
- (b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.
36671. (a) Upon the disestablishment of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.
- (b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.