

**RESOLUTION NO. \_\_\_\_\_ - \_\_\_\_\_**

**A RESOLUTION OF THE RICHMOND CITY COUNCIL  
RENEWING THE DOWNTOWN RICHMOND PROPERTY AND  
BUSINESS IMPROVEMENT DISTRICT, APPROVING THE  
ASSESSMENT FORMULA, AND LEVYING THE ASSESSMENTS**

**WHEREAS**, the Property and Business Improvement District Law of 1994, Streets and Highways Code §36600 et seq. authorizes cities to renew property and business improvement districts upon petition by a weighted majority of property owners within the renewed district and affirmative ballot; and

**WHEREAS**, a majority of the property owners subject to assessment, weighted according to the amount of assessment to be paid by each property owner, have petitioned the City Council to renew the Downtown Richmond Property and Business Improvement District (“DRPBID”); and

**WHEREAS**, on May 17, 2022, the City Council adopted Resolution No. 923, which was the Resolution of Intention to renew the DRPBID; and

**WHEREAS**, on July 5, 2022, the City Council conducted a public hearing at 6:30 PM at 440 Civic Center Plaza, Richmond, CA 94804, with respect to the renewal of the DRPBID; and

**WHEREAS**, all written and oral protests made or filed were duly heard, evidence for and against the proposed action was received, and a full, fair and complete hearing was granted and held; and

**WHEREAS**, pursuant to California Constitution Article XIII D, ballots were mailed to property owners within the boundaries of the DRPBID, and, among those ballots returned to the City, a weighted majority of the property owners within the DRPBID have approved renewal of the DRPBID; and

**WHEREAS**, a detailed engineer’s report prepared by a registered professional engineer certified by the State of California, Ross Peabody, in support of the DRPBID’s assessments, has been prepared, is incorporated in the Management District Plan, and is on file with the Office of the City Clerk and is incorporated herein by this reference (“Engineer’s Report”).

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RICHMOND  
RESOLVES:**

1. The recitals set forth herein are true and correct.
2. The Downtown Richmond Property and Business Improvement District is hereby renewed and the annual assessment is hereby levied for each year of the entire term of the DRPBID. The initial annual assessment will total approximately \$239,990.60.
3. The Management District Plan and the Engineer’s Report are hereby approved.

4. The assessment shall be imposed on properties within the DRPBID. The boundaries of the DRPBID generally include parcels along portions of Macdonald Avenue from 6<sup>th</sup> Street (in the west) to the BART tracks (in the east); portions of 8<sup>th</sup> Street and Harbour Way from Barrett Avenue (in the north) to Bissell Avenue (in the south); portions of Marina Way from Nevin Avenue (in the north) to Bissell Avenue (in the south).

5. Assessment rates are as follows: The initial annual assessment rate applied to commercial parcels is \$0.15 per square foot per year, and applied to non-profit housing parcels is \$0.08 per square foot per year. Assessment rates may be subject to an increase of no more than three percent (3%) per year.

6. The Assessment Roll for the Downtown Richmond Property and Business Improvement District, Richmond, State of California has been filed with the City Clerk, and is hereby approved.

7. The assessments shall be collected in accordance with Section 36631 of the Streets and Highways Code.

8. The assessment levied for the DRPBID shall be applied towards economic revitalization and maintenance programs, including Maintenance, Safety and Nuisance Abatement; Marketing, Promotions and Business Development; Capital Improvements; and related administration.

9. Bonds shall not be issued.

10. Properties within the DRPBID are subject to any amendments to Part 7 (commencing with Section 36600) to Division 18 of the Streets and Highways Code.

11. The improvements and activities to be provided in the DRPBID will be funded by the levy of the assessments specified in the assessment roll. The revenue from the levy of such assessments shall not be used to provide improvements or activities outside the DRPBID or for any purpose other than the purposes specified in the Resolution of Intention and Management District Plan. Notwithstanding the foregoing, improvements and activities that must be provided outside the DRPBID boundaries to create a special benefit to the assessed parcels may be provided, but shall be limited to marketing or signage pointing to the DRPBID.

12. All property within the DRPBID will be benefited specially and directly by the improvements and activities funded by the assessments proposed to be levied.

13. The City Clerk is directed to take all necessary actions to complete the renewal of the DRPBID. The City Clerk is directed to record in the County Recorder's Office a notice and assessment diagram as required by Streets and Highways Code section 36627.

14. If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent

jurisdiction, such decision shall not affect the validity of the remaining portions of the resolution. The City Council hereby declares that it would have passed this resolution and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phases hereof be declares invalid or unconstitutional.

15. This resolution shall take effect immediately.

**I HEREBY CERTIFY** that the foregoing Resolution of Intention was introduced and adopted at a regular meeting of the City Council on the \_\_\_\_\_ day of July 2022 by the following vote:

**AYES: Council MEMBERS:**  
**NOES: Council MEMBERS:**  
**ABSENT: Council MEMBERS:**  
**ABSTAIN: Council MEMBERS:**

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
CITY CLERK