

Notes

- i. The 2016 Annual Work Program and Budget is included in the BID Annual Report, filed with the City Clerk in accordance with California Streets and Highways Code, Section 36533. The Report identifies proposed expenditures of BID assessment revenue, proposed improvements and activities, the classification of businesses, the method and basis of levying assessments, and any additional matters the Advisory Board deems appropriate.
- ii. The California Streets and Highways Code, Sections 36500-36551 govern the formation, implementation and continuation of parking and business improvement areas. Protest of the proposed assessment is addressed in Section 36525(a), which states:

If written protests received from the owners of businesses in the proposed area which will pay fifty percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than that fifty percent, no further proceedings to create the specified parking and business improvement area or to levy the proposed assessment, 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.
- iii. Initial BID assessments and first delinquent notices are sent by the City. Pursuant to the Management Agreement, delinquent BID accounts are assigned to the DBA for collection.
- iv. The Management Agreement requires the DBA to maintain tax-exempt status with the Internal Revenue Service (Attachment No. 3) and to maintain valid General Liability Insurance (Attachment No. 4).
- v. The Management Agreement requires that all members of the BID Advisory Board be in good standing with the City and BID in terms of business tax payments, BID assessments, refuse billing and City debt agreements. The Finance Department has no record of debt to the City or BID by any of the individuals recommended for appointment.