

## **RESOLUTION NO. 20-65**

### **Resolution Of The City Council Of The City Of Emeryville Establishing The Fiscal Year 2020-21 Property And Business Improvement District ("PBID") Annual Assessment Levy For The Respective Parcels Within The Improvement District With An Increase Of 3% On All Parcels, And Approving The Preliminary Budget Submitted By The Emeryville Transportation Management Association ("ETMA") For Service Year 2021**

**WHEREAS**, the City Council established the Citywide Property and Business Improvement District ("PBID") to fund the Emery Go-Round Shuttle and other alternative transportation programs on July 31, 2001 in accordance with the Property and Business Improvement District Law of 1994 (Section 36600 et. seq. California Streets and Highways Code) (the "PBID" Law); and

**WHEREAS**, on July 18, 2006, the City Council adopted Resolution No 06-141 extending the PBID for another ten years through FY 15-16 (service/calendar year 2016); and

**WHEREAS**, on August 4, 2015, the City Council adopted Resolution No. 15-103 extending the PBID for another 15 years through FY 2029-30 (service year 2030); and

**WHEREAS**, the City Council is authorized under PBID law to set the annual assessment levy based upon the budget submitted by the Emeryville Transportation Management Association ("ETMA") acting as the PBID's owner's association as defined in Section 36614.5 of California Streets and Highways Code; and

**WHEREAS**, the ETMA has recommended a FY 2020-21 annual PBID levy assessment with a 3% increase because costs have increased 5% per year on average and reserves will be used to develop a new bus yard, and the PBID Management Plan approved in 2015 allows for increases in the assessment up to 5% greater than the prior year's assessment; and

**WHEREAS**, the ETMA has submitted a preliminary budget that was approved by the ETMA Board on May 21, 2020, for service year 2021 for submittal to the City Council as required by PBID Law; and

**WHEREAS**, City staff recommends that the City Council approve the 2021 preliminary budget as a basis for determining the PBID assessment levy for FY 2020-21; and

**WHEREAS**, the City Council conducted a noticed public hearing on June 16, 2020 to take consider the staff recommendation as well as any comments received from the public; now, therefore, be it

**RESOLVED**, that the City Council of the City of Emeryville hereby establishes the Fiscal year 2020-21 PBID assessment levy increase of 3% on all parcels and levies annual assessments for the respective parcels within the improvement district for FY 2020-21; and be it further

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**RESOLVED**, that the City Council of the City of Emeryville hereby approves the preliminary Emeryville Transportation Management (ETMA) budget for service year 2021 as a basis for determining the PBID levy, in the form attached hereto as Exhibit A.

**ADOPTED** by the City Council of the City of Emeryville at a regular meeting held Tuesday, June 16, 2020, by the following vote:

|          |          |   |
|----------|----------|---|
| AYES:    | <u>5</u> | Mayor Patz, Vice Mayor Martinez, and Council Members Bauters, Donahue, and Medina |
| NOES:    | <u>0</u> |   |
| ABSTAIN: | <u>0</u> |   |
| ABSENT:  | <u>0</u> |   |

DocuSigned by:

Christian R. Patz

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MAYOR

ATTEST:

APPROVED AS TO FORM:

DocuSigned by:

Sheri Hartz

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CITY CLERK

Michael Guindon

CITY ATTORNEY