

1 [Lower Polk Community Benefit District - Annual Report - FY2016-2017]

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3 **Resolution receiving and approving an annual report for the Lower Polk Community**
4 **Benefit District for FY2016-2017, submitted as required by the Property and Business**
5 **Improvement District Law of 1994 (California Streets and Highways Code,**
6 **Sections 36600, et seq.), Section 36650, and the District’s management agreement with**
7 **the City, Section 3.4.**

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9 WHEREAS, On June 3, 2014, pursuant to the Property and Business Improvement
10 District Law of 1994 (the “Act”), California Streets and Highways Code, Sections 36600 *et*
11 *seq.*, as augmented by Article 15 of the Business and Tax Regulations Code, the Board of
12 Supervisors adopted Resolution No. 177-14, expressing the City’s intention to establish the
13 Lower Polk Community Benefit District (the “Lower Polk CBD”); and

14 WHEREAS, On July 29, 2014, the Board of Supervisors adopted Resolution
15 No. 314-14 establishing the Lower Polk CBD (“Resolution to Establish”) for a period of 15
16 years, commencing FY2014-2015; and

17 WHEREAS, On July 28, 2015, the Board of Supervisors adopted Resolution
18 No. 297-15, authorizing an agreement with the owners' association for the
19 administration/management of the Lower Polk CBD, and a management agreement (the
20 “Management Contract”) with the owners' association, the Lower Polk Community Benefit
21 District, was executed accordingly; and

22 WHEREAS, A copy of the Management Contract is on file with the Clerk of the Board
23 of Supervisors in File No. 150735; and

24 WHEREAS, On October 24, 2017, the Board of Supervisors approved the Lower Polk
25 CBD’s annual report for FY2015-2016 in Resolution No. 392-17; and

1 WHEREAS, The Lower Polk CBD has submitted for the Board’s receipt and approval
2 the Lower Polk annual report for FY2016-2017 as required by Section 36650 of the Act and
3 Section 3.4 of the Management Contract; and

4 WHEREAS, The Annual Report is on file with the Clerk of the Board of Supervisors in
5 File No. 181013, and is incorporated herein by reference as though fully set forth; and

6 WHEREAS, Supporting documents, including, but not limited to, a transmittal letter and
7 memorandum report from the Office of Economic and Workforce Development, dated
8 October 5, 2018, and documentation from the Lower Polk CBD for the FY2016-2017 Annual
9 Report is on file with the Clerk of the Board of Supervisors in File No. 181013; now, therefore,
10 be it

11 RESOLVED, That the Board of Supervisors hereby receives and approves the annual
12 report for the Lower Polk Community Benefit District for FY2016-2017.