

RESOLUTION NO. _____ (R.O.I.)

**RESOLUTION OF INTENTION TO LEVY AN ANNUAL
ASSESSMENT IN THE SALINAS UNITED BUSINESS ASSOCIATION
BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 2017-2018**

WHEREAS, Division 18, Part 6, of the California Streets and Highways Code authorizes the establishment of a Parking and Business Improvement Area pursuant to the provisions of section 36500, et seq.; and

WHEREAS, the Sunset Avenue Redevelopment Area is occupied by businesses and retail stores which are underutilized and unable to attract customers due to inadequate facilities, services and activities in the business district; and

WHEREAS, the Salinas City Council adopted Ordinance No. 2437 establishing the Salinas United Business Association (SUBA) Business Improvement Area (BIA) on August 24, 2004; and

WHEREAS, said BIA method of assessment was approved for revision in Ordinance No. 2455, adopted by Council on September 15, 2005; and

WHEREAS, SUBA proposes that the City of Salinas adopt a Resolution of Intention to levy and collect an assessment on the businesses within the BIA for fiscal year 2017-2018; and

WHEREAS, the City Council has approved the annual report from the advisory board for the SUBA BIA for FY 2016-2017.

NOW, THEREFORE, BE IT RESOLVED BY THE SALINAS CITY COUNCIL:

SECTION 1. The City Council proposes to levy and collect assessments within the SUBA BIA for FY 2017-2018.

SECTION 2. The revenue received by levy of an assessment within the SUBA BIA shall be used for the following purposes in fiscal year 2017-2018.

- a. Activities which benefit businesses located and operating in the SUBA BIA, including but not limited to:
 - i. Contracting for administrative responsibilities and general operations.
 - ii. Membership and involvement with other organizations that benefit the SUBA Area.
 - iii. Economic development activities such as workshops, SUBA web site, training, beautification, business attraction and retention, SUBA Directory, safety and security, and project identification. Project identification activities involving advertising that exhibit a unifying theme and image through a logo, slogan, jingle, or image used in direct mail, coupon books, category

- advertisements, maps, business directories, posters, and banners.
- iv. Permitting assistance for existing or proposed businesses and development specific to the SUBA BIA. Coordinating enhancement efforts intended to improve the quality of the SUBA area as a working, shopping and dining environment, including but not limited to flowering planters, street tree lights and directional signage.
- v. Co-sponsorship of promotional community events in the SUBA BIA.

SECTION 3. The name of the business improvement area is “SUBA Business Improvement Area” and its boundaries are as shown on the map attached, which is incorporated herein by this reference.

SECTION 4. The Salinas City Council of the City of Salinas shall consider the levy of an assessment for the SUBA Business Improvement Area for FY 2017-2018 at a public meeting on September 19, 2017 at 4 p.m. in the City Hall Rotunda, 200 Lincoln Avenue, Salinas, California. The Council will hear the testimony of all interested persons for or against the levy of an assessment for FY 2017-2018.

- a. Interested persons may protest the levy of an assessment for the SUBA Business Improvement Area for FY 2017-2018 either orally or in writing. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing, and shall clearly set forth the irregularity or defect to which the objection is made.

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 the person subscribing to protest 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 these requirements, shall not be counted in determining a majority protest.

The City Council may waive any irregularity in the form or content of any written protest and at the public hearing may correct minor defects in the proceedings. Every written protest shall be filed with the City Clerk at or before the time fixed for the public hearing. Any written protest may be withdrawn, in writing, at any time before the conclusion of the public hearing.

- b. If written protests are received from the owners of businesses in the SUBA Business Improvement Area which will pay 50% or more of the assessments proposed to be levied in FY 2017-2018 and protests are not withdrawn so as to reduce the protests to less than that 50%, no further proceeding to levy an assessment for FY 2017-2018 shall be taken for a period of one year from the date of the finding of a majority protest. If the majority protest is only against the furnishing of a specified type of improvement or activity in the Parking and Business Area, those types of improvements or activities will be eliminated.

SECTION 5. The City Clerk is directed to cause this Resolution of Intention to be published once in The Salinas Californian, a newspaper of general circulation, published, and circulated in the City of Salinas, not less than seven days before the public hearing scheduled for September 19, 2017.

PASSED AND APPROVED this 19th day of September 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Joe Gunter, Mayor

ATTEST:

Patricia M. Barajas, City Clerk