

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

**RESOLUTION OF INTENTION TO LEVY AN ANNUAL
ASSESSMENT IN THE OLDTOWN SALINAS PARKING
AND BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 2014/2015**

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 downtown Salinas 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, tourism is a large and growing contributor to California's economy, and promotion of Salinas' scenic, recreational, cultural and other attractions as a tourism destination is an important public purpose, particularly for the Oldtown Salinas Area; and

WHEREAS, it is in the City's public interest to promote the economic revitalization and physical maintenance of the downtown Salinas business district; and

WHEREAS, the Salinas City Council adopted Ordinance No. 2126 establishing the Oldtown Salinas Parking and Business Improvement Area on March 12, 1991; and

WHEREAS, the district's boundaries and method for assessment have been revised pursuant to Ordinance No. 2281, adopted by Council on April 23, 1996; further revised pursuant to Ordinance 2354, adopted on June 8, 1999; and further revised pursuant to Ordinance 2449, adopted on June 14, 2005; and

WHEREAS, the Oldtown Salinas Association proposes that the City of Salinas adopt a Resolution of Intention to levy and collect an assessment on the businesses within the Oldtown Salinas Parking and Business Improvement Area for Fiscal Year 2014/2015; and

WHEREAS, the City Council has approved the Annual Report ("Report") describing the activities for the past year (Fiscal Year 2013/14), submitted by the advisory board (Oldtown Salinas Association) for the Oldtown Salinas Parking and Business Improvement District, and this Report includes the program and budget for Fiscal Year 2014/2015.

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

SECTION 1. The City Council proposes to levy and collect assessments within the Oldtown Salinas Parking and Business Improvement Area for Fiscal Year 2014/2015.

SECTION 2. The revenue received by levy of an assessment within the Oldtown Salinas Parking and Business Improvement Area shall be used for the following purposes in Fiscal Year 2014/2015:

a. Activities which benefit businesses located and operating in the Oldtown Salinas Parking and Business Improvement Area, including but not limited to:

- i. Contracting for administrative responsibilities and general operations.
- ii. Membership and involvement with other organizations that benefit the Oldtown Salinas Area.
- iii. Economic development activities such as workshops, OSA web site, training, downtown beautification, project identification, business attraction and retention; Oldtown Salinas Directory, downtown safety program. Specific project activities include cooperative advertising opportunities exhibiting a unifying theme and image by the employment of an Oldtown logo, slogan, jingle or image, to be utilized in marketing and promotional efforts including but not limited to direct mail, coupon books, category advertisements, maps, business directories, posters and banners.
- iv. Permitting assistance for existing or proposed businesses and development within the District. Specific to the Oldtown Salinas Area: Coordinating enhancement efforts intended to improve the quality of Oldtown 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 Oldtown Salinas Area.
- vi. Downtown Security Initiative

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

SECTION 4. The Oldtown Salinas Association as the advisory board to the Oldtown Salinas Parking and Business Improvement Area, provided in its 2013/2014 Annual Report a summary of the year’s activities, and sets forth a budget and program activities for Fiscal Year 2014/15 which report was approved by the City Council on June 17, 2014. Said report, available for review at the City’s Community and Economic Development Department offices at 65 Alisal Street Salinas, describes the improvements and activities to be provided, and defines boundaries of the area and the proposed assessments to be levied on the businesses within the Oldtown Salinas Parking and Business Improvement Area for Fiscal Year 2014/2015.

SECTION 5. The City Council of the City of Salinas shall consider the levy of an assessment for the Oldtown Salinas Parking and Business Improvement Area for Fiscal Year 2014/2015 at a public meeting on July 8, 2014 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 Fiscal Year 2014/2015.

- a. Interested persons may protest the levy of an assessment for the Oldtown Salinas Parking and Business Improvement Area for Fiscal Year 2014/2015 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. Written protest that 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 Oldtown Salinas Parking and Business Improvement Area which will pay 50% or more of the assessments proposed to be levied in FY 2014/2015 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 2014/2015 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 6. The City Clerk is directed to cause this Resolution of Intention to be published once in the Salinas Californian, a daily newspaper of general circulation, published, and circulated in the City of Salinas, not less than seven days before the public hearing scheduled for July 8, 2014.

PASSED AND ADOPTED at a meeting of the Salinas City Council held on the 17th day of June, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mayor, Joe Gunter

ATTEST:

Patricia M. Barajas, City Clerk