

RESOLUTION NO. _____ (N.C.S.)

**RESOLUTION ACCEPTING AND APPROVING THE SALINAS CITY CENTER
IMPROVEMENT ASSOCIATION 2022 ANNUAL REPORT FOR THE
DOWNTOWN SALINAS COMMUNITY BENEFIT DISTRICT AREA**

WHEREAS, on December 16, 2014, the City Council adopted Ordinance No. 2556, the City of Salinas' Community Benefit District Ordinance, authorizing the City to establish a Community Benefit District ("CBD") for up to 20 years to enhance the security, safety, appearance, and economic viability within such districts; and

WHEREAS, the Ordinance authorizes the City to levy and collect assessments on real property within such districts for the purpose of providing improvements and promoting activities that specially benefit real property within such districts; and

WHEREAS, the Ordinance authorizes the City to use the procedures set forth in the Property and Business Improvement District Law of 1994 (Streets & Highways Code sections 36600 *et seq.*, the "PBID Law") as modified by the Ordinance for purposes of forming an assessment district; and

WHEREAS, Articles XIIC and XIID of the California Constitution and Section 53753 of the California Government Code (Proposition 218 Omnibus Implementation Act) also impose certain procedural and substantive requirements relating to the notice, protests and hearing requirements pertaining to new or increased assessments; and

WHEREAS, on May 26, 2015, the City Council adopted a Resolution of Intention (Resolution No. 577) to form the Salinas Downtown Community Benefit District (the "District" or "CBD"). This action included adoption of a District Management Plan and Engineer's Assessment Report and direction to the City Clerk to mail ballot packets and notice of the public hearing to be held on July 21, 2015, to the proposed district property owners; and

WHEREAS, on July 21, 2015, the City Council adopted Resolution No. 20808 certifying the positive results of a duly held election process confirming that the majority of property owners within the District agreed to its formation; and

WHEREAS, on July 11, 2017, the City Council adopted Resolution No. 21226 N.C.S. amending 2015 Engineer's Report to add two properties to the District; and

WHEREAS, the boundaries of the Downtown Salinas CBD are as shown on the map attached, which is incorporated herein by this reference. No boundary changes of the CBD Area are proposed; and

WHEREAS, the 2015 Engineers Report and District Management Plan include the formula and methodology for calculating annual assessment amounts. The assessment amount is based upon a benefit calculation by linear frontage on all sides of the parcels that receive benefit; lot or parcel square footage; and building square footage; and

WHEREAS, as permitted in the District’s Engineer’s Report, the SCCIA Board has approved an annual inflationary assessment rate increase of five percent (5%) to the method of assessment for FY 2023-2024; and

WHEREAS, on June 13, 2023, the Salinas City Council of the City of Salinas considered 2021-2022 Annual Report submitted by Salinas City Center Improvement Association on April 25, 2023, in accordance with the Management and Disbursement Agreement with the City.

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

SECTION 1. That the 2022 SCCIA Annual Report for the Salinas Downtown Community Benefit District and 2022-2023 Operating Budget is confirmed as originally filed.

SECTION 2. The SCCIA Board has approved an annual inflationary assessment rate increase of five percent (5%) to the method of assessment for FY 2023-2024. Assessment calculations provided in the 2022 Annual Report shall constitute the levy of assessments for the Salinas Downtown Community Benefit District for FY 2023-2024.

SECTION 3. The revenue received by levy of an assessment within the Salinas Downtown CBD in FY 2023-2024 shall be used only for purposes specifically permitted by the PBID Law and for no other purposes.

SECTION 4. The name of the business improvement area is “Salinas Downtown Community Benefit District” and its boundaries are as shown on the map attached, which is incorporated herein by this reference.

PASSED AND APPROVED this 13th day of June 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Kimbley Craig, Mayor

ATTEST:

Patricia M. Barajas, City Clerk