

RESOLUTION NO. 2025- XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA DECLARING ITS INTENTION TO RENEW THE SANTA ANA TOURSIM MARKETING DISTRICT ("SATMD") AND FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF

WHEREAS, the City of Santa Ana (City) created the Santa Ana Tourism Marketing District (SATMD) on November 17, 2020 by Resolution No. 2020-191; and

WHEREAS, the SATMD was created for a five (5) year term which ends on December 31, 2025; and

WHEREAS, the Property and Business Improvement Law of 1994, Streets and Highways Code § 36600 *et seq.*, authorizes the City to renew business improvement districts for the purposes of promoting tourism; and

WHEREAS, Travel Santa Ana (TSA), lodging business owners, and representatives from the City have met to consider the renewal of the SATMD; and

WHEREAS, TSA has drafted a Management District Plan (Plan) which sets forth the proposed boundary of the SATMD, a service plan and budget, and a proposed means of governance; and

WHEREAS, lodging businesses who will pay more than fifty percent (50%) of the assessment under the SATMD have petitioned the City Council to renew the SATMD.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The recitals set forth herein are true and correct.

Section 2. The City Council finds that assessed businesses that will pay more than fifty percent (50%) of the assessment proposed in the Plan have signed and submitted petitions in support of the renewal of the SATMD. The City Council accepts the petitions and adopts this Resolution of intention to renew the SATMD and to levy an assessment on certain lodging businesses within the SATMD boundaries in accordance with the Property and Business Improvement District Law of 1994.

Section 3. The City Council finds that the Plan satisfies all requirements of Streets and Highways Code §36622.

Section 4. The City Council declares its intention to renew the SATMD and to levy and collect assessments on lodging businesses within the SATMD boundaries pursuant to the Property and Business Improvement District Law of 1994.

Section 5. The SATMD shall include all lodging businesses with seventy (70) rooms or more, existing and in the future, available for public occupancy located within the boundaries of the City, as shown in the map attached hereto as Exhibit A and incorporated herein by reference.

Section 6. The name of the district shall continue to be the Santa Ana Tourism Marketing District ("SATMD").

Section 7. The annual assessment rate is two percent (2%) of gross short-term sleeping room rental revenue. Every two (2) years during the operation of the SATMD, the assessment rate may be increased by the TSA Board to a maximum rate of four percent (4%) of gross short-term sleeping room rental revenue. If the assessment rate is increased, it may subsequently be decreased but shall not be decreased below a minimum of two percent (2%) of gross short-term sleeping room rental revenue. The maximum increase or decrease in any two-year period shall be one-half of one percent (0.5%).

Based on the benefit received, assessments will not be collected on: stays of more than thirty (30) consecutive days; stays by any person as to whom, or any occupancy as to which, it is beyond the power of the City to impose the assessment herein provided; stays by any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty; and stays by any federal or state officer or employee while on official business only and when payment for such occupancy is made directly to the operator by duly authorized voucher payment from a governmental accounting office. This exemption does not exempt a transient who is employed by the United States government or the state or their respective instrumentalities from payment of the assessment when the payment is later to be reimbursed by the United States government or the state or their respective instrumentalities.

Section 8. The assessments levied for the SATMD shall be applied toward Sales and Marketing promotions programs to market assessed lodging businesses in Santa Ana as tourist, meeting, and event destinations, as described in the Plan. The assessments levied for the SATMD shall also be applied to Administration, Contingency/Reserve, City administration services, as these are necessary to provide the Sales and Marketing Programs. Funds remaining at the end of any year may be used in subsequent years in which SATMD assessments are levied as long as they are used consistent with the requirements of this resolution and the Plan.

Section 9. The renewed SATMD will have a ten (10) year term, beginning January 1, 2026 or as soon as possible thereafter, and ending ten (10) years from its start date, unless renewed pursuant to Streets and Highways Code §36660.

Section 10. TSA shall not issue debt of any kind, including bonds; and shall only fund expenses with recurring assessment revenue collected or the reserve balance.

Section 11. The time and place for the public meeting to hear testimony on renewing the SATMD and levying assessments is set for June 3, 2025, at 5:00 PM, or as soon thereafter as the matter may be heard, at the Council Chambers located at 22 Civic Center Plaza, Santa Ana, CA 92701.

Section 12. The time and place for the public hearing to renew the SATMD and the levy of assessments is set for July 1, 2025, at 5:00 PM, or as soon thereafter as the matter may be heard, at the Council Chambers located at 22 Civic Center Plaza, Santa Ana, CA 92701. The City Clerk is directed to provide written notice to the assessed businesses subject to assessment of the date and time of the meeting and hearing, and to provide that notice as required by Streets and Highways Code §36623, no later than May 16, 2025.

Section 13. At the public meeting and the public hearing, the testimony of all interested persons for or against the renewal of the SATMD may be received. If at the conclusion of the public hearing, there are of record written protests by the owners of the assessed businesses within the renewed SATMD that will pay more than fifty percent (50%) of the estimated total assessment of the entire SATMD, no further proceedings to renew the SATMD shall occur for a period of one (1) year.


Section 14. The complete Plan is on file with the City Clerk and may be reviewed upon request.

Section 15. This Resolution shall take effect immediately upon its adoption by the City Council.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Valerie Amezcua  
Mayor

APPROVED AS TO FORM:  
Sonia R. Carvalho, City Attorney

By:   
Andrea Garcia-Miller  
Assistant City Attorney

AYES: Councilmembers \_\_\_\_\_

NOES: Councilmembers \_\_\_\_\_

ABSTAIN: Councilmembers \_\_\_\_\_

NOT PRESENT: Councilmembers \_\_\_\_\_

#### CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, JENNIFER HALL, City Clerk, do hereby attest to and certify the attached Resolution No. 2025-XXX to be the original resolution adopted by the City Council of the City of Santa Ana on \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
City Clerk  
City of Santa Ana

# Santa Ana TMD

