

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA DECLARING ITS INTENTION TO LEVY AN ASSESSMENT FOR THE DOWNTOWN SANTA ANA BUSINESS IMPROVEMENT DISTRICT FOR THE YEAR 2023

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

Section 1. The City Council of the City of Santa Ana hereby, finds, determines and declares as follows:

A. By Ordinance No. NS-1715, adopted February 6, 1984, the City Council of the City of Santa Ana established the Downtown Santa Ana Business Improvement Area pursuant to sections 36500 et seq. of the California Streets and Highways Code; and

B. As provided in Ordinance No. NS-1715, the City Council is authorized to levy an assessment in the following amounts for the improvements and activities of the Downtown Santa Ana Business Improvement Area:

- (a) For amusement services, pawnbrokers, service stations, retail sales of goods, hotels, motels, theaters, food establishments: an assessment in an amount equal to one and one-half (1.5) the annual business license fee.
- (b) For commercial and residential rental property: an assessment in an amount equal to one-fourth (0.25) the annual business license fee.
- (c) For all other businesses: an assessment in an amount equal to the annual business fee.

Section 2. The improvements and activities for which the assessment revenues may be used in the Downtown Santa Ana Business Improvement District pursuant to Ordinance No. NS-1715 are as follows:

- (a) Decoration of any public place.
- (b) Promotion of public events.
- (c) Furnishing of music in any public place.

(d) The general promotion of business activities.

Section 3. The Downtown Santa Ana Business Improvement District is located as shown on Attachment A to the Assessment Report, attached hereto as Exhibit 1 and incorporated herein by reference.

Section 4. The Assessment Report is also on file with the Clerk of the Council to which reference may be made for a full and detailed description of the improvements and activities to be provided for the year 2023, the boundaries of the area, and the proposed assessments to be levied upon the businesses within the area for the year 2023.

Section 5. A public hearing shall be held by the City Council at the City Council Chambers, 22 Civic Center Plaza, Santa Ana, California at its regular meeting of December 6, 2022, at 5:45 p.m., or as soon thereafter as the matter may be heard, for the purpose of determining whether to impose the above said assessment for the year 2023 for the improvements and activities described in the report.

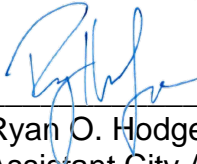
Section 6. At the public hearing, written and oral protests may be made in accordance with sections 36524 and 36525 of the California Streets and Highways Code. A protest may be made orally or in writing by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made. Every written protest shall be filed with the Clerk of the Council at or before the time fixed for the public hearing. 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 a person subscribing 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 this section shall not be counted in determining a majority protest.

Section 7. This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

ADOPTED this 15th day of November, 2022.

Vicente Sarmiento
Mayor

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

By: _____
Ryan O. Hodge
Assistant City Attorney

AYES: Councilmembers _____

NOES: Councilmembers _____

ABSTAIN: Councilmembers _____

NOT PRESENT: Councilmembers _____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, _____, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2022-XXX to be the original resolution adopted by the City Council of the City of Santa Ana on November 15, 2022.

Date: _____

Clerk of the Council
City of Santa Ana

EXHIBIT 1 – ATTACHMENT A

**DOWNTOWN SANTA ANA BUSINESS IMPROVEMENT DISTRICT
2023 ASSESSMENT REPORT****Background**

On February 6, 1984, the City Council adopted Ordinance No. NS-1715 pursuant to Section 36500, et seq., of the 1979 State of California Streets and Highways Code, creating a Business Improvement District (BID) in Downtown Santa Ana. On October 6, 2003, the City Council appointed the Community Redevelopment and Housing Commission (CRHC) as the Downtown Santa Ana Business Improvement District Advisory Board. As the BID Advisory Board, the CRHC, now known as the Community Development Commission (CDC) is responsible for making recommendations to the City Council on the expenditure of revenues derived from the levy of assessments, on the classification of businesses, as applicable, and on the method and basis of levying the assessments (including the annual budget).

The BID was established as a means of providing the Downtown business community with the funding to promote the Downtown through events and advertising pieces; funding to increase security and enhance the overall aesthetics of the area; and also to maintain the downtown shopping corridors.

Improvement Area Boundaries

The geographic boundaries of the district remain unchanged from the original 1984 area, and they include over 500 retail, service, and professional members (see Exhibit 2).

Assessment Formula

The formula for the BID tax levy also remains unchanged from the original 1984 ordinance and is based on the category and/or sales volumes of the business (see Attachment A).

2022 Budget Plan

Based on the feedback from the two Associations, Downtown Inc. and the Santa Ana Business Council, the 2023 BID Budget focuses on the continuation of promotions and marketing of the BID. Some of the promotion and marketing will be focused on Downtown events and advertising pieces, which are all designed to enhance the overall aesthetics of the area and also to maintain the downtown shopping corridors. Detailed breakdowns of the two groups' budgets are attached (Attachment B). The assessments from the 2023 BID are estimated at \$200,000 to be split evenly by Downtown Inc. and the Santa Ana Business Council—the two business groups that have spearheaded this BID process. Any remaining funds from the previous year will be incorporated into a reserve fund for the groups' 2023 budgets. This reserve funding may be used for additional events and promotions throughout the year.

In 2022, the two representative business associations are proposing to host several events, some special events may be virtual (pending COVID-19 regulations for special events), promotion of outdoor dining and retail sales, and general promotion and marketing of the Downtown, as well as some traditional annual events that will be safe for community members to attend, including:

BID-FUNDED OR PARTLY BID-FUNDED ACTIVITIES**ADMINISTRATION**

- Coordination of the BID including maintaining the interconnectivity and infrastructure, collectivizing downtown efforts, program and project management, and supporting downtown's role as a vital community, cultural and economic engine

MARKETING PROGRAMS

- Weekly Newsletter

- Social Media Accounts (@DtsantaAna, @CalleCuatroDTSA)
- Videos and Photos to catalogue and promote downtown

ORGANIZATION

- Business Meetings (Restaurant Assoc., Bridal Assoc., Board and Merchant Meetings)
- Resident Mixers, Business and Arts Mixers
- Membership and Training with National Downtown, Main Street and Placemaking Networks
- Community Involvement/Engagement
- Support for third-party event producers

TECHNOLOGY

- Downtown Websites
- Software Licenses
- Emailing Services
- Online Forms/Storage/Media Services
- Artists Registry

SOME SUPPORT FOR THE FOLLOWING EVENTS

- First Saturday Artwalk (10x-12x per year)
- Boca de Oro: Festival of Arts and Literacy
- Sponsorships for Downtown Businesses, Creatives and Residents to Activate Public Spaces

ACTIVITIES WE PARTNER WITH, FUNDRAISE FOR, OR THAT REQUIRE ADDITIONAL FUNDING

ANNUAL EVENTS

- Boca de Oro: Literary, Visual and Performance Arts Festival
- Annual Gathering and Mixer
- Savor Santa Ana
- OC Pride
- Viva La Vida
- Tamalada
- Pozolada

MONTHLY EVENTS

- First Saturday Artwalk Expansion, Free Art Workshops and Music
- Witches Brew (2nd St Promenade)
- Kids Corner at Calle Cuatro Plaza
- Sidewalk Sales (Bi-monthly: 1st and 3rd Weekend of the Month)
- Amigas Social Club Business Mixers and Professional Development Workshops
- Movies in the Park (Parks & Recreation)

WEEKLY EVENTS

- Dancing in the Streets (Salsa, Cumbia, Tango, Bachata)

SEASONAL PROMOTIONS

- Black Friday/Small Business Saturday
- Turkey and Ham Giveaway (Thanksgiving)

Other programming for the associations will include ongoing social media marketing, funding for the Downtown Restaurant Association, Bridal Association, Art Association, Professional Internship Programs, downtown stakeholder meetings, holiday promotions, website development and maintenance, and ongoing support for small businesses.

EXHIBIT 1 – ATTACHMENT A

BUSINESS IMPROVEMENT DISTRICT BOUNDARY

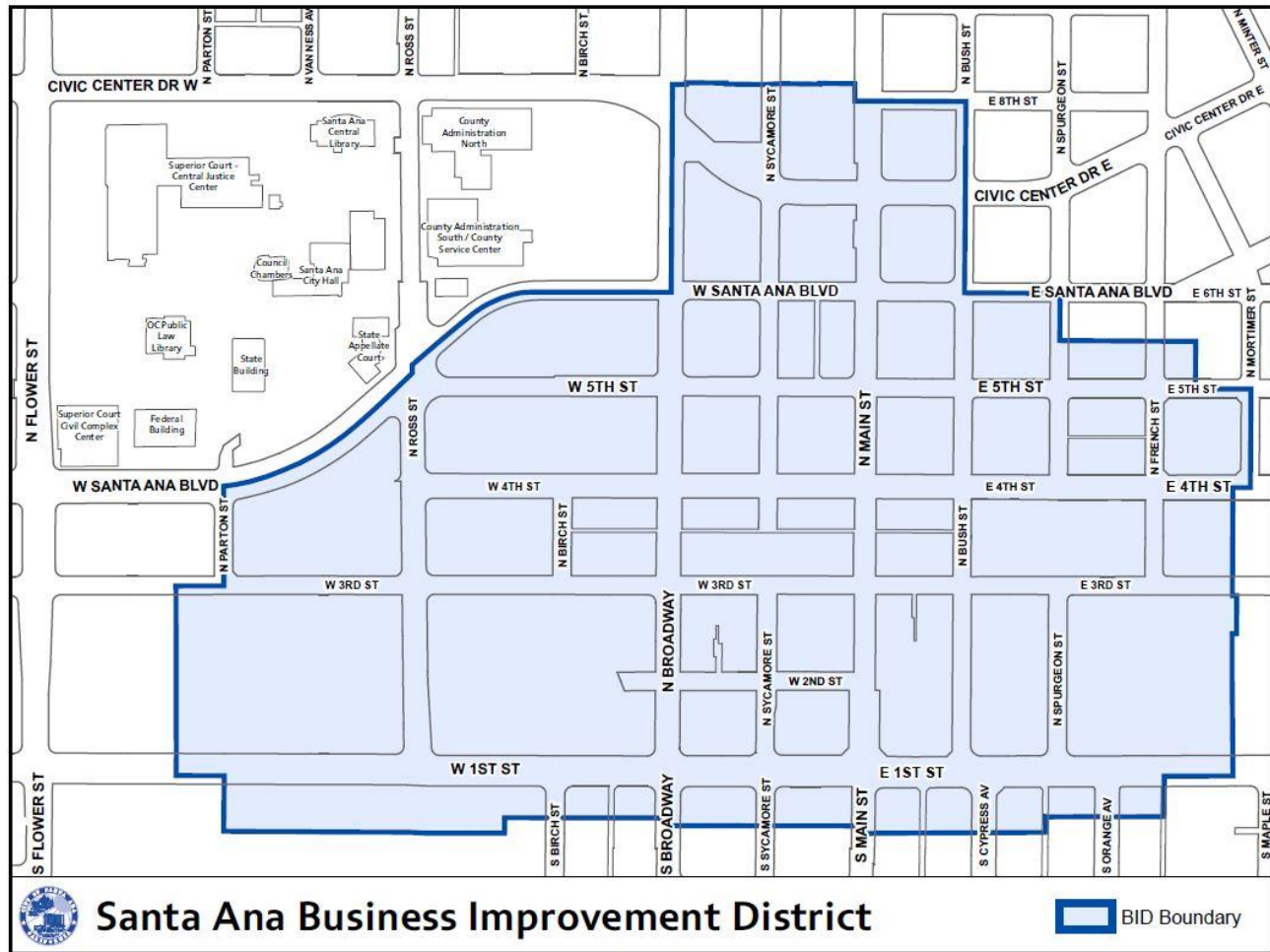


EXHIBIT 1 – ATTACHMENT B

2023 ANNUAL ASSESSMENT FORMULA

The following businesses located within the boundaries of the Business Improvement District (BID), classified under City Ordinance NS 1690 as Amusement Services, Pawnbrokers, Service Station and Classification A, including, but not limited to Retail Sale of Goods, Hotel and Motels, Theaters and Food Establishments, shall pay an amount equal to one and one-half times their annual business license fee.

Businesses classified as Commercial Rental Property, Rental Property, Residential and Rooming House shall pay an amount equal to one-quarter times their annual business license fee.

All other businesses, including Professions, Trades and Services within the boundaries of the proposed Business District, shall pay an amount equal to their annual business license fee.

Once the assessment formula is established, it cannot be changed without written notice to all businesses within the boundaries of the proposed Business Improvement District and a public hearing held by the City of Santa Ana.

EXHIBIT 1 - ATTACHMENT C

DOWNTOWN BUSINESS IMPROVEMENT DISTRICT (BID)
1 of 2 Budgets

DOWNTOWN INC BID BUDGET 2023		
Expenditure Plan	Examples	
Contractors		
	Director - Ryan Smolar	\$48,000
	Admin Staff - Jose Romo	\$6,000
Insurance		\$2,500
Technology		
	Google Apps	\$360
	Gmass	\$120
	Adobe	\$600
	Nounproject	\$40
	Mailchimp	\$1,200
	Dropbox	\$200
	Artists Registry/Membership Works	\$480
	Join by Text	\$240
Office Supplies/Technology		
	Web Hosting/Weebly/Godaddy/Active Domain	\$600
Communication		
	Stock Photography/Designs	\$150
	Weekly Newsletter - Sara Marshall	\$6,000
	Social Media - Robert Guitierrez	\$7,200
	Graphic Design/Videos/Photoshoots	\$3,000
Meetings/Stakeholder Groups		
	Team/Coordination Meetings	\$750
	Board Meetings	\$400
	Artist Mixers	\$800
	Resident Mixers and Community Meetings	\$700
	Annual Business Lunch	\$600
Marketing/Promotions/Events		
	Artwalk	\$10,000
	Holiday Events & Festivals	\$2,000
	Santa Ana Media Summit	\$1,500
	Branded Materials	\$600
	District Banners & Signage	\$900
Training		
	Conferences	\$1,000
	Online	\$210
Dues & Subscriptions		
	International Downtown Association	\$400
	Other Professional Associations/Fees/Memberships	\$600
Audits/Financial Reports		
	Accountant	\$1,500
	Tax Return	\$750
Misc. Expenses	Field Expenses, Contingencies, Unexpected Operational Costs, Maintenance, Supplies	
	Scissors, Tape, Zip Ties, Batteries, Stamps, Weights, Water for Volunteers, etc	\$600
TOTAL REIMBURSEMENT		\$100,000

EXHIBIT 1 - ATTACHMENT C

DOWNTOWN BUSINESS IMPROVEMENT DISTRICT (BID)
2 of 2 Budgets

SANTA ANA BUSINESS COUNCIL- BID Funds 2023**January 1 through December 31, 2023**

Categories	Projected Expenses	BUDGET
Contractors		
	Director-Madeleine Spenser	\$ 52,000.00
	Diamond Heart Enterprises	
	Marketing Social Media Coordinator (Claudia Naffa)	\$ 28,600.00
	Event Coordinator	
	Procurement specialist,	
	Stock photography	
	Graphic Design	
	Videos	
	Photoshoots	
Administrative Staff		
	Yolanda Arellano (Bookeeping)	\$ 5,000.00
	Maricela Vela	\$ 2,500.00
	Event Space Curator	
	Posters Distributions	
	Miscelaneous	
	Reliance Payroll (Payroll taxes)	\$ 1,500.00
	Reliance Payroll (Payroll Services)	\$ 400.00
Contracted Services		
	Tax Return Accountant Services	\$ 2,500.00
	City Events Permits	\$ 5,000.00
	Insurance General	\$ 1,450.00
Office Administration		
	Web Domain & Hosting	\$ 400.00
	Office Supplies	\$ 100.00
	Breakfast with the Councilmen and	\$ 550.00
	Downtown Merchants Meetings	
Total		\$ 100,000.00