

CITY OF HUNTINGTON BEACH  
PUBLIC NOTICE  
PUBLIC HEARING FOR THE HUNTINGTON BEACH DOWNTOWN  
BUSINESS IMPROVEMENT DISTRICT RENEWAL

NOTICE IS HEREBY GIVEN THAT the City Council will hold its Public Hearing on the 2012-2013 renewal of the Huntington Beach Downtown Business Improvement District at its meeting scheduled on September 17, 2012 at 6:00 PM or soon thereafter at the Huntington Beach Civic Center, 2000 Main Street, Council Chambers as required by the Parking and Business Improvement Area Law of 1989 as approved by City Council in Resolution No 2012-56 as re-printed below:

RESOLUTION NO. 2012-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HUNTINGTON BEACH DECLARING THE CITY'S INTENTION TO LEVY AN  
ANNUAL ASSESSMENT FOR FISCAL YEAR 2012-2013 WITHIN THE  
HUNTINGTON BEACH DOWNTOWN BUSINESS IMPROVEMENT DISTRICT

WHEREAS, the California Legislature, in adopting the Parking and Business Improvement Area Law of 1989 (Streets and Highways Code §36500 et seq.) found that cities are authorized to levy assessments on businesses in order to promote economic revitalization and tourism, create jobs, attract new businesses and prevent erosion of business districts; and

The California Legislature found that cities are authorized to levy assessments on businesses which benefit from those improvements and activities; and

A sizeable majority of the downtown businesses within the City of Huntington Beach requested that the City Council commence proceedings under the Parking and Business Improvement Area Law of 1989 to establish a downtown business benefit area within the City of Huntington Beach and to levy a special assessment to promote tourism and tourist related events; and

The City Council formed a business improvement area, known as the Huntington Beach Downtown Business Improvement District (the "District"), by the passage of Ordinance No. 3661 on September 7, 2004. The City is proposing to levy an assessment for fiscal year 2012-2013 pursuant to the process detailed in Streets and Highways Code §36500, et seq.; and

The District's Advisory Board has prepared and filed with the City Clerk an "Annual Report/Operating Budget 2011-2012 Fiscal Year to Date" and "Proposed Budget for Fiscal Year 2012-2013" (collectively, "Annual Report"); and

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

SECTION 1. The City Council hereby approves the Annual Report filed by the Advisory Board in the City Clerk's office attached hereto as **Exhibit A** and incorporated herein by this

reference, which includes a proposed budget for Fiscal Year 2012-2013 and a description of the improvements and activities to be provided for Fiscal Year 2012-2013.

SECTION 2. To levy and collect assessments within the District area for Fiscal Year 2012-2013 as per the assessment schedule listed in **Exhibit B** attached hereto and incorporated herein by this reference.

SECTION 3: The type or types of improvements and activities proposed to be funded by the levy of assessments on businesses within the business improvement area are specified in **Exhibit C**, attached hereto and incorporated herein by this reference. Further, the improvements, if any, to be acquired for the proposed business improvement area are specified in **Exhibit C**.

SECTION 4. A public hearing shall be held before the City Council on September 17, 2012, at 6:00 p.m., or as soon thereafter as this matter may be heard, in the Council Chambers of the City Hall, 2000 Main Street, Huntington Beach, California, at which time the Council will hear all interested persons for or against levying of the assessment, and the furnishing of specified types of improvements or activities. Protests may be made orally or in writing; but, if written, shall be filed with the City Clerk at or before the time fixed for the hearing and contain sufficient documentation to verify business ownership and validate the particular protest. 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. 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. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing set forth above. If written protests are received by the owners of businesses within the District, which will pay 50% or more of the total assessments to be levied, no further proceedings to levy the proposed assessment shall be taken for a period of one year from the date of the finding of a majority protest by the City Council. If the majority protest is only against the furnishing of a specified type or types of improvements or activity within the District, those types of improvements or activities shall be eliminated.

SECTION 5. The City Clerk is hereby directed to provide notice of the public hearing by causing the this resolution of intention to be published once in a newspaper of general circulation at least seven days before the public hearing.

SECTION 6. Further information regarding the proposed business improvement district may be obtained at the Huntington Beach City Hall, 2000 Main Street, Huntington Beach, California 92648; telephone (714) 536-5542; or from the Huntington Beach Downtown Business Improvement District, 315 3<sup>rd</sup> Street, Suite E, Huntington Beach, CA 92648, (714) 536-8300.

SECTION 7. The City Clerk shall mail a complete copy of this resolution of intention by first-class mail to each business owner in this area within seven days after the Council's adoption of this resolution.

SECTION 8. This resolution shall take effect immediately upon adoption.

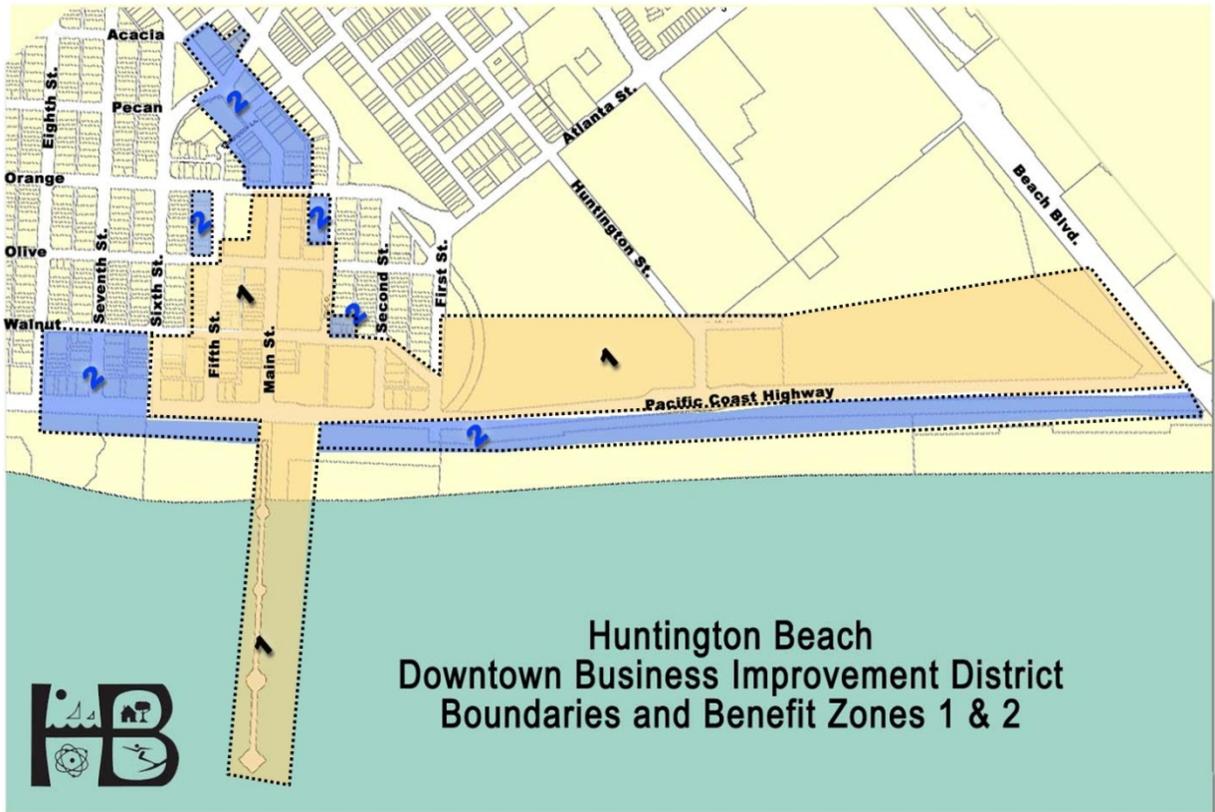
**PASSED AND ADOPTED** by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 20th day of August, 2012.

**Exhibit B**  
**Downtown Business Improvement District**  
**Assessment Formula 2012-2013**

<b>Benefit Zone 1</b>		
Retail Businesses (Includes Nail/Hair/Skin Salons)	1,000 sq. ft or less	\$300
	1,001 sq. ft. to 2,500 sq. ft.	\$600
	2,501 sq. ft. to 4,999 sq. ft.	\$900
	5,000 sq. ft. or more	\$1,200
Restaurants	1,000 sq. ft. or less	\$300
	1,001 sq. ft. to 2,500 sq. ft.	\$600
	2,501 sq. ft. to 4,999 sq. ft.	\$900
	5,000 sq. ft. or more	\$1,200
Hotels	20 rooms or less	\$180
	21-50 rooms	\$360
	51+ rooms	\$600
Services/Office*	First Floor	\$240
	Second floor or higher	\$120
Cart/Kiosk		\$60
Banks/ATM		\$600
<b>Benefit Zone 2</b>		
Retail Businesses (Includes Nail/Hair/Skin Salons)		\$300
Restaurants		\$300
Hotels	20 rooms or less	\$180
	21-50 rooms	\$360
	51+ rooms	\$600
Service/Office*	First Floor	\$120
	Second floor or higher	\$60
Cart/Kiosk		\$30
Banks/ATM		\$600

- Assessments Excluded for Apartments, Real Estate Agents, Non-profits and Home based businesses, and Temporary vendors.
- Temporary businesses (defined as business open 60 days or less) pay 50% of yearly assessed fee rate.
- Businesses and Non-profit Organizations outside the area may join with the approval of the BID Board by paying the equivalent fee annually.
- Non-profit Organizations within the BID Assessment Zone can voluntarily participate by paying \$30 to the Downtown BID directly.

## Exhibit C



Copies of **Exhibit A** referenced above are available in the office of the City Clerk or upon request by calling Luis Gomez (714) 536-5544 or through the City's website at: <http://www.surfcity-hb.org/Government/Agendas>.