

CITY OF SUISUN CITY

NOTICE OF PUBLIC HEARING

RESOLUTION NO. 2023-158

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
DECLARING ITS INTENT TO CONSIDER REAUTHORIZING THE SUISUN CITY
HISTORIC WATERFRONT BUSINESS IMPROVEMENT DISTRICT AND THE
ASSESSMENT LEVY FOR THE DISTRICT FOR FISCAL YEAR 2023 AND SETTING
A PUBLIC HEARING TO CONSIDER THESE MATTERS FOR DECEMBER 19, 2023**

WHEREAS, the California Streets and Highways Code Section 365200 *et seq.* authorizes cities to establish parking and business improvement areas for the purpose of promoting economic revitalization and physical maintenance of business districts in order to create jobs, attract new business and prevent erosion of the business district; and

WHEREAS, the Main Street-Waterfront Business Improvement District, commonly known as the Suisun City Historic Waterfront Business Improvement District, was formed at the request of the Main Street-Waterfront Business Improvement District Formation Committee (Committee) by City Council adoption of City Ordinance No. 667 on April 18, 2003; and

WHEREAS, at the request of the Committee, Ordinance No. 667 established an annual special assessment on all businesses within the Main Street-Waterfront Business Improvement District, commonly known as the Suisun City Historic Waterfront Business Improvement District, (District), which said assessment must be renewed annually by City Council; and

WHEREAS, the Main Street-Waterfront Business Improvement District Board of Directors (Board) has requested that the Suisun City Council renew the special assessment on all business within the BID; and

WHEREAS, renewal of the special assessment may occur only after City Council conducts a noticed public hearing pursuant to the Parking and Business Improvement District Area Law of 1989, Part 6 (commencing with Section 36500) of Division 18 of the California Streets and Highways Code.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Suisun City does hereby determine that:

1. The recitals set forth herein are true and correct.
2. The City Council does, at the request of the Board, and pursuant to the California Streets and Highways Code, declare its intent to consider reauthorizing and renewing the “Main Street-Waterfront Business Improvement District” (District).
3. The boundaries of the entire area to be included in the District, and the boundaries of each separate benefit zone within the District, are set forth in the Map, EXHIBIT A, incorporated herein by reference. A true and correct copy of the map is on file with the City Clerk of the City of Suisun City.

4. The types of improvements and activities proposed to be funded by the levy of assessments on business in the District are in EXHIBIT B hereto and incorporated by reference.
5. The City Council intends to consider reauthorizing the District and renewing the levy of an annual benefit fee on businesses in the District to pay for selected improvements and activities of the District.
6. All funds of the District shall be expended on improvements and activities within the District.
7. The method and the basis for levying the benefit fee on all the businesses within the District are set forth in the EXHIBIT C hereto, incorporated herein by reference.
8. The Annual Benefit fees shall be incorporated into the City Business License fee for those businesses within the District and shall be due and payable as part of obtaining the required City Business License pursuant to City Code Title 5.
9. A public hearing to consider re-authorization of the District is hereby set for **December 19, 2023, at 6:30 p.m.** before the City Council of the City of Suisun City, at the City Council Chambers at 701 Civic Center Blvd., Suisun City, CA 94585.
10. At the public hearing, the testimony of all interested persons, for or against the establishment of the District, interested in matters concerning the boundaries of the District, the areas of benefit within the District and the assessments to be levied, will be heard.
11. A protest against the District, or any aspect of it, may be made orally or in writing. An oral protest shall be made at the said public hearing. To count in the majority protest against the District, a protest must be in writing. A written protest may be withdrawn from record at any time before the conclusion of the public hearing. Each written protest shall contain a written description of the business in which the person signing the protest is interested, sufficient to identify the business, and its address. If the person signing the protest is not shown on the official records of the City of Suisun City as the owner of the business, then the protest shall contain or be accompanied by written evidence that the person is the owner of the business. Any written protest as to the regularity or sufficiency of the proceedings shall be in writing and clearly state the irregularity or defect to which objection is made.
12. If, at the conclusion of the public hearing, there are of record, written protest by the owners of the businesses within the District that will pay fifty percent (50%) or more of the total assessments of the entire District, no further proceedings to create the District shall occur. New proceedings to reauthorize and renew the District and levy the benefit assessment fee shall not be undertaken again for a period of at least one (1) year from the date of the finding of the majority written protest by the City Council. If the majority written protest is only as to an improvement or activity proposed, then that type of improvement or activity shall not be included in the District.
13. Further information regarding the proposed Main Street-Waterfront Business Improvement District may be obtained from the City Clerk of the City of Suisun City, at Suisun City Hall, 701 Civic Center Blvd., Suisun City, CA, and or by calling (707) 421-7309.
14. The City Clerk is instructed to provide notice of the public hearing as follows:

- a. Publish this Resolution of Intention in a newspaper of general circulation in the City of Suisun City once, at least ten (10) days before the hearing.
- b. Mail a complete copy of this Resolution of Intention to each and every business owner in the District within seven (7) days of the adoption of this Resolution by the City Council.

15. This Resolution is effective on its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City held on Tuesday the 5th day of December 2023 by the following roll call vote:

Ayes: Dawson / Osum / Washington / Hernandez

Absent: Pal

If you have any questions or comments regarding this matter, please contact the City Clerk at (707) 421-7300 between 8:00 a.m. and 6:00 p.m., Monday through Thursday.

/s/ Anita Skinner, City Clerk

Dated: December 7, 2023