

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 7

Date: June 8, 2011

TO: Honorable Mayor and Members of the City Council

FROM: Barbara Redlitz, Director of Community Development

SUBJECT: Review Status of Business Improvement District (BID), BID Annual Report, Administration by the Downtown Business Association (DBA) and Consider Resolution of Intention to Set the Public Hearing Date to Levy BID Assessments Rates for FY 2011-2012

RECOMMENDATION:

It is requested that Council approve the annual BID report as submitted and adopt Resolution 2011-54 to set June 22, 2011, as the public hearing date to levy the BID assessments for FY 2011-2012.

FISCAL ANALYSIS:

There is no fiscal impact to the City of Escondido other than staff time to administer the collection and processing of the payments. Assessments are collected by the Code Enforcement Division's Business License staff and passed through to the Downtown Business Association (DBA). The City does not receive any portion of the assessments to offset costs of administering the program.

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

The events, activities and programs carried on within the BID relate to the Council's Action Plan regarding Economic Development.

PREVIOUS ACTION:

Council initially adopted Ordinance No. 89-28 on June 4, 1989, establishing a Downtown Business Improvement (Assessment) District. Resolutions are adopted annually to set the assessment schedules and rates. This is done in accordance with the provisions of the California Streets and Highways Code. The benefit zones within the BID were modified and the rate structure was amended on June 18, 2008, by Resolution 2008-101. The benefit zones were modified again on July 14, 2010, by Ordinance 2010-04.

BACKGROUND:

The Streets and Highways Code enables the formation of business improvement districts and Section 36534 requires an annual review of the BID activities and use of the assessments. It also requires that BID assessments be set annually, even if there are no changes to the rates. The DBA has submitted the attached report that includes details about events, programs, activities, finances and budget. All businesses located within the BID area are assessed according to the schedule and rates as adopted annually. The assessment is collected when the business license is issued and annually thereafter, when the business license is renewed. The assessments are passed through to the DBA on a monthly basis; the City does not receive any portion of the assessments. The DBA serves as the stewards of the assessment funds and oversees activities and improvements in the BID area. Their responsibilities, and those of the City of Escondido, are detailed in an agreement adopted in November 1990, and amended in 1995 and 2007.

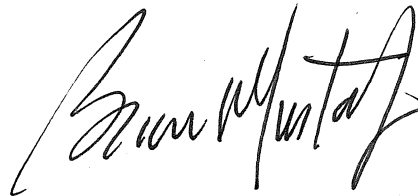
At this time, the DBA will submit their annual report and request that the Council set June 22, 2011, at 4:30 p.m. as the public hearing date and time to levy assessment rates for FY 2011-2012. The rates will be the same as those levied in FY 2010-2011. Council adoption of Resolution 2010-54 will set the public hearing date for the FY 2011-2012 assessments. The City Council can preliminarily approve the recommendations as stated in the DBA's attached annual report, or the Council can request that changes be made.

The City Council can receive written protests filed with the City Clerk before the public hearing date of June 22, 2011, or a business owner can speak at the public hearing if they wish to do so. Each written protest shall contain a description of the business in which the person subscribing the protest is interested, sufficient to identify the business. If a person subscribing (filing the written protest) 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 per California Codes (form and manner of protests). Protests can also be made at the public hearing.

Respectfully submitted,



Barbara Redlitz
Director of Community Development



Brian Gustafson
Code Enforcement Manager



2011-2012 ANNUAL REPORT

BUSINESS IMPROVEMENT DISTRICT DOWNTOWN ESCONDIDO

*Pursuant to section 36533 of the
California Streets and Highways Code*

BACKGROUND

On June 14, 1989, under Ordinance #89-28, a Business Improvement District (BID) was formed and, by contractual agreement with the City of Escondido, the Downtown Business Association (DBA) of Escondido was appointed as its advisory board in accordance with California Streets and Highway Section 36500 et seq. *The DBA members/DBA Board of Directors was the organization that requested the city's support for the creation of a Business Improvement District which would allow the downtown businesses to self-direct and self-fund the improvements desired but not provided for by the city.*

Audit

We have included funding for an audit in our current budget, which will be filed with the City Clerk within 120 days from the end of our fiscal year (October 2011), as required.

New and/or Expanded Programs

1. **Proposed Change in Boundaries, Benefit Zone:** There are no changes proposed either to boundaries or benefit zones.
2. **Improvements and Activities:**
BID members are informed of member issues and events via weekly e-mailings, a quarterly *Escondido City Magazine*, the Downtown Escondido website, and merchant/member roundtable meetings, held monthly.

Below is a summary of the events and programs that are currently being organized (or supported by) DBA, with the use of BID funds:

Improvements:

- Grand Ave Trash Receptacle Project - bi-monthly maintenance, ongoing
- Rooftop Lighting Project - quarterly maintenance; expansion to one additional block west of Maple St.
- Sidewalk Cleaning - Grand Ave area spot cleaning and volunteer-led cleaning of areas in most need on surrounding streets.
- Beautification - Continued and expanded landscaping and cleanup (vacant buildings and lots)
 - Continued graffiti abatement support (ongoing reporting to city hotline; donations to Fellowship Center for graffiti cleanup on poles and utility boxes)
 - New, low-maintenance plantings along sidewalks, in pots, baskets, tree wells and medians
 - New murals in process for two or three locations in historic commercial district
- Parking - increased locations and times for free parking for employees and shoppers
- Decorations - New Downtown Banners

Activities:

- Economic Development support for the BID, including business attraction and retention
- 2nd Saturday ArtWalk - Expansion of monthly arts-oriented event that also supports downtown businesses
- Holidays Downtown - Annual December activities, family-oriented promotions and business advertising
- Merchant Meetings - Monthly roundtable meetings of business members
- Annual BID Meeting
- Restaurant Event promotions - Marketing of Restaurant promotions, as directed by restaurateurs
- Promotion of public events which benefit the businesses in the area, and encourage tourism.
 - Weekly email blasts to membership and wider community, of upcoming community activities and retail opportunities
 - *Escondido City Magazine* - expanded distribution of 6,000 copies, promoting BID events: Holidays Downtown, Restaurant-driven events, Artwalk, Dog-Friendly Business District, and DBA public events (Love of Chocolate, Farmers Market, Street Fairs, new Bicycle event, Downtown Live)

Four publications mailed each year to all members, containing updates on BID expenditures, and BID/DBA programs and events, to update membership and answer frequently-asked questions.

BID Annual Survey: Done in April, it is designed to collect input from members. Members' responses dictate into which approved BID spending categories the BID funds are allocated. The members' responses drive the budget. (See Survey Results, Attachment "B")

3. **Estimate of Cost of Providing the Improvements and Activities/Budget:** (See BID Budget, Attachment "C")
4. **BID Events/Programs: The Method and Basis of Levying Assessments, based on "Benefit Zones"** (See BID Assessment Formulas, Attachment "D")

BID Fees:

- A. No increases in the BID fees are requested.
5. **The Amount of any Surplus or Deficit Revenues to be Carried Over from Previous Fiscal Year.** (See BID Budget, Attachment "C")
6. **The Amount of Any Contributions to be made from Sources Other Than Assessments Levied Pursuant to This Report.** (See BID Budget, Attachment "C")

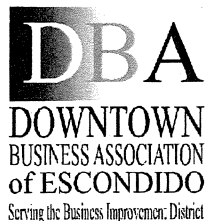
Sincerely



Thora Guthrie
CEO



Scott Peck
President



**Downtown Business Association of Escondido
Board of Directors**

Fiscal Year 2010-2011

MEETS THIRD WEDNESDAY OF EVERY MONTH AT 8:00 A.M.

PRESIDENT

Scott Peck

VICE PRESIDENT

Shawna Cruise

C.F.O

Kathy Rubesha

SECRETARY

Jim Rady

David Barkin

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Jack Brooks

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760-741-5773
www.themusicplayce.com

Andy Granger

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barberandy@cox.net

Jennifer Knotowicz

Tango On Grand
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Voluntary member
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jrady@cox.net

Scott Peck

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760-466-2000

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danf@designmoe.com

Shawna Cruise

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Shawna@thelofthairdesign.com

Kathy Rubesha

Prop. owner/Vol. member
1276 Bear Valley Pkwy
Escondido, CA 92027
H 745-0132 F 745-2619
Rubesha@cox.net

Fran Ronalds

The Sculpture Salon
4010 E. Grand Avenue
Escondido, CA 92025
760-489-0072
fjrdiver@aol.com

James Spann

Expressions Home Interiors
157 E. Grand Ave.
Escondido, CA 92025
760-741-4047
correctspann@yahoo.com

Wendy Wilson

EAP/ Escondido Municipal Art
Gallery
262 East Grand Avenue
Escondido, CA 92025
760-480-4101
www.escondidoarts.org

2011 BID Survey Results - Attachment "B"

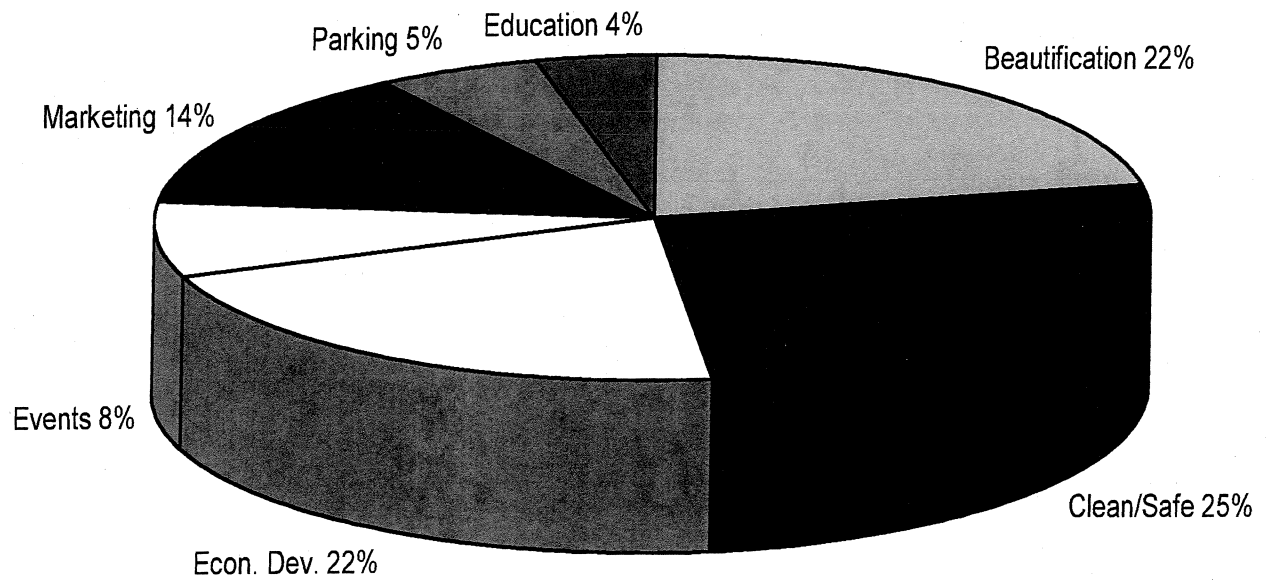
In order to help the DBA Board determine and prioritize the needs of BID members per the approved benefits addressed in the California Streets and Highways Code, the DBA mailed surveys to all BID members in the Business District, asking them to allocate \$100 among the list of approved BID. The results are:

26%	Clean & Safe	(Sidewalks, Lighting, Trash, Maintenance)
22%	Economic Development	(Business Attraction and Retention, Design Assistance)
14%	Marketing	(Promoting Downtown as a place to live, work, shop & play; included Restaurant Week, <i>Escondido City Magazine</i>)
22%	Beautification	(Plantings, facades and projects, Rooftop Lighting)
7.5%	Events	(2 nd Saturday ArtWalk, Holidays Downtown, events promotion)
5%	Parking Issues	(Advocacy and Solutions)
<u>3.5%</u>	Education	Bringing info to members regarding marketing, business procedures, taxes, funding sources, business loans.

100 % of BID fees

Anticipated BID fees for 2011-2012: \$ 180,000.00

2011 BID Survey Results



Attachment "C" / BID Budget

2010-2011 Proposed		BID Budget
INCOME		
City/County/Other Funds		
BID fees		180,000
TOTAL INCOME		180,000
Variable Expenses		
Advertising		1,000
Awards, Prizes		500
Carriages		850
Contract Labor		3,000
Decorations		0
Donations		2,000
Equipment Purchases/Lighting Project		5,000
Equipment Rental		500
Equipment Repairs		1,500
Food/Beverage		400
Harship Grant		2,000
Insurance-Event		500
Maintenance		4,800
Marketing		250
Mailing Services		1,044
Merchandise		5,500
Mileage, Fuel & Transportation		100
Photography		500
Postage		684
Printing		2,000
Promotional Items		400
Public Relations-Cost of Event		400
Signage		4,000
Special Events Staffing-Events		60
Venue		300
Total Variable expenses		37,288
Gross Profit		142,712

Fixed Expenses	
Accounting	1,766
Bank Service Charges	55
Computer	552
Copier	2,600
Downtown Diplomats	200
Dues & Subscriptions	442
Education & Training	662
Equipment Rental	600
Health Benefit	6,624
Insurance-D&O	1,104
Insurance-Workmans Comp	994
Meetings-Board	55
Meetings-Staff	221
Office Cleaning	55
Office Equipment	552
Office Supplies	994
Parking Permits	0
Payroll-Admin	89,747
Payroll-Event	600
Payroll-Taxes	9,034
Postage & Delivery	276
Printing	552
Professional Services	5,890
Public Relations	166
Recruiting	55
Rent	9,199
Repairs & Maintenance	55
Satellite	0
Simple IRA Match	2,208
Taxes-Property:Business	442
Utilities	5,520
Depreciation	1,122
Website	1,200
Total Fixed Expenses	143,540
TOTAL EXPENSES	180,828
NET INCOME/LOSS	(828)

ALLOCATIONS

Clean & Safe (25%)	45,000
Beautification (22%)	39,600
Economic Development (22%)	39,600
Marketing (14%)	25,200
Events (8%)	14,400
Parking (5%)	9,000
Education (4%)	7,200
TOTAL	180,000

Attachment "D"

BID Assessment Formulas 5/16/2011

Category	Zone 1	Zone 2	Zone 3
Automotive/Gas/Repairs/Parts	\$ 600	\$ 500	\$ 400
Bed & Breakfast	\$ 400	\$ 250	\$ 100
Computer/Software Sales	\$ 450	\$ 350	\$ 250
Financial Services and Banks	\$ 600	\$ 450	\$ 300
Food: Coffee/Snack	\$ 300	\$ 200	\$ 100
Food: Fast Food/Deli	\$ 500	\$ 400	\$ 300
Food: Restaurant Full Service/Bar/Lounge	\$ 900	\$ 600	\$ 300
Hospital	\$ 900	\$ 700	\$ 400
Retail	\$ 450	\$ 350	\$ 250
Storage Facilities	\$ 450	\$ 350	\$ 250
Theater Live per Stage/Movie Theater per screen	\$ 100	\$ 70	\$ -
Service Providers			
Advertising/Sign Shops	\$ 400	\$ 250	\$ 100
Car Rental	\$ 400	\$ 250	\$ 100
Care Services	\$ 400	\$ 250	\$ 100
Coin Laundry	\$ 400	\$ 250	\$ 100
Collection Agency	\$ 400	\$ 250	\$ 100
Contractors	\$ 400	\$ 250	\$ 100
Court Reporting	\$ 400	\$ 250	\$ 100
Dance Studio	\$ 400	\$ 250	\$ 100
Dispatch (Trucking office)	\$ 400	\$ 250	\$ 100
Exercise Studio/Gym	\$ 400	\$ 250	\$ 100
Insurance	\$ 400	\$ 250	\$ 100
Interior Design (unaccredited)	\$ 400	\$ 250	\$ 100
Mortgage	\$ 400	\$ 250	\$ 100
Photography	\$ 400	\$ 250	\$ 100
Real Estate	\$ 400	\$ 250	\$ 100
Salons/Spas/Beauty/Barber	\$ 400	\$ 250	\$ 100
Sewing/Tailoring	\$ 400	\$ 250	\$ 100
Travel	\$ 400	\$ 250	\$ 100
Publishing	\$ 400	\$ 250	\$ 100
Professional			
Acctg/CPA/Bkkg/Tax	\$ 300	\$ 210	\$ 120
Consulting	\$ 300	\$ 210	\$ 120
Counseling	\$ 300	\$ 210	\$ 120
Education	\$ 300	\$ 210	\$ 120
Engineering	\$ 300	\$ 210	\$ 120
Legal	\$ 300	\$ 210	\$ 120
Medical/Dental/Optical	\$ 300	\$ 210	\$ 120
Architects	\$ 300	\$ 210	\$ 120
Interior Design (accredited)	\$ 300	\$ 210	\$ 120
Veterinarian	\$ 300	\$ 210	\$ 120
Independent Film/Sound Production	\$ 300	\$ 210	\$ 120

Independent Contractors

Antiques/Salon	\$ 75	\$ 53	\$ 38
Artist Space Rental	\$ 75	\$ 53	\$ 38
Booth Rental	\$ 75	\$ 53	\$ 38
Non Profit	\$ 125	\$ 125	\$125

For businesses not classified, Escondido Downtown Business Association Board/Staff will determine applicable rate.

Multiple businesses: Defined as where one owner has multiple businesses at same location, the total assessment for that location under this resolution shall be the highest assessment of any one of those businesses, when considered individually.

2010-2011 BID Accomplishments / Previous Fiscal Year

Beautification/Clean & Safe

- Ongoing work with Fellowship Center to continue maintenance of 20+ upgraded trash cans.
- Ongoing maintenance of Rooftop Lighting along Grand to promote evening shopping and safe environment.
- Ongoing façade design assistance to new or existing businesses wanting to improve appearance of buildings.
- Drive around with PD to identify unsafe lighting conditions to report to property/business owners.
- Coordinate with National Mental Health Systems to determine and secure location and create appropriate mural design to add interest and tourist appeal to the downtown.
- Support Escondido Creek restoration and bike/walking path along creek, to encourage use and provide safe access for public to walk or ride into downtown or to the Sprinter station.
- Oversight of volunteer painting over of unsightly plywood on large vacant building at 131 S. Broadway.
- Led sidewalk power washing efforts on parts of Grand Avenue by volunteers
- Coordinated with San Diego County Fair organizers to create Escondido resident/auto themed light pole banners to hang Downtown
- Developed Beautification and Grand Makeover committees and supported Bravo Escondido efforts to upgrade and clean up the landscaping and streetscape along Grand Ave and in the commercial corridor. Effort ongoing. Supported citywide America in Bloom participation and visit by Judges in June 2011.
- Arranged for well-known local artist to add series of creative murals to plywood panels on high-visibility vacant building, until site is sold or leased. Murals honor agricultural heritage and promotes health to passersby.
- Collected donations of plants from residents and nurseries to begin spot-beautification on 100 W. Grand Ave. "focus block" in time for America In Bloom judges' arrival.
- Directional and Historic Archway signage: Consulted with national signage consultant regarding costs of upgrading place-making and directional signage in the downtown, to bring downtown's image and appearance up to par with other cities in the region and the west. Also acquired initial information and proposal for significant archway monument entry sign to Downtown.

Economic Development

- Advocated to city for relaxation in downtown parking regulations
- Actively sought new tenants for vacant Zone 1 and 2 addresses: Bike Bling, Urban Barn, Children's Museum, Ritz Theater, Goodwill Bookstore, Strictly Workout Wear, Buffalo Exchange, DeTour, Plato's Closet, Microbrewery
- Actively assisted numerous businesses with issues that threatened their business success: Coast Bistro, Bonita's Hair Salon, Image Salon, Wave Shoppe, Reverie, Georgia's School of Dance,
- Acted as liaison between new or expanding businesses and City of Escondido departments. Also advocated for changes in Downtown Specific Plan to allow businesses to:
 - add amplified music and extended hours of operation.
 - allow pet-service businesses to locate in the Grand Ave area
 - restrict schools and call centers from the Grand Ave area
 - tighten regulations on alley-side businesses in retail-only zone
- Advocated for elimination of parking requirements for new and expanding businesses on Grand Ave.
- Advocated for upgrade of Grand Ave infrastructure in order to attract quality businesses to area.
- Actively sought mixed use developers to consider projects adjacent to Grape Day Park, as a means to stimulate the economy of the business district.
- Worked to build a stronger sense of community through volunteerism, Flag Donations, Merchant Meetings, one on one contact,

Events and Promotion of Public Events

- Second Saturday Monthly Art Walks (12 events)
- Souper Tuesday Restaurant promotion (4months of weekly promotions of ?? participating restaurants)
- Downtown Live free weekly music concerts (July - Sept.)
- Holidays Downtown and Downtown Open House
- Neighborhood Block Party/Annual Meeting
- San Diego County Faire downtown banner project
- Promote weekly Farmers Market (year round)
- Promote Street Faires (twice each year)
- Annual "For the Love of Chocolate" and Sweet Art Festival: Annual; sold out 2nd year in a row, street vendors, horse carriage rides, wine and chocolate pairings, restaurant/beverage specials.
- Promote weekly *Cruisin' Grand* Classic Car Show (13 weeks through October)

Marketing

- Publishing *Escondido City Magazine* which promotes Escondido lifestyle, history and businesses. High-quality quarterly publication supports an image of economic health, culture, friendliness and quality living. Mails to specific demographic of residents, also reaches businesses and visitors through distribution to racks, hotels, visitors' centers and other targeted locations.
- Quarterly BID/DBA business newsletter keeping members informed on pertinent issues that may involve the businesses, members organization and/or the city. Also information on Board membership, business opportunities, policy issues, beautification efforts, BID fee changes, parking regulations, police, crime or safety issues, traffic changes, Calendar of information, etc.
- Weekly emails promoting downtown and community events, opportunities, and business meetings.
- Downtown Escondido website promoting downtown activities, business district, culture and living.
- Ongoing promotion of events and dining and shopping opportunities countywide on internet sites and through press releases to local and national publications and radio and television media.
- Event signage for Farmers' Market, Chocolate Festival, Souper Tuesday and Downtown Live.
- Advertisements for the above events in print media.

RESOLUTION NO. 2011-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE MAYOR AND CITY CLERK, ON BEHALF OF THE CITY, TO SET A PUBLIC HEARING DATE OF JUNE 22, 2011, AT 4:30 PM TO LEVY THE ASSESMENTS FOR FISCAL YEAR 2011-2012 FOR PROPERTIES WITHIN THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT BOUNDARY

WHEREAS, Ordinance No. 91-37 was adopted on October 2, 1991, by the City Council, authorizing assessments for businesses within the Escondido Downtown Business Improvement District ("BID"); and

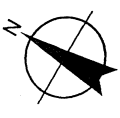
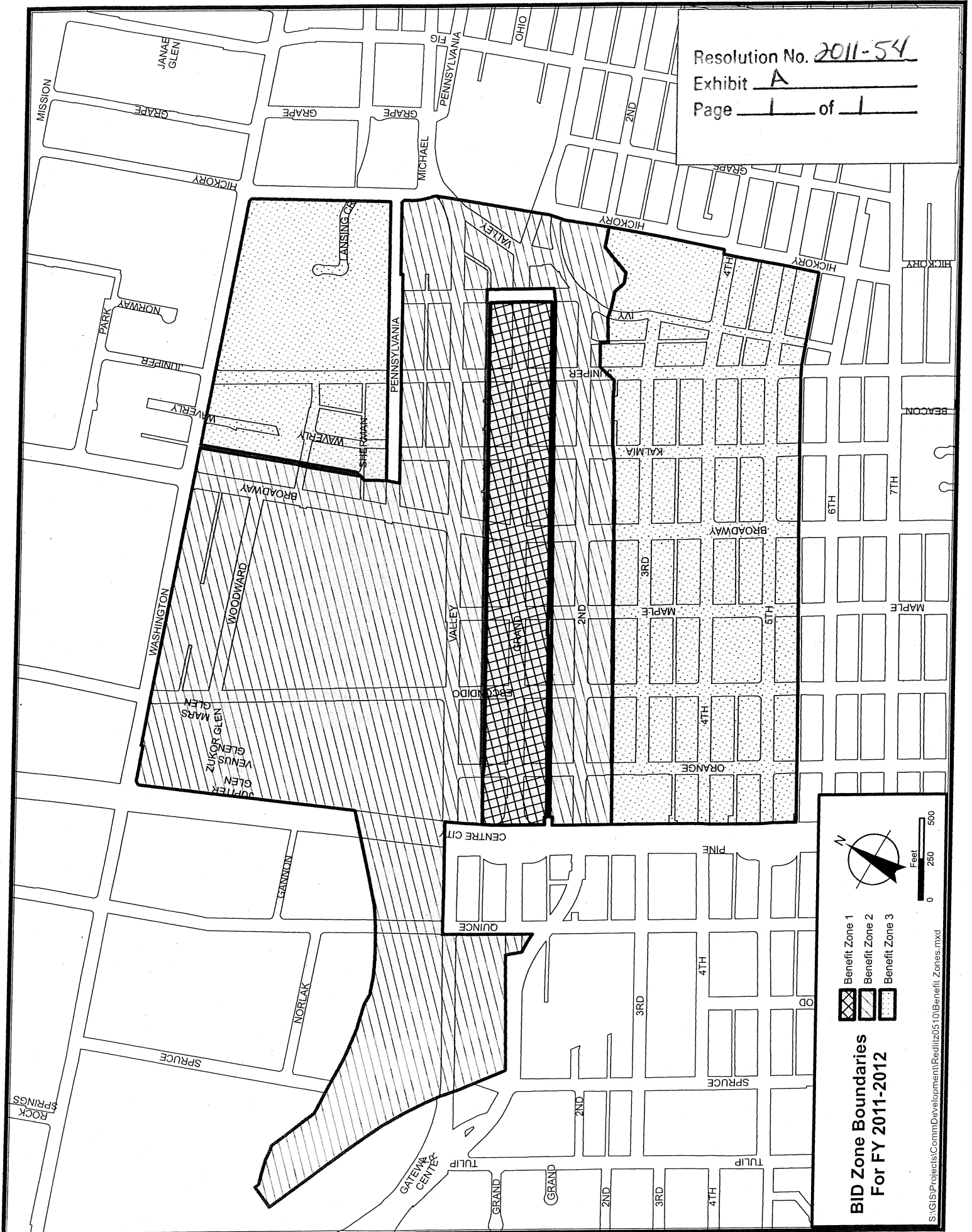
WHEREAS, these assessments are to be used for certain improvements and activities for the benefit of the businesses located within the BID; and

WHEREAS, the City Council desires at this time, and deems it to be in the best public interest, to set a hearing date to modify the benefit zones within the existing BID boundary and levy BID assessments for FY 2011-12, as set forth within this resolution; and




NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the City Council will consider on June 22, 2011, at 4:30 PM, the following assessment schedule and rates for FY 2011-12, noted in the resolution, for the businesses within the Escondido Downtown BID. The BID map with benefit zones

is depicted in Exhibit "A" and the assessment rate schedule is shown in Exhibit "B;" and both Exhibits "A" and "B" are attached to this resolution and incorporated by this reference.



Feet
0 250 500

-  Benefit Zone 1
-  Benefit Zone 2
-  Benefit Zone 3

**BID Zone Boundaries
For FY 2011-2012**

BID Assessment Formulas 5/16/2011

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