



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Economic Development

**Prepared by: Micah Hinkle
Economic Development Director**

**Victoria Lim
Senior Management Analyst**

City Manager Approval: _____

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TOPIC: DOWNTOWN BUSINESS IMPROVEMENT DISTRICT (BID) ASSESSMENT ANNUAL RENEWAL

SUBJECT: RESOLUTION CONFIRMING THE 2022 ANNUAL REPORT FOR THE DOWNTOWN SAN RAFAEL BUSINESS IMPROVEMENT DISTRICT AND LEVY OF ASSESSMENTS FOR CALENDAR YEAR 2023

RECOMMENDATION:

Adopt the resolution confirming the 2022 Annual Report for the Downtown San Rafael Business Improvement District and levy of annual assessments for calendar year 2023.

BACKGROUND:

Section 36500 of the California Streets and Highways Code allows for the creation of a business improvement district (BID) within a municipality, whereby businesses within the district self-assess an annual fee in order to pay for improvements and activities which benefit the overall business district. The intent of the state law is to provide a funding mechanism for business districts to promote economic vitality. San Rafael Municipal Code section 10.09.080 requires a report to be prepared annually for upcoming assessments.

In 1979, businesses in Downtown San Rafael first set up a business district. This original district included approximately 125 businesses along Fourth Street between Lincoln Avenue and E Street. In 2013, the City Council voted to replace it with a larger district of approximately 700 businesses along Fourth Street. The expanded district includes the West End and some side streets, as well as non-ground floor tenants and other tenants not included in the original BID.

For 2022, the [BID Advisory Board](#) focused on supporting downtown businesses as they emerged from the COVID-19 pandemic. The BID Board welcomed a new Director – Sarah Tipple – this year, and the BID has achieved many notable accomplishments as highlighted in its Annual Report, including a website redesign, various initiatives and partnerships to promote foot traffic downtown, and actively promoting Downtown through social media, the BID website, marketing campaigns, and email blasts.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

Downtown San Rafael is coming back to life after some slow COVID years. The BID hosted numerous events, including two successful and profitable events: May Madness and the Hops and Vine Stroll. The BID Board continued to produce the 'Dining Under the Lights' (DUTL) outdoor dining event on Thursday evenings (late May through September 2022) and the West End Block Parties on Thursday and Friday evenings (late May – early October 2022). The BID Board also hosted various events such as BID Night at the Pacifics, the Annual BID Mixer, Trick or Treat on Fourth Street, Dia De Los Muertos Altar Displays, an Elf Hunt, and the Parade of Lights and Winter Wonderland on Shop Small Saturday. The BID helped to promote other Downtown events, including 2nd Friday Art Walks, San Rafael PorchFest, Mill Valley Film Festival, Dia De Los Muertos Car Procession, San Rafael Lighted Boat Parade, Heads Up Carnival at Davidson, Doc Lands Film Festival, State of the City Dinner, Youth in Arts C Street Celebration, and the Sunset Criterium.

The BID established partnerships with Embassy Suites and the California Film Institute, using QR code technology and ticket incentives to drive foot traffic Downtown. Other innovative initiatives include developing a walking tour on a mobile app that the BID hopes to have enough funding in the future to launch. The BID also created a "smART" Train Tour Map highlighting San Rafael's many art organizations that the BID likewise hopes to implement in the future. In partnership with City staff, the BID contributed to the development and implementation of the outdoor dining Streetaries Program that was approved by Council in October 2022. The BID also participated in the process of getting new trash cans downtown, which has added to its beautification efforts.

Financially, the BID is facing challenges. BID assessments were lower than usual in 2022 and costs increased. Proceeds from BID assessments decreased to \$61,648 in 2022, approximately 25% lower than typical assessment revenue of \$83,000. Payroll costs, as well as higher costs due to inflation, increased overall expenses for the year. The BID projects a loss of approximately \$18,000 for 2022, leaving the BID with a cash balance of \$43,500.

For calendar year 2023, the annual assessment levied on businesses will not change and will be the same as prior years. See Exhibit B to the Annual Report. The BID states in its Annual Report that it plans to continue to host similar events to last year, plus a few new events. The two profitable events hosted by the BID are May Madness and Hops and Vines Stroll. The BID projects that costs will remain high and that the amounts collected through BID assessments will remain similar to 2022. As a result, without additional funding, the BID may need to postpone some of its initiatives. The BID projects a loss of approximately \$16,000 for 2023, leaving the BID with a cash balance of \$27,500 at the end of 2023. This trend is not sustainable without changes.

Uncollected revenue from businesses that paid the BID assessment in 2021 but did not renew their business license for 2022 was \$9,825. This amount could be businesses that went out of business but never notified the City, or businesses that are operational but simply did not pay their BID assessment. The BID has not included this amount in its annual income.

Staff has recommended that the BID Board plan ahead for 2023 events, prioritize high impact and low cost events, minimize low impact and high cost events, and focus on planning events that generate revenue so that the BID can become independent and financially sustainable. Planning ahead and being selective for its event roster in 2023 will also allow the BID to submit event applications 90 days in advance as per City requirements.

Staff has also recommended to the BID Board to attempt to cut costs in order to reduce its dependence on cash reserves and focus on long-term sustainability. In search of operational synergies, the BID has

partnered with the Chamber of Commerce and now has its office co-located inside the Chamber of Commerce office in San Rafael.

Also, importantly, the BID is participating in the City's Economic Development Strategic Plan which is underway and will provide an opportunity to review business priorities downtown and throughout the City. There may be new synergies with the BID and Chamber of Commerce as that plan develops and implementation begins.

ANALYSIS

BID Renewal Process

Per State law, to renew the annual assessment, the City Council must first adopt a Resolution of Intention to Levy an Annual Assessment and set a public hearing for a future date. The method of calculating the amount of the assessment on each business is established by San Rafael Municipal Code Section [10.09.050](#) and varies depending upon the type of business and whether the business is located in the Standard BID Zone or the Premium BID Zone shown in Exhibit B of Attachment 2.

On November 21, 2022, the City Council adopted a Resolution of Intention to Levy an Annual Assessment. This resolution was intended to notify the public of the process, approve the BID annual report reviewing past BID Board accomplishments, and set the date for a public hearing.

Tonight's meeting is to hold the Public Hearing to receive input from the public on the annual assessment for the BID and to confirm the 2022 Annual Report and levy of assessments for the upcoming year. Oral or written protests may be made by interested persons. If written protests received represent fifty percent (50%) or more of the total assessments in the entire BID, no further proceedings to amend the BID can occur. New proceedings cannot be undertaken for a period of at least a year.

COMMUNITY OUTREACH:

A notice of public hearing on the Resolution of Intention to levy the annual assessment for calendar year 2023 was published in the Marin Independent Journal on November 25, 2022. A copy is included in Attachment 3. The BID has notified its members of the annual renewal process through its member communications including the BID e-newsletter, notifications on the BID website, and through agenda items at the monthly BID board meeting.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

OPTIONS:

The City Council has the following options to consider on this matter:

- 1) Adopt the resolution as presented confirming the 2022 Annual Report and the annual assessments for 2023.
- 2) Adopt the resolution with modifications.
- 3) Determine that 50% or more protest has been filed and abandon assessment proceedings for a minimum of one year from the date of the majority finding and decline adoption of the resolution.

RECOMMENDED ACTION:

Adopt the resolution confirming the 2022 Annual Report for the Downtown San Rafael Business Improvement District and levy of annual assessments for calendar year 2023.

ATTACHMENTS:

1. Resolution
2. BID 2022 Annual Report, including:
 - A. Exhibit A: BID Map
 - B. Exhibit B: BID 2023 Assessment Formula
 - C. Exhibit C: BID Budget
 - D. Exhibit D: Memo – BID Financial Summary
3. Notice of Public Hearing on Resolution of Intention

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL CONFIRMING THE 2022 ANNUAL REPORT FOR THE DOWNTOWN SAN RAFAEL BUSINESS IMPROVEMENT DISTRICT AND LEVY OF ASSESSMENTS FOR CALENDAR YEAR 2023

WHEREAS, California Streets and Highways Code Sections 36500 et seq, authorize cities to establish parking and business improvement districts for the purpose of promoting economic revitalization and physical maintenance of business areas, to create jobs, attract new business and prevent erosion of the new business district; and

WHEREAS, the Downtown San Rafael Business Improvement District (“**BID**”) was established in 2013 to amend the existing Parking and Business Improvements District instituted in 1979 in the commercial area on and around the Fourth Street corridor in San Rafael; and

WHEREAS, pursuant to San Rafael Municipal Code Chapter 10.09 the **BID**’s Advisory Board submitted to the City a “**BID 2022 Annual Report**”, which is on file with the City Clerk; on November 21, 2022, the City Council by resolution approved the **BID 2022 Annual Report**, indicating the Council’s intention to levy assessments for calendar year 2023, and setting a public hearing thereon for December 5, 2022; and

WHEREAS, pursuant to Streets and Highways Code Section 36535, following the public hearing, the City Council may adopt a resolution confirming the report as originally filed or as modified by the Council, and the adoption of the resolution shall constitute the levy of an assessment for the year referred to in the report; and

WHEREAS, the City Council held the required public hearing on December 5, 2022 to receive testimony and protests concerning the **BID 2022 Annual Report** and the proposed levy of assessments for calendar year 2023 described therein; and

WHEREAS, a majority protest of the proposed assessments was not received.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby confirms the **BID 2022 Annual Report**. Adoption of this resolution shall constitute confirmation of the **BID 2022 Annual Report** and approval of the levy of assessments described in the **BID 2022 Annual Report** for the 2023 calendar year.

I, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council of said City held on Monday, the 5th of December 2022, by the following vote, to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

2022 Annual Report



BID BOARD OF DIRECTORS 2022/23

Interim President

Jed Greene,
Five Corners Group

Vice President

Adam Dawson,
Mike's Bikes

Jeff Brusati,
T & B Sports

Bishlam & Amy Bullock,
Salon B Style Lab

Elisabeth Setten –
Art Works Downtown

Morgan Schaufler,
Youth in Arts

Your name here!

Secretary

Tobi Lessem,
Bodywise Massage

Social Media Chair

Erika Bowker,
Pleasures of the Heart

Treasurer
TBD

Terrance Thornton,
San Rafael Martial Arts

Committee Members:

Jaime Ortiz,
Bank of Marin

Ryan Spencer,
Libation Taproom

Meg Reilly,
Marin Society of the Arts

Dear Fellow BID Members,

First, I want to thank Eda Lochte and Jaime Ortiz for their years of service to the Business Improvement District. The BID was truly transformed into an organization that the community could count on and be proud of.

This year, we found a new Executive Director in Sarah Tipple. She has been a wonderful addition and has made an immediate, positive impact for the BID.

As things slowly get back to normal this year, we have brought back traditional events, like the May Madness Car Show, while also assisting with the implementation of new ideas, like the permanent Streetaries program, the Friday Night Block Party, and the Hops and Vines Stroll.

In 2023, we plan to build on our prior success while also developing new ideas to improve our downtown and our community.

Please visit DowntownSanRafael.org to see all the BID is doing, to update your directory listing, and continue to be involved.

Jed Greene, President

Development, Organization, and Design

- ARPA Fund Proposal** – The BID created a proposal requesting \$70,000 of the ARPA Funds to go toward the following BID Projects: Marketing & Promotion, Event Planning & Production, Beautification, Walking Tour App, Expansion of Second Friday Art Walks, Community Public Art Projects. The request is pending.
- Downtown San Rafael Arts District Collaboration** – The BID's DSRAD committee advocated for ARPA funding and California Arts Council support to subsidize multiple creative placemaking projects aimed at revitalizing and enhancing downtown San Rafael. DSRAD, in concert with their fellow Cultural Arts Districts, was successful in reactivating a direct funding structure from the California Arts Council and expects disbursement in 2023.
- Fundraising & Event Management** – Through successful events and the BID being able to do most event tasks in-house, expenses were decreased, and our bottom line was increased with two signature events, May Madness, and the Hops & Vines Stroll.
- Beautification** – Worked with the City's new Volunteer coordinator to discuss future landscaping projects for volunteers to help beautify our Downtown.
- New Trashcans in Downtown** – Last year, the BID was on the selection and advocacy team to get new trashcans in Downtown San Rafael. They arrived this year and their sleek appearance really lifts Downtown San Rafael's aesthetics.
- Welcome Packets** – The BID created an info sheet of what the BID is, does, and why it exists to give new Downtown Businesses insight into who we are and what we do.
- SR Chamber Partnership** – The BID now has an office located at the San Rafael Chamber, which is a great path toward stronger collaborations and networking opportunities.
- Member emails, newsletters, and updates** – Monthly Newsletters included news on City updates, fellow business events/openings, and events. Also, continuously updated members on DPW activity on their blocks.
- Hands-on help** – Executive Director is actively available by phone and in person to meet with and discuss member activities and concerns.
- Streetary Program** - The BID was included in the development of this program and advocated for more business involvement, affordability, and frequent communication during the rollout.
- City partnerships** – worked with City government and departments including Economic Development, Public Works, Parking, Parks & Recreation, and SRPD.

Marketing & Promotions

- Website updates** – Gave DowntownSanRafel.org site a facelift by updating the events page to include all ongoing events, the News page with all news from members and city updates, added useful San Rafael Business resources to the About Downtown Page, and more.

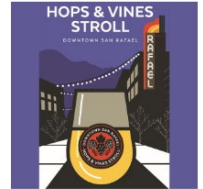
Upcoming Downtown San Rafael Events



San Rafael PorchFest
September 18, 2022
[Learn more.](#)



San Rafael BID Annual Meeting & Mixer
Liberation Taproom
September 22, 2022
[Learn more.](#)



Hops & Vines Stroll
September 24, 2022
[Learn more.](#)



Mill Valley Film Festival
October 6-16, 2022
[Learn more.](#)



West End Culture Crawl
October 8, 2022
[Learn more.](#)



Dia De los Muertos Car Procession
October 22, 2022
[Learn More.](#)

- Walking Tour Mobile App** - Developed a user-friendly Walking Tour of Downtown San Rafael on the Distrx Mobile App, to highlight historical and cultural points of interest throughout the downtown. Funding for long-term implementation pending approval.
- Designed a smART Train Tour Program** – Created an interactive map to emphasize multiple artistic institutions easily accessed along the smART train route, with San Rafael as the center point. Meetings to further develop the project are expected in fall 2022.
- Partnered with CFI (California Film Institute) and Mill Valley Film Festival** – Created a “Ticket Stub Incentive” Program to get the ticket holders and filmmakers inside our Downtown Businesses. The goal is to promote foot traffic to our BID District to support local small businesses.
- Embassy Suites Partnership** – The BID partnered with the Embassy Suites in San Rafael to generate more foot traffic Downtown by adding a QR code linking to our events page to their guest’s “What to Do” guide, giving them \$5 off to Hops event, and discussing a possible punch card list of deals and discounts that downtown businesses can offer to their guests.
- Social media director** – Board member Erika Bowker actively posts to 5,600 followers on Instagram and Facebook and multiplies effects by engaging with Downtown businesses’ social media and email campaigns.
- Shop Local during the Holiday Season** - print and digital ad campaigns for the holiday season and free parking-

BID Accomplishments 2022

Event Success

In 2022, we brought back many popular events after the 2-year hiatus due to the pandemic and were also able to raise money for the BID in the process.

- **Promoted ALL Downtown Events/Activities** – To keep members and the community informed on all things Downtown, the BID promoted all events in or near Downtown on our events page & Newsletters, not just BID-produced events, including 2nd Friday Art Walks, San Rafael PorchFest, Mill Valley Film Festival, Dia De Los Muertos Car Procession, San Rafael Lighted Boat Parade, Heads Up Carnival at Davidson, Doc Lands Film Festival, State of the City Dinner, Youth in Arts C Street Celebration, and the Sunset Criterium. These events brought many visitors to our Downtown.
- **Dining Under the Lights** – The BID continued to support the successful Dining Under the Lights Program. The block party feel of having several different blocks closed throughout downtown gave businesses the choice to be involved by booking live bands or bringing their tables into the street for alfresco dining.
- **West End Block Party** – West End businesses built a successful Thursday and Friday night block party, which began under Dining Under the Lights, by booking great bands, creating a welcoming beverage garden and dining area, and having large neighborhood support. In partnership with the City, the BID supported the vibrancy that this event brought to Downtown and advocated to help the organizers continue it as a two-day event, rather than shortening it to a one day.
- **Clean & Green** – Every year on Earth Day, the BID and Cory Bytof with the City of San Rafael coordinate a day of trash clean-up, graffiti removal, polishing street poles, and landscape weeding and mulching. This year, the event had more volunteers than ever, almost 40 people, including staff from Bio Marin, SRPD, and many of our very own BID Board Members.
- **May Madness** – After a 2-year hiatus, May Madness was back and ready to Roll in 2022. The BID's volunteer event committee and Rick with Gold Rush Jewelers worked tirelessly to bring thousands of people downtown to enjoy over 200 hot rods, food, beverages, and the Classic Car Parade. It was a day to remember. The BID made a net profit of \$6,229.84.
- **Dia de los Muertos window displays & Car procession** – Downtown merchants will again present window altars for Day of the Dead in collaboration with Marin Multicultural Center, San Rafael Dia de los Muertos, City Rec Dept. and artists.

Complete List of BID Events in 2022

- **Clean & Green Day** (Fri. April 22, Earth Day)
- **Dining Under The Lights featuring Live Music, Outdoor Dining, and Kids Activities** (Thurs. end of May through Sept)
- **Friday Night Block Party in the West End** (Fri. end of May through Oct)
- **32nd Annual May Madness** (Sat. May 7)
- **Downtown BID Night at the Pacifics** (June 21)
- **Annual San Rafael BID Mixer** (Thur. Sept. 22)
- **2nd Annual Hops & Vines Stroll** (Sat. Sept 24)
- **4th Annual West End Culture Crawl** (Sat. Oct. 8)
- **34th Annual Trick or Treat on 4th Street & Pet Costume Contest** (Sat. Oct. 29)
- **Dia De Los Muertos Alter Displays** (thru Nov 5)
- **Elf Hunt** (Nov-Dec)
- **San Rafael Parade of Lights & Winterwonderland on Shop Small Saturday** (Nov 26)



Downtown San Rafael BID 2023 Preliminary Work Plan

Future Marketing, Development, Events, and Operations

- **If the ARPA request is approved, funding will go toward:** Marketing & Promotion, Event Planning & Production, Beautification, Walking Tour App, Expansion of Second Friday Art Walks, & Community Public Art Projects.
- **Walking Tour App-** Launch the Walking Tour App of Downtown San Rafael with ARPA funds.
- **Encourage more family-friendly events and fundraisers** – Work closely with local family groups to provide the much-needed niche of more family activities in Downtown.
- **Engage with the local College Students** – Create a Back to School Night or program, where students can visit our website and see all the places in Downtown where their student ID can get them discounts or deals.
- **Farmer’s Market** – Rebuild the relationship with AIM to bring back the Thursday Night Farmer’s Market to Fourth Street.
- **Makers Markets** – Meet with other maker market producers to bring their event to our downtown on a Thursday Night.
- **smART Train Tour Program** – Further develop and launch the interactive map of art stops along the SMART train route with our Downtown at the Heart.
- **Outdoor Movie Night** – Work with Park & Recs to bring their successful outdoor movie night in the park program to our Downtown.
- **Social Media Manager Contractor** - The BID is interested in hiring a part-time social media contractor to promote and showcase a different Downtown Business each day on IG & FB. Our current Social Media Director will still promote our events.
- **Add board members, committee members, and volunteers** – Actively recruit committee members and engage prospective board members to build an inclusive environment for greater equity and diversity. If you are interested, please contact us!
- **Communicate with members/community outreach** – Continue engagement via website, email, newsletters, social media, marketing, advertising, & in person
- **Beautification & Art** – Work with the new City Library & Rec Director to look at public art opportunities.
- **Landscaping upgrades** - Hardscape landscaping updates to intersections via volunteer coordination.
- **Raise BID funding** – Explore supplemental funding sources through more financially lucrative events, matching funds from the City, and more.



- **Scavenger Hunts** – If funding allows, the Walking Tour App can be used to create “Apptivities” and we can create scavenger hunts within the businesses. If successful, we’d like to create one for each season.
- **Explore partnerships with all local Schools** – Create more collaborative relationships between Dominican and other SR Schools to expand BID’s reach to create added visibility and excitement for Downtown.
- **Partnership & Collaboration** – Continue to align the BID with the DSRAD, the SR Chamber, Pacifics, Embassy Suites, CFI, the City, SMART, SRPD, & more.
- **Resume Dining Under the Lights & The Friday Block Party in the West End**– Refine the program in partnership with the City to create an ongoing Summer outdoor program.
- **Events:** The BID has committed to continue May Madness, Hops & Vines, and all other events produced in 2022.

I want to thank this AMAZING BID Board for their passion, commitment, experience, and support as we all work to continue making Downtown San Rafael a fantastic place to work and live.

I would also like to thank all the Business owners and staff that have welcomed me as their Director and that have taken the time to speak with me about their constructive ideas and experience on 4th Street. I am passionate about Downtown San Rafael and the people and businesses that thrive here! Please don’t hesitate to reach out to me. I look forward to hearing from you!

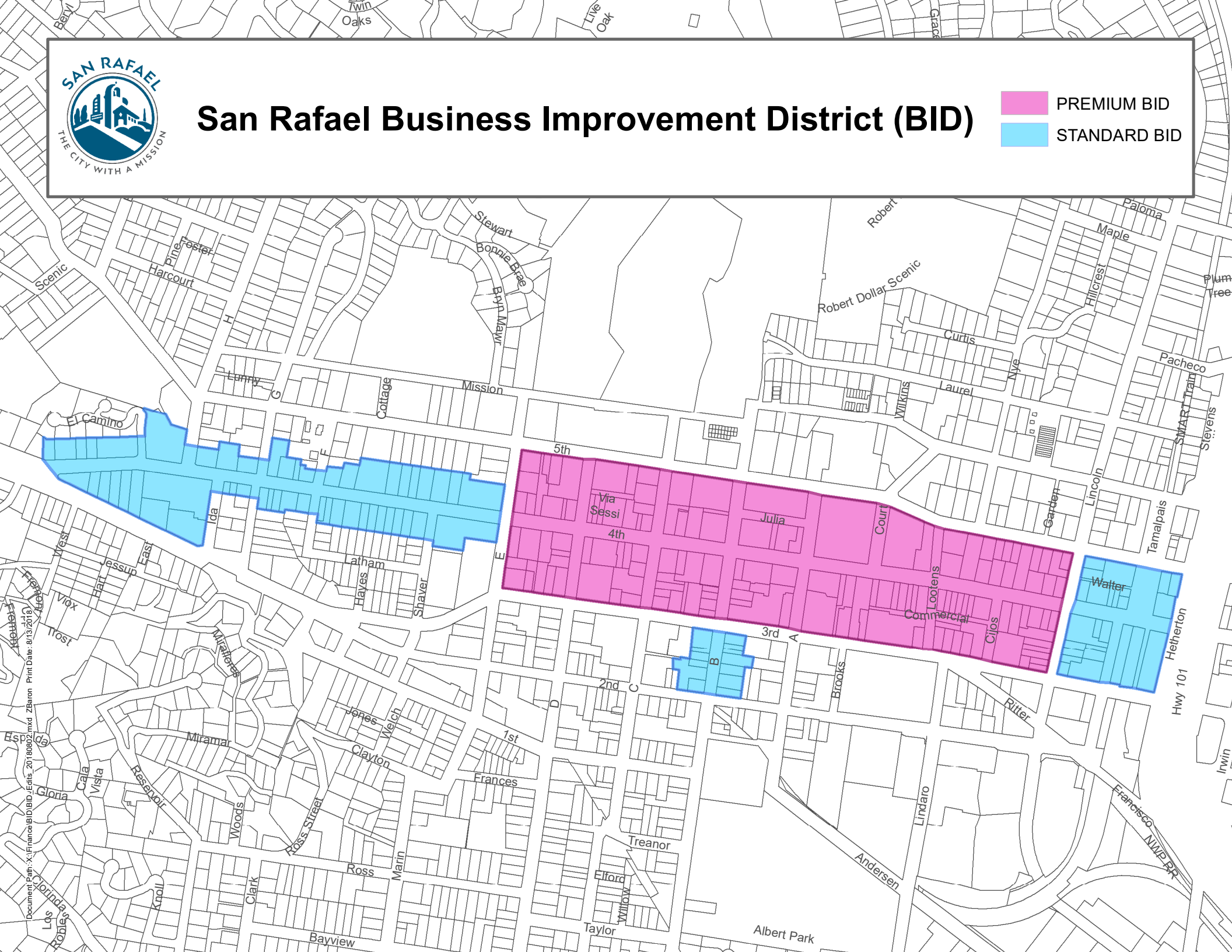
-Sarah Tipple, Executive Director

SHOP LOCAL★EAT LOCAL
SUPPORT SAN RAFAEL DowntownSanRafael.org



San Rafael Business Improvement District (BID)

- PREMIUM BID
- STANDARD BID



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2023 BID Assessment Formula

Exhibit B

Type of Business	Standard	Premium
Retail on the Ground Floor, Restaurant, Personal Services on the Ground Floor	\$175	\$225
Retail on the Ground Floor, Restaurant, Personal Services on Ground Floor with Less than \$100,000 in Gross Receipts	\$150	\$175
Offices, Professional, Personal Services, not on Ground Floor, Retail not on Ground Floor	\$75	\$100
Personal Services Sole Practitioner	\$25	\$50
Non-Profit Organization and Fine Artists	\$50	\$50
Financial Institution	\$375	\$425

San Rafael Downtown BID Budget

Exhibit C

		2021 Year End Fund Balance	\$61,687			2022 Year End Fund Balance	\$43,531
Revenues	2022 Programs	Year 2022 Estimated Year End		2023 Programs	Year 2023 Proposed Budget		
	BID Assessments		\$61,648	BID Assessments		\$60,000	
	Event Income		\$50,887	Event Income		\$50,000	
Total Operating Income			\$112,535	Total Operating Income			\$110,000
Expenses							
Events							
	May Madness		(\$19,290)	May Madness		(\$20,000)	
	Hops and Vines		(\$9,767)	Other Events/Costs:		(\$32,000)	
	Culture Crawl		(\$926)	Hops and Vines			
	Trick or Treat		(\$450)	Culture Crawl			
	Shop Small & Winter Fest		(\$2,500)	Trick or Treat			
	Clean and Green Day		\$0	Winter Wonderland			
				Clean and Green Day			
	Event Staffing		(\$16,475)	Mixers			
				August Hot Nights			
				West End Celebration			
				Event Staffing			
Events subtotal			(\$49,408)	Events subtotal			(\$52,000)
Initiatives							
	Thursday Nights/DUTL (includes BID staff costs)		(\$18,217)	Thursday Nights/DUTL (includes BID staff costs)		(\$15,000)	
	West End Block Party (includes BID staff costs)		(\$8,237)	West End Block Party (includes BID staff costs)		(\$9,000)	
				Beautification			
Initiatives subtotal			(\$26,454)	Initiatives subtotal			(\$24,000)
Marketing & Promotions							
	Advertising/Marketing		(\$2,300)	Advertising/Marketing		(\$2,500)	
	Website Maintenance		(\$1,500)	Website Maintenance		(\$2,000)	
	Member Communication/Mixer		(\$1,962)	BID Member Communication		(\$1,000)	
				Social Media		(\$1,000)	
Marketing & Promotions Subtotal			(\$5,762)	Marketing & Promotions Subtotal			(\$6,500)
Operating Expenses							
	Staffing		(\$21,966)	Staffing		(\$22,000)	
	Insurance		(\$4,900)	Insurance		(\$4,900)	
	Office Expense (supplies, communications, etc.)		(\$3,443)	Office Expense (supplies, communications, etc.)		(\$3,500)	
	Professional Fees		(\$1,500)	Professional Fees		(\$3,000)	
	Consultant		(\$7,965)	Taxes and Payroll Costs		(\$5,300)	
	Taxes and Payroll Costs		(\$5,292)	Rent		(\$4,800)	
	Rent		(\$4,000)				
Operating Expenses Subtotal			(\$49,066)	Operating Expenses Subtotal			(\$43,500)
Total Expenses			(\$130,691)	Total Expenses			(\$126,000)
Net Profit/(Loss)			(\$18,156)	Net Profit/(Loss)			(\$16,000)
Projected 2022 Ending Fund Balance/Carryover to 2023			\$43,531	2023 Ending Fund Balance			\$27,531

Memorandum

To: San Rafael City Council

From: Jed Greene, President
San Rafael Business Improvement District

Date: October 24, 2022

Re: San Rafael Business Improvement District Financial Summary

This memorandum highlights the significant 2022 financial activity of the San Rafael Business Improvement District (BID) and the 2023 proposed budget.

2022

Downtown San Rafael is coming back to life after some slow COVID years. The BID hosted numerous events, including two highly successful (and profitable) events: May Madness and the Hops and Vine Stroll.

Unfortunately, our BID assessments were much lower than usual and our costs have increased. Proceeds from BID assessments decreased to \$61,648, approximately 25% lower than our typical assessment revenue of \$83,000. Payroll costs, as well as higher costs due to inflation, increased our overall expenses for the year.

We project a loss of approximately \$18,000 for 2022, leaving the BID with a cash balance of \$43,500.

2023

We will continue to host similar events to last year, plus a few more new events. These events are either profitable or low cost, with a significant benefit to the Downtown community.

We project that our costs will remain high and that our BID assessments will remain similar to 2022. As a result, without additional funding, we will need to postpone some of our initiatives (e.g. beautification, downtown walking app).

We project a loss of approximately \$16,000 for 2023, leaving the BID with a cash balance of \$27,500.

CITY OF SAN RAFAEL

NOTICE OF PUBLIC HEARING BEFORE THE SAN RAFAEL CITY COUNCIL

You are invited to attend the City Council public hearing on the following resolution of intention.

DATE/TIME:

Monday, December 5, 2022, at 7:00 p.m.

LOCATION:

City Council Chambers, City Hall, 1400 Fifth Avenue, San Rafael, CA 94901. The public may participate either by attending the meeting in person or by teleconference by visiting <https://www.cityofsanrafael.org/departments/public-meetings/> for the call-in phone number and meeting ID listed on the agenda (or using Zoom app to connect to this meeting ID).

RESOLUTION NO. 15160

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR CALENDAR YEAR 2023 FOR THE DOWNTOWN SAN RAFAEL BUSINESS IMPROVEMENT DISTRICT

WHEREAS, California Streets and Highways Code Sections 36500 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 businesses and prevent erosion of business districts; and

WHEREAS, the Downtown San Rafael Business Improvement District ("BID") was established in 2013 to amend the existing Parking and Business Improvements District instituted in 1979 in the commercial area on and around the Fourth Street corridor in San Rafael; and

WHEREAS, pursuant to San Rafael Municipal Code Chapter 10.09 and California Streets and Highways Code Section 36533, the Advisory Board of the BID shall prepare an annual report for each calendar year in which assessments are to be levied which the City Council shall review; and

WHEREAS, the BID Advisory Board has prepared and filed with the City Clerk its "BID 2022 Annual Report" and the City Council has reviewed and approved the report;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of San Rafael as follows:

1. The City Council intends to levy and collect an annual benefit assessment for calendar year 2023 on businesses in the Downtown San Rafael Business Improvement District to pay for selected improvements and activities of the BID.

2. The boundaries of the entire area to be included in the BID, and the boundaries of each separate benefit zone within the BID, are set forth in Exhibit A to the BID 2022 Annual Report on file with the City Clerk.

3. The types of improvements and activities proposed to be funded by the levy of assessments on business in the BID are set forth in the BID 2022 Annual Report on file with the City Clerk.

4. The method and the basis for levying the benefit assessment on businesses within the BID and proposed assessments to be levied for calendar year 2023 are set forth in San Rafael Municipal Code Section 10.09.050 and Exhibit B to the BID 2022 Annual Report on file with the City Clerk.

5. All funds of the BID shall be expended on improvements and activities within the BID.

6. New businesses shall not be exempt from payment of the fee.

7. A public hearing to consider the levy of the BID assessment shall be held before the City Council on December 5, 2022 at 7 p.m. in the Council Chambers, 1400 Fifth Avenue, San Rafael, California or by teleconference by visiting <https://www.cityofsanrafael.org/departments/public-meetings/> for the call-in phone number and meeting ID listed on the agenda (or using Zoom app to connect to this meeting ID).

At the public hearing the testimony of all interested persons, for or against the levy of the BID assessment or on any of the matters included in the assessment, will be heard and all protests collected.

8. A protest against the assessment of the BID, or any aspect of the assessment may be made in writing or orally at the public hearing. To be counted as a part of a majority protest against the assessment of the BID, a protest must be in writing and from a business in the BID. A written protest may be withdrawn from the 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 San Rafael 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 of the regularity of the proceedings shall be in writing and clearly state the irregularity or defect to which objection is made.

9. If at the conclusion of the public hearing on December 5, 2022 there is a record of written protests by business owners within the BID who will pay fifty percent (50%) or more of the total assessments of the entire BID, no further proceedings to levy the proposed assessment shall occur for a period of at least one year from the date of the finding of the majority written protest by the City Council. If the majority written

protest is against the furnishing of a specified type or types of improvement or activity within the area, those types of improvements or activities shall be eliminated.

10. Further information regarding the Downtown San Rafael Business Improvement District may be obtained from the Office of Economic Development at 1400 Fifth Avenue, San Rafael, CA 94901.

11. The City Clerk is directed to give notice of said public hearing by publishing this resolution of intention once in a newspaper of general circulation in the City of San Rafael, at least seven days before the hearing; and by mailing a complete copy of this Resolution of Intention to those interested parties who have filed a written request with the local agency for mailed notice of public meetings or hearings on new or increased general taxes.

I, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael, held on Monday, the 21st day of November 2022, by the following vote, to wit:

AYES: COUNCILMEMBERS: Bushey, Hill, Kertz, Llorens Gulati & Mayor Kate

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



Lindsay Lara
Lindsay Lara, City Clerk