

ERIN MENDENHALL
MAYOR



BEN KOLENDAR
DIRECTOR

DEPARTMENT of ECONOMIC DEVELOPMENT

CITY COUNCIL TRANSMITTAL


Lisa Schaffer (Jun 28, 2021 16:30 MDT)


Lisa Schaffer, Chief Administrative Officer

Date Received: 06/28/2021

Date sent to Council: 06/28/2021

TO: Salt Lake City Council
Amy Fowler, Chairperson

DATE: June 22, 2021

FROM: Benjamin Kolendar, Director of the Department of Economic Development 

SUBJECT: Resolution of Intention to Designate Central Business Improvement Area – 22
(CBIA-22)

STAFF CONTACT: Lorena Riffo Jenson, Deputy Director, Department of Economic Development, lorena.riffojenson@slcgov.com; William Wright, Project Coordinator, william.wright@slcgov.com; Jolynn Walz, Office Manager, jolynn.walz@slcgov.com
801.535.7200

DOCUMENT TYPE: Resolution

RECOMMENDATION: Administration recommends City Council adopt the Resolution of Intention to designate the Central Business Improvement Area 2022 (CBIA-22). This continues a funding mechanism for downtown promotions, marketing, and advocacy established in 1991. It re-establishes a special assessment on property in the boundary area map attached (same boundaries as 2019) for a three-year period as well as breaks out a second assessment for Holiday lighting, map attached.

BUDGET IMPACT: The budget summary for the City is detailed starting on page 2 under the section “Financial Summary for CBIA–22.”

BACKGROUND/DISCUSSION: Salt Lake City established the Central Business Improvement Area (CBIA) in 1991 as a mechanism to fund marketing, promotions, advocacy, and other initiatives in Downtown Salt Lake City through a special assessment on property within a designated area.

The current assessment area, CBIA-19, expires April 21, 2022. The Administration wishes to initiate another assessment area, CBIA-22, by April 22, 2022 to continue the collection of assessment funds within a defined downtown boundary area. This allows for the continuation of marketing, promotion, advocacy, and other benefits that have and will accrue to the City and downtown property owners and businesses through services provided by the RFP recipient contractor (currently the Downtown Alliance). The special assessment also funds an ambassador's program in Downtown Salt Lake City. The goal of the program is to promote economic growth by increasing local business activity through in-person wayfinding assistance for visitors and connecting the City's homeless population with available resources. If approved, the Administration would like to continue this program and use the downtown special assessment area as a continued funding source.

Since the inception of the CBIA, commonly known as a Business Improvement District, the funds collected for the Area have been used to fund the Downtown Alliance under a contract with Salt Lake City Corporation. The contract with the Downtown Alliance will expire with the current CBIA-19 and the Administration will announce an RFP which will use the proceeds of this assessment for a contractor to do the work the Downtown Alliance currently does. The Downtown Alliance will be able to submit for the RFP.

The creation of the CBIA is a lengthy and complex process that is governed by State law, has numerous noticing provisions, public hearings, and other requirements that involve a variety of City Council actions over the next nine months in order to meet the deadline for continuous funding from the Area.

The Department of Economic Development, in cooperation with Engineering, City Attorney's Office, City Treasurer's Office, Bonneville Research, and the Downtown Alliance, would like to brief the City Council on the "Resolution of Intention to Designate the Central Business Improvement Area" on July 13, 2021, with a formal action item on July 20, 2021. The action by the City Council allows the notification of property owners to begin and keeps the process on target to meet the April 2022 deadline for expiration of the current.

Ben Kolendar & Lorena Riffo Jenson (Department of Economic Development), and Jonathan Springmeyer (Bonneville Research) plan to be at the table for the discussion.

Financial Summary for CBIA-22

Revenue for CBIA-22

2020 Taxable Property Valuation	\$3,573,174,176
Proposed Taxable Value Assessment Rate	.00142
Taxable Value Assessment Subtotal	\$5,073,907

2018 Linear Footage for Holiday Lights	\$13,870
Proposed Holiday Light Rate per Foot	\$12.79
Holiday Light Assessment Subtotal	\$177,378

Total Assessment Revenue	\$5,251,285
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Budget for CBIA-22

Salt Lake City Expenses

DED Management	\$ 120,000
Reserve withheld (3%)	\$ 157,539
Professional and Technical	\$ 30,000
Legal Fees	\$ 20,000
Printing	\$ 5,000
Postage Fees	\$ 3,000
Contingency	\$ 18,5000
Salt Lake City Subtotal	\$ 354,039

RFP Recipient Budget

Economic Development Activities (27%)	\$ 1,293,000
Marketing and Events (16%)	\$ 776,000
Administration (24%)	\$ 1,164,000
Ambassador Program Homeless Services (33%)	\$ 1,512,000
RFP Recipient Subtotal	\$ 4,745,000

Total Use of Funds	\$ 5,099,039
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Adoption Process and Timeline

If the City Council adopts the proposed “Resolution of Intention to Designate CBIA-22,” the additional steps toward final implementation are:

- Property owners in the Area are mailed a Notice of Intention with a description of the boundaries and an assessment rate
- Property owners have opportunities to protest (in writing) the creation of the Area or inclusion in it
- Public hearings and informational meetings are held
- Board of Equalization hearings are held to hear factual issues on the amount of benefit received and the amount of the proposed assessment
- City Council adopts an ordinance to create CBIA-22
- CBIA-22 takes effect April 22, 2022

Special Stipulations

Parcels under \$20,000 in valuation as well as residential, ecclesiastical and government owned properties are exempt from the assessment, except those whose owners agree in writing to be assessed. By State law, properties that are not included in the initial Notice of Intent cannot be added at a later date unless the property owner consents. However, properties may be removed

from the Area at the Council's discretion prior to assessment. Property owners are assessed the full amount but may pay the assessment in three annual installments. If owners of 40% or more of the valuation in the Area boundaries protest the creation of the CBIA- 22, the Area cannot be created. No more than 30% of the assessment funds can be spent on administrative expenses.

Public Process

If the City Council adopts the Notice of Intention as recommended, copies of the notice will be mailed to all property owners in the Area, as well as to the physical property address (if it differs from the address of the property owner), along with a notice of an open house/hearing. Written protests may then be filed with the City, and a protest hearing should be scheduled by the City Council before the adoption of the ordinance creating the CBIA-22.

If the City Council creates the Area, it would appoint a Board of Equalization that may recommend adjusting the assessment rate higher or lower from that indicated in the Notice of Intention. The City Council then may accept, reject, or modify that recommendation before adoption of the Assessment Ordinance.

Relevant Statutes and Ordinances

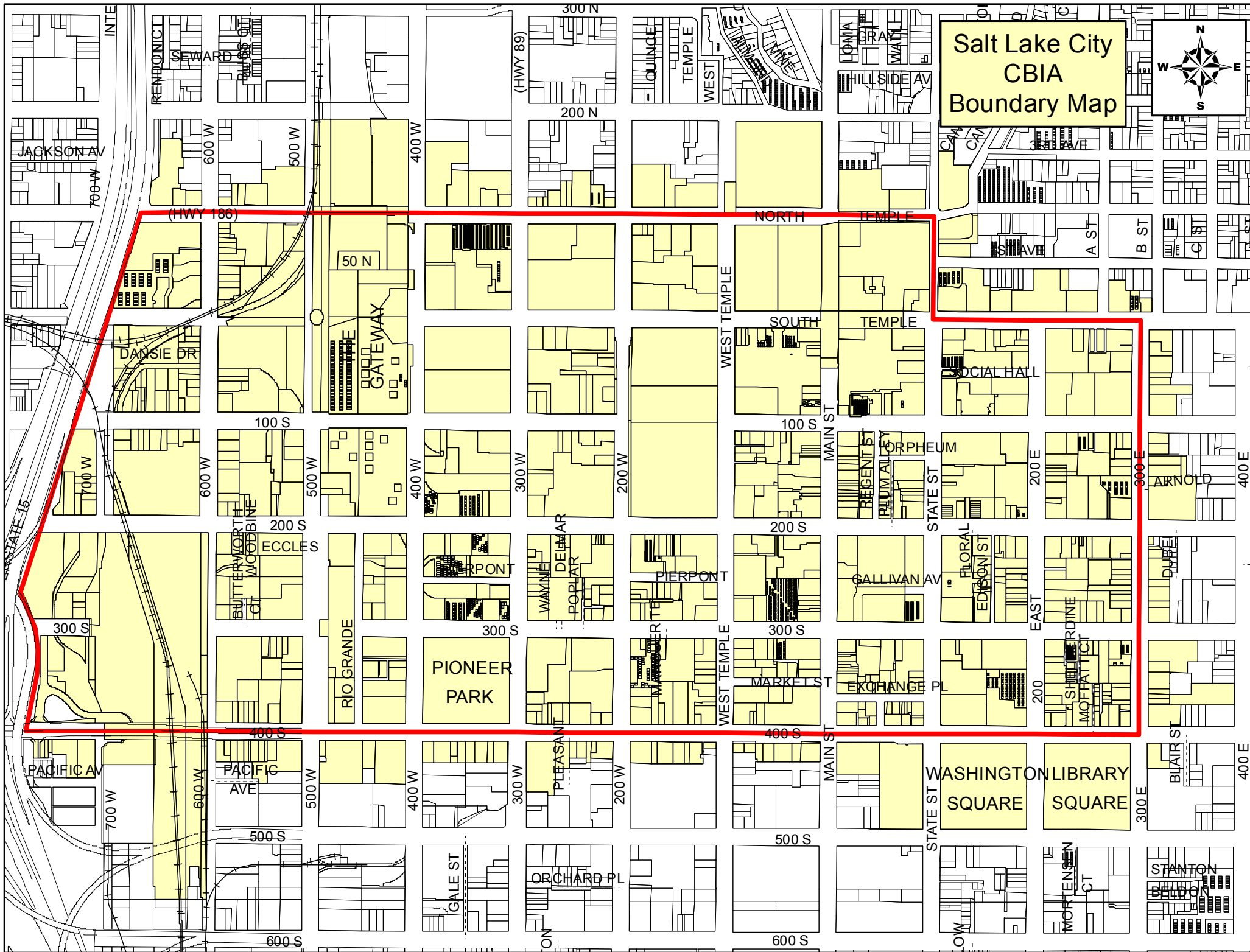
The definition of "economic promotion activities" in the SAA statute, Utah Code Section 11-42-102(18) is as follows:

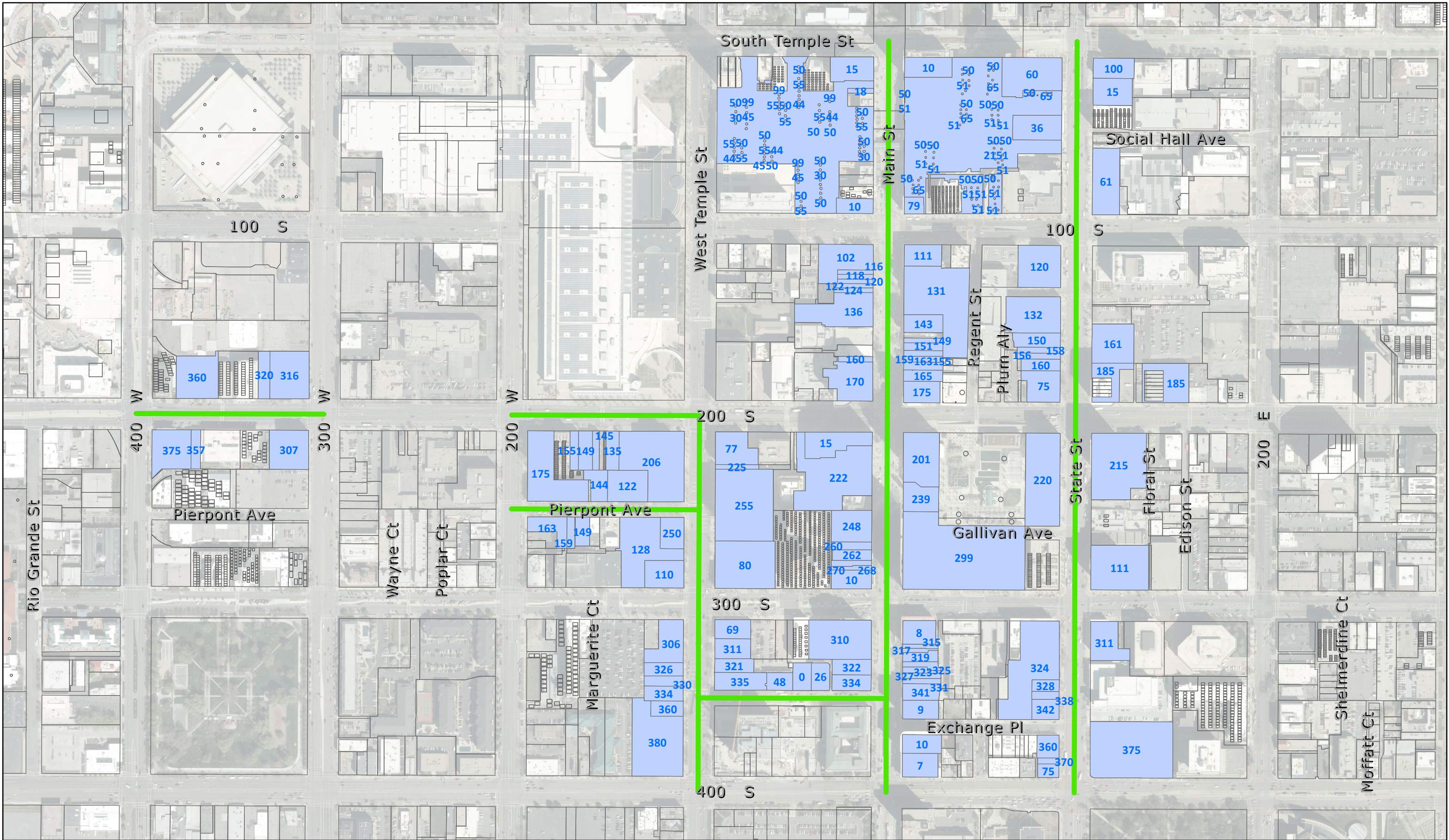
(18) "Economic promotion activities" means activities that promote economic growth in a commercial area of a local entity, including:

- (a) sponsoring festivals and markets;
- (b) promoting business investment or activities;
- (c) helping to coordinate public and private actions; and
- (d) developing and issuing publications designed to improve the economic well-being of the commercial area.

ATTACHMENTS:

- A. Boundary Map & Holiday Lighting Map**
- B. Timeline**
- C. Resolution**





CBIA - 22 Tentative Timeline

Step	Action	Description	Group/Lead	Deadlines	
1	Consultant Contract	Contract with a consultant to provide guidance throughout process.	DED	2/1/21 - 4/30/2021	
2	Technical Description of the CBIA	Technical Description of the CBIA provided to Engineering. Engineering prepares tax roll based on this data.	Consultant	3/12/2021	
3	Develop assessment methodology that conforms to Assessment Area Act.	Develop assessment methodology concerning Economic Promotion & Lighting Assessment.	DED	3/24/2021	
4	Salt Lake County Property Tax Information.	Numbers should be available by May 22, 2021.	Consultant	5/28/2021	
5	Bond Counsel Description & Improvement Review	Bond Counsel reviews the description of Improvements and Areas to be Improved.	DED	6/1/2021	
6	Resolution of intent to designate.	Bond Counsel drafts resolution of Intent to Designate.	Bond Counsel	6/15/2021	
7	Resolution of Intent to Designate and Justification transmittal. (Mayor)	Resolution of Intent to Designate and justification documentation transmitted to Mayor's Office.	DED	6/22/2021	
8	Resolution of Intent to Designate and Justification transmittal. (Council Office)	Resolution of Intent to Designate and justification documentation transmitted to Council Office.	Mayor's Office	6/29/2021	
9	City Council Meeting	DED will brief the City Council on CBIA-22 Information.	DED	7/13/2021	
10	Property Owner Letter	Property Owner letter includes verbiage of preliminary estimate, rate, notice of intent to designate, common question and map finalized.	DED	7/17/2021	

11	Tax roll prepared for DED approval.	Assess County Data.	Engineering	7/17/2021	
12	DED approval of tax roll.	DED approves county data.	DED	7/17/2021	
13	City Council Meeting	City Council adopts the resolution of Intent to Designate the assessment area.	City Council	7/20/2021	
14	Draft/Create Notice of Intent to Designate Letter		Engineering	7/22/2021	
15	Post Notice of Intent to Designate	Post notice of intent to designate in at least three public places within boundaries of jurisdiction	DED	8/16/2021	
16	Mail out Notice of Intent to Designate	Mail out Notice of Intent to Designate to go out within 10 days of notice posting.	DED sends via State Mail	8/19/2021	
17	Minutes prepared for use at protest hearing	Distribute to team SAA.	Bond Counsel	8/30/2021	
18	City Council Meeting	City Council Protest Hearing	City Council	9/7/2021	
19	Draft Resolution to Designate the Assessment Area and appoint the Board of Equalization (BOE).		Bond Counsel	9/14/2021	
20	Resolution to Designate the Assessment Area and appoint the Board of Equalization Transmittal (Mayor's Office)	Resolution to Designate the Assessment Area and appoint the Board of Equalization Transmitted to Mayor's Office.	DED	9/21/2021	
21	Resolution to Designate the Assessment Area and appoint the Board of Equalization (City Council).	Resolution to Designate the Assessment Area and appoint the Board of Equalization Transmitted to the Council Office.	Mayor's Office	9/28/2021	
22	Publish Notice of Intent to Designate	Publish Notice of Intent to Designate on the Utah Public Notice Website	DED	10/4/2021	

23	Property Owners Written Protests Filing Deadline	Property owners who are protesting the assessment area. Also, the end of 60-day written protest period.	Engineering	11/8/2021	
24	Compile Written Protests.		Engineering	11/9/2021	
25	RFP: Center Business Improvement Assessment Area Management Request For Proposal (RFP)	Solisation to find a vendor to manage the assessment area once approved.	DED	11/9/2022	
26	Delivery of Compilation of Protests	Compilation of protests sent to City Council.	Engineering	11/9/2021	
27	Publishing of Written Protests	Publishing of Written Protests on City & State public notice website.	DED	11/9/2021	
28	City Council Meeting	City Council announces the protest tally and if it exceeds 40% threshold.	City Council	11/16/2021	
29	City Council Meeting	City Council adopts the Resolution to Designate the Assessment Area and appoints the Board of Equalization.	City Council	11/16/2021	
30	Recording of the Resolution to Designate the Assessment Area & Notice of Proposed Assesment	Record Resolution to Designate the Assessment Area and Notice of Proposed Assessment with Salt Lake County Recorder, within 15 days of adoption.	Salt Lake City Recorders	11/16/2021 - 12/1/2021	
31	BOE Notice and Dates of BOE Meetings.	Finalize Verbiage for BOE notice and dates of BOE meetings.	Bond Counsel	11/24/2021	
32	Mailing process for the BOE notice.	Begins 2 weeks before mailing date.	Engineering	12/3/2021	
33	RFP: Center Business Improvement Assessment Area Management submissions	Proposals/submission due from interested vendors	DED	12/7/2021	
34	Publication of the BOE hearings.	Publication and posting of time and location of the 3 consecutive meetings. Posted in at least 3 public places at least 20 days, but not more than 35 days from the first BOE hearings dates. Published on the Utah Public Notice Website.	DED	12/7/2021	

35	Mailing due to Recorder's Office for review.	Due 1 week before mailing date.	Engineering	12/10/2021	
36	Mailing of preliminary assessment & notice of BOE hearings	Mailing sent to each property owner and each street address.	DED	12/17/2021	
37	BOE hearings 9:00 am to 10:00 am (public meeting).	Held on consecutive days by statute.	Salt Lake City Recorders	1/11/2022	
38	BOE hearings 10:00 am to 11:00 am (public meeting).	Held on consecutive days by statute.	Salt Lake City Recorders	1/12/2022	
39	BOE hearings 1:00 pm to 2:00 pm (public meeting).	Held on consecutive days by statute.	Salt Lake City Recorders	1/13/2022	
40	Finalization of BOE Hearings	Finalize the report	DED	1/18/2022	
41	RFP: Center Business Improvement Assessment Area Management Selection	Selection is made from the proposals submitted	DED	1/21/2022	
42	BOE Report Completion	BOE report completed, signed, and forwarded to City Council and Bond Counsel.	DED	1/21/2022	
43	Mailing of BOE Final Report	BOE report mailed to objecting property owners. Begins 15 day appeal period.	Engineering	1/21/2022	
44	Assessment Ordinance	Bond Counsel Draft Assessment Ordinance	Bond Counsel	1/28/2022	
45	Assessment Ordinance Transmittal (Mayor's Office).	Assessment Ordinance transmitted to the Mayor's Office.	DED	2/1/2022	
46	Assessment Ordinance Transmittal (Council Office).	Assessment Ordinance transmitted to the Council Office.	Mayor's Office	2/8/2022	

47	City Council Meeting	City Council accepts or modifies BOE recommendations and adopts or rejects Assessment Ordinance.	City Council	3/1/2022	
48	RFP: Center Business Improvement Assessment Area Management Contract drafting and Execution	Agreement between Salt Lake City and the vendor to manage the assesment area.	DED	3/4/2022	
49	Budget or budget amendment submission for CBIA	Submit budget to SLC Finance Department	DED	3/17/2022	
50	Transfer properties into billing status.		Engineering	3/17/2022	
51	Assessment Invoices and Billing	Mail assessment notices and invoices to Property Owners by April 5, 2022 the latest.	Treasurer	3/18/2022	
52	Publication & Posting of the Assessment Ordinance	1. Publication of the Assessment Ordinance on the Utah Public Notice Website. 2. Post a copy of the Assessment Ordinance in at least three public places within the jurisdiction boundaries. For at least 21 days	Bond Council	3/20/2022	
53	Certificate of Project Engineer	Certificate of Project Engineer Signed by DED	DED	3/25/2022	
54	Record Notice of Assessment Interest with Salt Lake County Recorder.	I note that Utah Code 11-42-404(4)(b)(iii) requires the notice of assessment interest to "describe the property assessed by legal description and tax identification number." Metes and Bounds legal description provided by Recorder's Office.	Salt Lake City Recorders	4/21/2022	
55	Effective start date of the Assessment Ordinance	Must be specified in the Assessment Ordinance	DED	4/21/2022	
56	Assessment Payments Due	Invoice Payments due from property owners [15 days after effective date of Assessment Ordinance]	Treasurer	5/6/2022	

Salt Lake City, Utah

July 20, 2021

A regular meeting of the City Council of Salt Lake City, Utah, was held on Tuesday, July 20, 2021, at the hour of 7:00 p.m. via electronic means, at which meeting there were present and answering to roll call the following members who constituted a quorum:

Amy Fowler	Chair
James Rogers	Vice-Chair
Dan Dugan	Councilmember
Ana Valdemoros	Councilmember
Dennis Faris	Councilmember
Darin Mano	Councilmember
Chris Wharton	Councilmember

Also present:

Erin Mendenhall	Mayor
Katherine Lewis	City Attorney
Cindy Lou Trishman	City Recorder

Absent:

Thereupon the following proceedings, among others, were duly had and taken:

The following resolution was introduced in writing, was read by title, and Councilmember _____ moved its adoption:

RESOLUTION NO. ____ of 2021

A Resolution of intention of the City Council of Salt Lake City, Utah (the “City”), to designate an Assessment Area for the purpose of levying assessments against properties within the Assessment Area to continue to promote business activity and economic development in the central business area of downtown Salt Lake City by assessing benefited properties within the Assessment Area for the costs of such economic promotion activities for a period of three years (the “Assessments”); and to fix a time and place for protests against the Assessment Area and its assessments, and related matters.

BE IT RESOLVED by the City Council of Salt Lake City, Utah, as follows:

Section 1. The City Council (the “Council”) of Salt Lake City, Utah (the “City”), hereby determines that it will be in the best interest of the City to continue to promote economic growth activities in the central business area of downtown Salt Lake City. The proposed activities are more specifically described hereafter, but generally will include, but will not be limited to, advertising, marketing, special events, festivals, transportation, newsletters, publications, banners, Christmas lighting, homeless services, security, special projects, housing, town meetings, government policy, cultural promotion, reports, surveys and other promotional activities (the “Economic Promotion Activities”) in the downtown area as described hereafter and more specifically identified on maps and plans on file in the Office of the City Recorder of the City. In order to accomplish the Economic Promotion Activities, the City proposes to designate the Salt Lake City, Utah Central Business Improvement Assessment Area No. DA-CBIA-22 (the “Assessment Area”) pursuant to Title 11, Chapter 42, Utah Code Annotated 1953, as amended (the “Act”), the area of which is more particularly described in the Notice of Intention to Designate Assessment Area set out hereafter.

Section 2. A portion of the cost of the Economic Promotion Activities shall be paid by a special assessment to be levied against business and commercial properties situated within the Assessment Area that are specially benefited by the Economic Promotion Activities. The assessment will have two components: (i) an assessment based on the 2021 taxable property values (the “Base Assessment”), plus (ii) an assessment on certain properties by linear feet for special holiday lights (the “Holiday Lighting Assessment” and together with the Base Assessment, the “Assessment”). Attached hereto as Exhibit A is a list of the properties within the Assessment Area and the proposed Assessment related to each property. The Assessment may be paid when assessed or, at the option of the property owner, in three (3) annual installments with interest on any delinquent installment until paid.

Section 3. The Council shall hold a public hearing on September 7, 2021 at 7:00 p.m. via electronic means or, as determined by the City Council Chair, at the physical location of the Council Chambers at 451 South State Street in Salt Lake City, Utah to hear all objections related to the Assessment Area as set forth in the Act. Thereafter, written protests from property owners against the proposed assessments may be filed in the Office

of the City Recorder of the City, whose permanent address is 451 South State Street, Room 415; however, due to the emergency circumstances, is temporarily located at 349 South 200 East and by appointment only, for a period of 60 days after the date of the public hearing. On Tuesday, November 16, 2021 (such date being within 15 days after the date the protest period expires), at 7:00 p.m. via electronic means or, as determined by the City Council Chair, at the physical location of the Council Chambers at 451 South State Street in Salt Lake City, Utah, the Council shall count the written protests filed and calculate whether adequate protests have been filed and hold a public meeting to announce the protest tally and whether adequate protests have been filed. The Council may thereafter adopt a resolution abandoning or creating the proposed Assessment Area depending on whether adequate protests have been filed. The City Recorder is hereby directed to give notice of intention to designate the Assessment Area (the "Notice of Intention") to finance and support the Economic Promotion Activities. The Notice of Intention shall specify the date of the public hearing and the time within which protests against the proposed assessments may be filed. The Notice of Intention shall be (a) posted in at least three public places within the City's boundaries at least 20 but not more than 35 days prior to the public hearing date and (b) published on the Utah Public Notice Website described in Utah Code section 63A-16-601 for four consecutive weeks before the deadline for filing protests. In addition, the City Recorder shall mail a copy of the Notice of Intention by United States Mail, postage prepaid, to each owner of property to be assessed within the Assessment Area at the last known mailing address of such owner, using for such purpose the names and addresses of said owners appearing on the last completed real property assessment rolls of Salt Lake County, Utah, and, in addition, a copy of the Notice of Intention shall be mailed, postage prepaid, addressed to "Owner" at the street number of each piece of improved property to be affected by the assessment, said Notices to be so mailed not later than ten (10) days after the first publication or posting of the Notice of Intention. If a street number has not been so assigned, then the post office box, rural route number, or any other mailing address of the improved property shall be used for the mailing of the Notice of Intention. Said Notice of Intention shall be in substantially the following form:

NOTICE OF INTENTION TO DESIGNATE ASSESSMENT AREA

PUBLIC NOTICE IS HEREBY GIVEN that on July 20, 2021, the City Council of Salt Lake City, Utah, adopted a resolution (the “Resolution”) declaring its intention to designate the Salt Lake City, Utah Central Business Improvement Assessment Area No. DA-CBIA-22 (the “Assessment Area”) to finance a portion of the cost of economic promotion activities, which are more specifically described hereafter (the “Economic Promotion Activities”) in the area of downtown Salt Lake City within the Assessment Area and to levy a special assessment (the “Assessment” or “Assessments”) for a period of three years as provided in Title 11, Chapter 42, Utah Code Annotated 1953, as amended (the “Act”), on real property situated within the Assessment Area for the benefit of which such assessments are to be expended in the management and costs of the Economic Promotion Activities.

DESCRIPTION OF ASSESSMENT AREA

The Assessment Area is described by reference to the following streets (the “Reference Streets”):

- A – North Temple from State Street to the East right-of-way line of I-15 (includes parcels on both sides of the street)
- B – East right-of-way line of I-15 from North Temple to 400 South
- C – 400 South from the East right-of-way line of I-15 to 300 East (includes parcels on both sides of the street)
- D – 300 East from 400 South to South Temple (includes parcels on both sides of the street)
- E – South Temple from 300 East to State Street (includes parcels on both sides of the street)
- F – State Street from South Temple to North Temple (includes parcels on both sides of the street)

The area of the Assessment Area shall include all property bounded by Reference Streets A through F described above. In addition, it shall include parcels of property, subject to the exceptions set out hereafter, which abut the Reference Streets plus all corner parcels which have a corner touching any of the Reference Streets.

The Holiday Lighting Assessment (as described herein) shall apply to the following streets (collectively, the “Holiday Lighting Streets”):

- A – 200 South between 300 West and 400 West
- B – 200 South between West Temple and 200 West (South side only)
- C – Pierpont Street between West Temple and 200 West
- D – West Temple between 400 South and 200 South
- E – Main Street between 400 South and South Temple
- F – Market Street between West Temple and Main Street (North side only)
- G – State Street between 400 South and South Temple

The Resolution, maps, and other information about the Assessment Area are available for examination during business hours in the offices of the Salt Lake City Recorder, whose permanent address is 451 South State Street, Room 415, Salt Lake City, Utah or, if such offices are closed, the temporary location of 349 South 200 East, Salt Lake City, Utah.

ACTIVITIES AND MANAGEMENT OF THE ASSESSMENT AREA

The Economic Promotion Activities shall include advertising, marketing, special events, festivals, transportation, newsletters, publications, banners, Christmas lighting, homeless services, security, special projects, housing, town meetings, government policy, cultural promotion, reports, surveys and other promotional activities. The Economic Promotion activities will take place within the boundaries of the Assessment Area for the benefit of business and commercial property owners within the Assessment Area.

Since 1992, the Downtown Alliance has managed promotional activities for Central Business Improvement Assessment Areas (or districts) Numbers DA-8690-A, DA-8690-B, DA-8690-97, DA-CBID-00, DA-CBID-03, DA-CBID-06, DA-CBIA-10, DA-CBID-13, DA-CBID-16 and DA-CBID-19. The City intends to solicit proposals for a management contract to manage the Assessment Area through April 2025, subject to the creation of the Assessment Area.

The Downtown Alliance has submitted a proposed budget estimating the costs (the “Estimated Costs”) of Economic Promotion Activities within the Assessment Area. Information from the proposed budget is included in the following section.

ASSESSMENT RATE, FINANCIAL PLAN AND SOURCES AND USES OF FUNDS

Funding from Assessments provides only a portion of the total budget for the Assessment Area’s programs and activities. The City anticipates that the manager of the Assessment Area will secure non-assessment funds from other sources such as grants, foundations, promotions, contributions, earned income, and sponsorships. In addition, the City anticipates that sponsors and contributors will pay directly to third-party providers a portion of the costs of some Economic Promotion Activities. These supplemental third-party payments are not reflected in the projected budget of the Assessment Area. Most, if not all, of these other sources of funds would not be available without the funding from the Assessments or the Economic Promotion Activities of the Assessment Area. Funds received from the Assessments and the estimated cost of the Economic Promotion Activities, as determined by a project engineer, are as follows:

Sources of Funds (for 3-year period)

Base Assessment Revenue	\$5,073,907
Holiday Lighting Assessment Revenue	<u>177,378</u>
Total	<u>\$5,251,285</u>

Uses of Funds (annual basis)**Contractor:**

Marketing and Events	\$776,000
Economic Development	1,293,000
Ambassador Program Homeless Services	1,512,000
General and Administrative	<u>1,164,000</u>
Contractor Total	\$4,745,000
Salt Lake City Administrative Costs and Reserve	<u>354,039</u>
Total	<u>\$5,099,039</u>

The Assessment is proposed to be levied on benefited property within the Assessment Area to pay for a portion of the Economic Promotion Activities according to the estimated benefits to the property from such activities. The Economic Promotion Activities will not be financed with bonds.

PROPERTIES EXCLUDED FROM ASSESSMENT AREA ASSESSMENTS

Residential, ecclesiastical, and government-owned properties shall be excluded from Assessments unless otherwise agreed to in writing by the City and the owners of such properties. Subject to the foregoing sentence, only business and commercial properties shall be assessed. In addition, any properties having a taxable value of less than \$20,000 based upon the most recent real property assessment roll of Salt Lake County shall be excluded from Assessments. The determination of qualification for exclusion for ecclesiastical and government-owned property shall be based upon exemptions from ad valorem real property taxes for properties used by churches for non-commercial purposes and for properties owned and operated by governmental agencies. Inasmuch as the Assessment is intended to fund economic promotion activities, the City does not find any benefits for residential, ecclesiastical and/or governmental property excluded from the Assessment.

BASIS FOR ASSESSMENT

It is proposed to levy a one-time Assessment for a three-year period on property in the Assessment Area to pay all or a portion of the Estimated Costs of the Economic Promotion Activities. The Assessment shall not exceed the benefits derived by the properties within the Assessment Area. There shall be two assessment components: (i) an assessment based on the 2021 taxable property values (the "Base Assessment"), plus (ii) an assessment based on linear feet (except that corner lots will not be assessed for both frontages as applicable, only one) on certain properties with frontage on the Holiday Lighting Streets for special holiday lights (the "Holiday Lighting Assessment" and together with the Base Assessment, the "Assessment"). The City anticipates that, in addition to

revenues from the Assessment, the manager of the Assessment Area will utilize other funding resources, including revenues from grants, promotions, contributions, foundations, earned income, and sponsorships.

PAYMENT OF ASSESSMENTS

Assessments shall be payable in full or in three (3) annual installments (the “Assessment Installment” or “Installments”). If payable in three (3) Installments, the first Installment will fall due fifteen (15) days after the effective date of the ordinance levying the Assessment (the “Assessment Ordinance”). The total Assessment for the benefited property related to this notice is detailed in the cover letter accompanying this notice. The first Installment is currently estimated to be due on approximately May 6, 2022. The second and third Installments will fall due on the first and second anniversary dates of the first Installment. If any Installment is not paid by the due date, the unpaid Installment(s) will accumulate delinquent interest and/or charges in accordance with the Assessment Ordinance and State law. The Assessments will be collected by directly billing property owners. The City doesn’t currently expect any adjustments to the Assessments for changes in costs associated with Economic Promotion Activities. The City will ensure that no Assessments will be collected and used for purposes other than those described in this Notice.

PUBLIC HEARING

The City Council shall hold a public hearing on September 7, 2021 at 7:00 p.m. via electronic means or, as determined by the City Council Chair, at the physical location of the Council Chambers at 451 South State Street in Salt Lake City, Utah to hear all objections related to the Assessment Area and all persons desiring to be heard, as set forth in the Act.

TIME FOR FILING PROTESTS

PROTESTS FROM PROPERTY OWNERS OBJECTING TO THE ASSESSMENT AREA DESIGNATION OR OBJECTING TO BEING ASSESSED FOR THE PROPOSED ECONOMIC PROMOTION ACTIVITIES MUST BE FILED IN WRITING WITH THE CITY RECORDER OF SALT LAKE CITY EITHER IN PERSON BY APPOINTMENT AT THE TEMPORARY OFFICE OF 349 SOUTH 200 EAST, OR BY MAIL (PO BOX 145515) ON OR BEFORE 5:00 P.M. ON NOVEMBER 8, 2021.

To be counted against the creation of the Assessment Area, protests or objections MUST BE IN WRITING, signed by the owners of the property proposed to be assessed. The written protest must describe or otherwise identify said property. If the aggregate taxable value of property that is the subject of timely filed written protests represents at least 40% of the aggregate taxable value of all property within the Assessment Area, the City Council will not impose the Base Assessment and if the linear feet frontage of the Holiday Lighting Streets (except that corner lots will not apply for both frontages as applicable, only one) that is the subject of timely filed written protests represents at least 40% of the aggregate linear feet frontage of Holiday Lighting Streets assessed within the

Assessment Area, the City Council will not impose the Holiday Lighting Assessment. Protests withdrawn prior to the expiration of the protest period and protests from areas deleted from the Assessment Area will not be counted against the creation of the Assessment Area.

On Tuesday, November 16, 2021 (such date being within 15 days after the date the protest period expires), at 7:00 p.m. via electronic means or, as determined by the City Council Chair, at the physical location of the Council Chambers at 451 South State Street in Salt Lake City, Utah, the City Council shall count the written protests filed and calculate whether adequate protests have been filed and hold a public meeting to announce the protest tally and whether adequate protests have been filed. To stay informed on the electronic means or physical location of the City Council's hearings and meetings, please visit www.slc.gov/council/agendas. The City shall post the total and percentage of the written protests it has received on its website at least five days before such meeting.

BY RESOLUTION OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

/s/ Cindy Lou Trishman

City Recorder

Councilmember _____ seconded the motion to adopt the foregoing resolution. The motion and resolution were unanimously adopted on the following recorded vote:

AYE:

NAY:

After the conduct of other business not pertinent to the above, the meeting was, on motion duly made and seconded, adjourned.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
City Recorder

PRESENTATION TO THE MAYOR

The foregoing resolution was presented to the Mayor for her approval or disapproval on July ___, 2021.

By: _____
Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing resolution is hereby approved on this July ___, 2021.

By: _____
Mayor

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

I, Cindy Lou Trishman, the duly chosen, qualified, and acting City Recorder of Salt Lake City, Utah, do hereby certify as follows:

(a) That the foregoing typewritten pages constitute a full, true, and correct copy of the record of proceedings of the City Council at a regular meeting thereof held in Salt Lake City on July 20, 2021, at 7:00 p.m., insofar as said proceedings relate to the consideration and adoption of a resolution declaring the intention of the City Council to designate the Salt Lake City, Utah Central Business Improvement Assessment Area No. DA-CBIA-22 to provide economic promotion activities therein described as the same appears of record in my office; that I personally attended said meeting, and that the proceedings were in fact held as in said minutes specified.

(b) That due, legal, and timely notice of said meeting was served upon all members as required by law and the rules and ordinances of Salt Lake City.

(c) That the above resolution was provided to my office on July 20, 2021, has been recorded by me, and is a part of the permanent records of Salt Lake City, Utah.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of Salt Lake City, Utah, this _____, 2021.

(SEAL)

By: _____
City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

AFFIDAVIT OF MAILING
NOTICE OF INTENTION

I, Cindy Lou Trishman, the duly chosen, qualified, and acting City Recorder of Salt Lake City, Utah (the “City”), do hereby certify that a Notice of Intention to Designate Assessment Area (the “Notice of Intention”) was approved and adopted in the proceedings of the City Council held on Tuesday, July 20, 2021.

I further certify that the Notice of Intention was posted in at least three public places within the City’s boundaries at least 20 but not more than 35 days prior to the date of the public hearing (September 7, 2021).

I further certify that the Notice of Intention was published on the Utah Public Notice Website for four weeks before the deadline for filing protests (November 8, 2021).

I further certify that on August ___, 2021 (a date not later than ten (10) days after the first publication or posting of the Notice of Intention), I mailed a true copy of the Notice of Intention by United States Mail, postage prepaid to each owner of land to be assessed within the proposed Assessment Area at the last known address of such owner, using for such purpose the names and addresses appearing on the last completed real property assessment rolls of Salt Lake County, and in addition I mailed on the same date a copy of said Notice of Intention addressed to “Owner” addressed to the street number, post office box, rural route number, or other mailing address of each piece of improved property to be affected by the assessment.

I further certify that a certified copy of said Notice of Intention, together with profiles of the improvements or economic promotion activities and a map of the proposed Assessment Area, was on file in my office for inspection by any interested parties.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of Salt Lake City, Utah, this _____, 2021.

(SEAL)

By: _____
City Recorder

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Cindy Lou Trishman, the undersigned City Recorder of Salt Lake City, Utah, do hereby certify, according to the records of the City Council of Salt Lake City, Utah (the "City Council") in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the July 20, 2021, public meeting held by the City Council as follows:

(a) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Salt Lake Tribune on July __, 2021, at least twenty-four (24) hours prior to the convening of the meeting; and

(b) By causing a copy of such Notice to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2021 Annual Meeting Schedule for the City Council (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the City Council to be held during the year, by causing said Notice to be (a) provided to at least one newspaper of general circulation within Salt Lake City, Utah, on _____, 2021, and (b) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this July 20, 2021.

(SEAL)

By: _____
City Recorder

SCHEDULE 1
MEETING NOTICE

SCHEDULE 2
ANNUAL MEETING NOTICE

EXHIBIT A