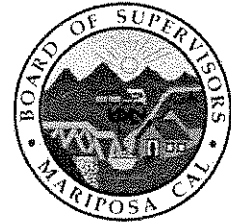




MARIPOSA COUNTY

Administration • 209-966-3222



RESOLUTION - ACTION REQUESTED 2013-67

MEETING: March 5, 2013

TO: The Board of Supervisors

FROM: Rick Benson, County Administrative Officer

RE: BID Resolution of Intention

RECOMMENDATION AND JUSTIFICATION: Adopt a Resolution of Intention to renew the Mariposa County Tourism Business Improvement District and assessment (MCTBID) and fix March 19, 2013 at 9:00 a.m., or as soon thereafter as the matter may be heard in the Board Chambers, as the time and place for a public meeting and April 23, 2013, at 9:00 a.m., or as soon thereafter as the matter may be heard, in the Board Chambers, as the time and place for a public hearing.

The Yosemite/Mariposa County Tourism Bureau wishes to renew the Business Improvement District which allows for a 1% assessment to be placed on each room rental. The process for placing this assessment includes securing agreement from the owners of at least 50% of the rooms within the district to impose the assessment. The process further requires your Board to conduct a public meeting, and a public hearing on this matter. The attached Resolution of Intention addresses the legal requirements including findings by your Board, and schedules the required meeting and hearing.

BACKGROUND AND HISTORY OF BOARD ACTIONS: The Business Improvement District was originally established in 2008 through this same process. Your Board approved the formation of the district and the assessment on April 1, 2008 with the adoption of Resolution 08-129.

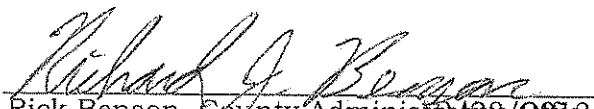
ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: If your Board does not approve the renewal of the Business Improvement District the 1% assessment will cease and the Tourism Bureau will not receive the approximately \$1 million in funding which is currently being generated.

FINANCIAL IMPACT:
None

ATTACHMENTS:
BID RESOLUTION OF INTENTION 3-5-13 (DOCX)
Certification (PDF)

CAO RECOMMENDATION

Requested Action Recommended


Rick Benson, County Administrator/Office

RESULT: ADOPTED [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: John Carrier, District V Supervisor
AYES: Janet Bibby, John Carrier, Merlin Jones
EXCUSED: Lee Stetson, Kevin Cann

RESOLUTION NO. 2013 - 67

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA DECLARING ITS INTENTION TO RENEW THE MARIPOSA COUNTY TOURISM BUSINESS IMPROVEMENT DISTRICT (MCTBID) AND FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF

WHEREAS, the Property and Business Improvement Law of 1994, Streets and Highways Code § 36600 et seq., authorizes counties to establish and renew property and business improvement districts for the purposes of promoting tourism; and

WHEREAS, the Yosemite/Mariposa County Tourism Bureau, lodging business owners, members of the business community and representatives from the County of Mariposa have met to consider the renewal of the Mariposa County Tourism Business Improvement District (MCTBID); and

WHEREAS, Yosemite/Mariposa County Tourism Bureau has drafted a Management District Plan which sets forth the proposed boundary of the MCTBID, a service plan and budget, and a proposed means of governance; and

WHEREAS, a majority of the lodging business owners subject to assessment under the MCTBID have petitioned the Board of Supervisors to establish the MCTBID.

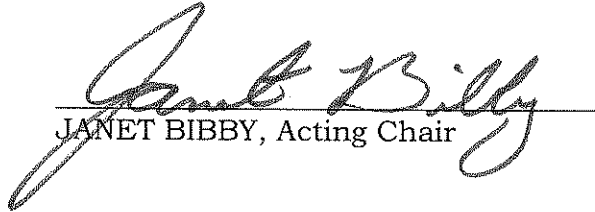
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS THAT:

1. The recitals set forth herein are true and correct.
2. The Board of Supervisors finds that the lodging businesses that will pay more than fifty percent (50%) of the assessment proposed in the Management District Plan have signed and submitted petitions in support of the renewal of the MCTBID. The Board of Supervisors accepts the petitions and adopts this resolution of intention to renew the MCTBID and to levy an assessment on lodging businesses within the MCTBID boundaries in accordance with the Property and Business Improvement District Law of 1994.
3. The Board of Supervisors finds that the Management District Plan satisfies all requirements of Streets and Highways Code §36622.
4. The Board of Supervisors declares its intention to renew the MCTBID and to levy and collect assessments on lodging businesses within the MCTBID boundaries pursuant to the Property and Business Improvement District Law of 1994.
5. The boundaries of the MCTBID shall be the boundaries of the unincorporated area of the County of Mariposa. Please see the attached map, incorporated herein as Exhibit A.

6. The name of the district shall be the Mariposa County Tourism Business Improvement District (MCTBID).
7. The annual assessment rate is 1% of gross short term (stays less than 31 days) room rental revenue on lodging businesses. Assessments shall not include revenue from stays by government employees on government business.
8. The assessments levied for the MCTBID shall be applied toward sales promotion and marketing programs to market Mariposa County lodging businesses as tourist, meeting and event destinations, as set forth in the Management District Plan. Funds remaining at the end of any year may be used in subsequent years in which MCTBID assessments are levied as long as they are used consistent with the requirements of this resolution and the Management District Plan.
9. The MCTBID will have a five-year term unless renewed pursuant to Streets and Highways Code § 36660.
10. Bonds will not be issued.
11. The time and place for the public meeting to consider establishing the MCTBID are set for March 19, 2013, at 9:00 a.m., or as soon thereafter as the matter may be heard, at the Board Chambers located at 5100 Bullion Street, Mariposa, CA 95338.
12. The time and place for the public hearing to establish the MCTBID are set for April 23, 2013, at 9:00 a.m., or as soon thereafter as the matter may be heard, at the Board Chambers located at 5100 Bullion Street, Mariposa, CA 95338. The Clerk of the Board is directed to provide written notice to the lodging businesses subject to assessment of the date and time of the hearing and to provide that notice as required by Streets and Highways Code § 36623.
13. At the public hearing the testimony of all interested persons for or against the establishment of the MCTBID may be received. If at the conclusion of the public hearing, there are of record written protests by the owners of the lodging businesses within the proposed MCTBID that will pay fifty percent (50%) or more of the estimated total assessment of the entire MCTBID, no further proceedings to establish the MCTBID shall occur.
14. The complete Management District Plan is on file with the Clerk of the Board and may be reviewed upon request.
15. This resolution shall take effect immediately upon its adoption by the Board of Supervisors.

I HEREBY CERTIFY that the foregoing Resolution of Intention was introduced and adopted at a regular meeting of the Board of Supervisors on the 5th day of March, 2013, by the following vote:

AYES: BIBBY, CARRIER, JONES
NOES: NONE
ABSENT: STETSON, CANN
ABSTAIN: NONE



JANET BIBBY, Acting Chair

ATTEST:

APPROVED AS TO FORM:



RENE' LaROCHE, Clerk of the Board



STEVEN W. DAHLEM, County Counsel

EXHIBIT A
District Boundaries

