

RESOLUTION NO. 2018 - ____

A) A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE DECLARING ITS INTENTION TO ESTABLISH THE LAKE COUNTY TOURISM IMPROVEMENT DISTRICT (LCTID) 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 the County to establish business improvement districts for the purposes of promoting tourism; the proposed LCTID will provide specific benefits to assessed lodging businesses by funding marketing and sales promotion programs that are designed to increase room night sales for assessed lodging businesses; this approach has been successfully used in other destination areas throughout the country; and

WHEREAS, lodging business owners, representatives from the cities of Lakeport and Clearlake, and representatives from the County of Lake have met to consider the formation of the Lake County Tourism Improvement District (LCTID); and

WHEREAS, the County of Lake worked with lodging business owners to draft a Management District Plan (Plan) which sets forth the proposed boundary of the LCTID, a service plan and budget, and a proposed means of governance; and

WHEREAS, the proposed district includes lodging businesses in the cities of Lakeport and Clearlake; and

WHEREAS, consent to include lodging businesses in their respective jurisdictions will be requested from the cities of Lakeport and Clearlake; and

WHEREAS, lodging business who will pay more than fifty percent (50%) of the assessment under the LCTID have supported this action by signing petitions in favor of the formation of the LCTID by the Board of Supervisors; and

WHEREAS, notices will be mailed on or before June 22, 2018 regarding the upcoming public meeting held at least ten (10) days after the notice is mailed where lodging business owners can comment; and

WHEREAS, a public hearing will be held at least forty-five (45) days after the notice is mailed; and

WHEREAS, if the Board of Supervisors finds that there is not a majority protest against formation of the proposed LCTID, a Resolution of Formation may be adopted by the Board of Supervisors after the conclusion of the public hearing; and

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 lodging businesses that will pay more than fifty percent (50%) of the assessment proposed in the Plan have signed and submitted petitions in support of the formation of the LCTID. The Board of Supervisors accepts the petitions and adopts this Resolution of Intention to establish the LCTID and to levy an assessment on certain lodging businesses within the LCTID boundaries in accordance with the Property and Business Improvement District Law of 1994.
3. The Board of Supervisors finds that the Plan satisfies all requirements of Streets and Highways Code § 36622.
4. The Board of Supervisors declares its intention to establish the LCTID and to levy and collect assessments on lodging businesses within the LCTID boundaries pursuant to the Property and Business Improvement District Law of 1994.
5. The LCTID shall include all lodging businesses located within the boundaries of the cities of Lakeport and Clearlake and the unincorporated area of Lake County, as shown in the map attached as Exhibit A.
6. The name of the district shall be Lake County Tourism Improvement District (LCTID).
7. The annual assessment rate is three percent (3%) of gross short-term room rental revenue. Based on the benefit received, assessments will not be collected on: stays of more than thirty (30) consecutive days; stays by any federal or state officer or employee when on official business; stays by any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty; stays at a campsite in a unit of the state park system or any facility operated by a local government entity; and stays pursuant to contracts executed prior to September 1, 2018.
8. The assessments levied for the LCTID shall be applied toward sales promotion and marketing programs to market assessed lodging businesses in Lake County as tourist, meeting, and event destinations, as described in the Plan. Funds remaining at the end of any year may be used in subsequent years in which LCTID assessments are levied as long as they are used consistent with the requirements of this resolution and the Plan.
9. The proposed LCTID will have a five (5) year term, beginning September 1, 2018 through August 30, 2023, unless renewed pursuant to Streets and Highways Code § 36660.
10. Bonds shall not be issued.
11. The time and place for the public meeting to hear testimony on establishing the LCTID and levying assessments are set for July 3, 2018, at 9:00 AM, or as soon thereafter as the matter may be heard, at the Board Chambers located at 255 North Forbes Street, Lakeport, CA 95453.
12. The time and place for the public hearing to establish the LCTID and the levy of assessments are

set for August 7, 2018, at 9:00 AM, or as soon thereafter as the matter may be heard, at the Board Chambers located at 255 North Forbes Street, Lakeport, CA 95453. 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 meeting and hearing, and to provide that notice as required by Streets and Highways Code § 36623, no later than June 22, 2018.

13. At the public meeting and hearing the testimony of all interested persons for or against the establishment of the LCTID 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 LCTID that will pay more than fifty percent (50%) of the estimated total assessment of the entire LCTID, no further proceedings to establish the LCTID shall occur for a period of one year.
14. The complete 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.

THIS RESOLUTION was passed by the Board of Supervisors of the County of lake at a regular meeting thereof held on June 19, 2018, by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

ATTEST: CAROL J. HUCHINGSON
Clerk of the Board

By: _____
Deputy

Chair, Board of Supervisors

APPROVED AS TO FORM;
ANITA L. GRANT
County Counsel

By: _____

EXHIBIT A
District Boundaries

