

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

847



**FROM:** Executive Office & Treasurer-Tax Collector


**SUBMITTAL DATE:**  
May 20, 2009

**SUBJECT:** Resolution No. 2009-173 confirming the report of the advisory board of the Palm Springs Desert Resort Communities Tourism Business Improvement District and levying an assessment for fiscal year 2009-2010.

**RECOMMENDED MOTION:** That the Board of Supervisors adopt Resolution No. 2009-173 confirming the report of the Advisory Board of the Palm Springs Desert Resort Communities Tourism Business Improvement District and Levying an assessment for fiscal year 2009-2010.

**BACKGROUND:** On April 21, 2009, (item 3.4) the County Board of Supervisors approved Resolution 2009-157 declaring its intent to levy and collect assessments for fiscal year 2009-2010 on assessable hotels and assessable motels located with the Palm Springs Desert Resort Communities Tourism Business Improvement District (Tourism BID) in the Coachella Valley.

(Continued)

  
\_\_\_\_\_  
Don Kent, Treasurer-Tax Collector

  
\_\_\_\_\_  
Dan Martinez, Deputy County Executive Officer

FORM APPROVED COUNTY COUNSEL  
BY:  5/19/09  
DALE A. GARDNER DATE  
Departmental Concurrence

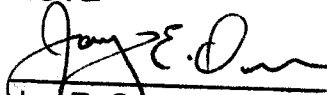
<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2009/10

<b>SOURCE OF FUNDS:</b> N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY:

  
\_\_\_\_\_  
Jay E. Orr

**County Executive Office Signature**

- Consent
- Policy
- Consent
- Policy

Dept's Recomm.:  
Per Exec. Ofc.:

**Form 11**

**SUBJECT:** Resolution No. 2009-173 confirming the report of the advisory board of the Palm Springs Desert Resort Communities Tourism Business Improvement District and levying an assessment for fiscal year 2009-2010.

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On May 12, 2009 (item 9.3) the County Board of Supervisors held a public hearing to allow for public comment and protest regarding the County's intent to levy an annual assessment within the Tourism BID for fiscal year 2009-2010 and to amend the Tourism BID Ordinance. The Board continued the item for one week and on May 19, 2009 (item 9.5) the Board determined that a majority protest does not exist for the proposed annual assessment levy for fiscal year 2009-2010.

Resolution 2009-173 confirms, adopts, and approves the Tourism BID Advisory Board's report for fiscal year 2009-2010 as originally filed with the Clerk of the Board. This report identifies the activities, estimated costs of the activities, the method and basis of levying of the assessments under the Tourism BID and proposes amending the definition of the term "Gross Rental Charges" in the Tourism BID Ordinance to remove the requirement for assessable hotels and assessable motels to levy an assessment on revenue received from 1) overnight stays by governmental employees or 2) overnight stays by long term guests who stay more than twenty-eight consecutive nights at the same assessable hotel or assessable motel.

Due to the recognized potential benefits and overall interest shown in forming the Tourism BID in the Coachella Valley, it is recommended that the Board adopt Resolution No. 2009-173.

2 RESOLUTION NO. 2009-173

3  
4 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE  
5 CONFIRMING THE REPORT OF THE ADVISORY BOARD OF THE PALM SPRINGS DESERT  
6 RESORT COMMUNITIES TOURISM BUSINESS IMPROVEMENT DISTRICT AND LEVYING AN  
7 ASSESSMENT FOR FISCAL YEAR 2009-2010

8  
9 WHEREAS, the California Legislature adopted the Parking and Business Improvement Area Law  
10 of 1989 (Streets & Highways Code § 36500 et, seq.) (the "Act") to authorize cities and counties to levy  
11 assessments on businesses in order to promote economic revitalization and tourism, to create jobs, attract  
12 new businesses and prevent erosion of business districts; and

13 WHEREAS, the Board of Supervisors of the County of Riverside (the "Board of Supervisors")  
14 established a business improvement district, under the Act, to be commonly known as the Palm Springs  
15 Desert Resort Communities Tourism Business Improvement District ("Tourism BID"), the purpose of  
16 which is to promote tourism within the desert communities and to fund programs that benefit the hotel and  
17 motel businesses within desert communities; and

18  
19 WHEREAS, the territory included in the Tourism BID is coterminous with the operational  
20 boundaries of the Palm Springs Desert Resort Communities Convention and Visitor's Authority ("CVA"),  
21 excluding that area within the incorporated city limits of the City of Palm Desert, but including  
22 unincorporated Coachella Valley and the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio,  
23 La Quinta, Palm Springs, and Rancho Mirage, which cities have granted the County of Riverside authority  
24 to establish the Tourism BID within their jurisdictions; and

WHEREAS, lodging businesses within the boundaries of the Tourism BID requested that the Board  
of Supervisors establish the Tourism BID; and it is the opinion of the Board of Supervisors that the hotel  
and motel businesses located within the Tourism BID have benefited and will continue to benefit from the

FORM APPROVED COUNTY COUNSEL

BY: *[Signature]*  
DATE: 5/11/09

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1 activities of the Tourism BID; and

2 WHEREAS, by adoption Resolution Number 2008-330, on July 1, 2008, the Board of Supervisors  
3 appointed the Hospitality Industry and Business Council of CVA to serve as the Advisory Board for the  
4 Tourism BID; and

5 WHEREAS, the Advisory Board filed a report with the Clerk of the Board identifying the activities  
6 to be provided for fiscal year 2009–2010 within the Tourism BID, the estimated costs of providing those  
7 activities, and the method and basis of levying assessments on assessable businesses within the boundaries  
8 of the Tourism BID; and

9 WHEREAS, the Board of Supervisors tentatively approved said report subject to any further  
10 modification that might be necessary or desirable based upon future recommendations by staff and public  
11 participation at the public hearing concerning the proposed annual levy; and

12 WHEREAS, a public hearing on the annual report, the proposed activities to be undertaken, the  
13 estimated cost of those activities, the method and basis of levying assessments, and the proposed annual  
14 levy of assessments was held on May 12, 2009 and continued to and completed on May 19, 2009; and

15 WHEREAS, during the public hearing the Board of Supervisors heard the testimony of all interested  
16 persons for or against the furnishing of specific types of activities, the estimated cost of those activities, the  
17 method and basis of levying assessments, and the proposed annual levy of assessments for fiscal year 2009-  
18 2010; and

19 WHEREAS, at the public hearing, the Board of Supervisors also heard, considered, and overruled  
20 all protests against the furnishing of specific types of activities, the estimated cost of those activities, the  
21 method and basis of levying assessments, and the proposed annual levy of assessments for fiscal year 2009-  
22 2010 and determined that a majority protest did not exist;

23 NOW, THEREFORE, the Board of Supervisors of the County of Riverside does hereby resolve,  
24 find, determine and order as follows:  
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