

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

760



FROM: Economic Development Agency

SUBMITTAL DATE:
June 6, 2013

SUBJECT: Public Hearing and Resolution No. 2013-119 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 2013-2014

RECOMMENDED MOTION: That the Board of Supervisors :

1. Adopt Resolution No. 2013-119 Confirming the Report of the Advisory Board of the Tourism Business Improvement District (BID) and Levying an Assessment for Fiscal Year 2013-2014; and
2. Hold the public hearing and at the conclusion of the public hearing, overrule all protests to the proposed annual assessment levy for fiscal year 2013-2014 and the proposed types of activities, and determine that a majority protest does not exist.

BACKGROUND: (Commences on Page 2)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	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:	2013/14

COMPANION ITEM ON BOARD AGENDA: No

SOURCE OF FUNDS: 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:
Karen L. Johnson

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY: DALE A. GARDNER, Concurrence
DATE: 5/21/13

By: Don Kent, Treasurer-Tax Collector
Office of the Treasurer-Tax Collector

Dept't Recomm.: Consent
 Policy
 Per Exec. Ofc.: Consent
 Policy

1000 WVA 50 1M 5: 30
OFFICE OF THE COUNTY CLERK
COUNTY OF RIVERSIDE, CALIFORNIA

9-1

Prev. Agn. Ref.: | **District:** 4/4, 5/4 | **Agenda Number:**

BACKGROUND:

On November 25, 2008, the Riverside County Board of Supervisors adopted Ordinance No. 883 establishing the Tourism BID.

Resolution No. 2013-119, confirms, adopts, and approves the Tourism BID Advisory Board's report for fiscal year 2013-2014, as originally filed with the Clerk of the Board. This report identifies the activities of the Tourism BID, the estimated costs of the activities, and the method and bases of levying of the assessment under the Tourism BID.

The level of assessment being considered for the fiscal year 2013-2014 Tourism BID will remain at 2% of the sale of overnight room stays and will apply only to hotels and motels with 50 or more sleeping rooms. There are approximately 75 hotels/motels within the proposed Tourism BID boundaries that fall in this category. The total annual revenue projected in fiscal year 2013-2014 is approximately \$6.54 million. The revenue collected will be used to fund the following activities to promote tourism for the Tourism BID jurisdictions in the Coachella Valley:

1. Marketing;
2. Brochure development and distribution;
3. Promotion of public events that benefit businesses in the area and take place on or in public places within the area; and
4. Activities that benefit businesses located and operating in the area, including but not limited to downtown shopping and promotional programs.

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3 RESOLUTION NO. 2013-119

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5 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
6 CONFIRMING THE REPORT OF THE ADVISORY BOARD OF THE PALM SPRINGS DESERT
7 RESORT COMMUNITIES TOURISM BUSINESS IMPROVEMENT DISTRICT AND LEVYING AN
8 ASSESSMENT FOR FISCAL YEAR 2013-2014
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11 WHEREAS, the California Legislature adopted the Parking and Business Improvement Area Law
12 of 1989 (Streets & Highways Code § 36500 et, seq.) (the "Act") to authorize cities and counties to levy
13 assessments on businesses in order to promote economic revitalization and tourism, to create jobs, attract
14 new businesses and prevent erosion of business districts;

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

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

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

FORM APPROVED COUNTY COUNSEL
BY: *Dalea Gardner* 5/20/13
DALEA GARDNER DATE

1 WHEREAS, by adopting Resolution Number 2008-330, on July 1, 2008, the Board of Supervisors
2 appointed the Hospitality Industry and Business Council, Inc. (formerly known as the Hospitality Industry
3 and Business Council of CVA) to serve as the Advisory Board for the Tourism BID;

4 WHEREAS, the Advisory Board filed an annual report with the Clerk of the Board identifying the
5 activities to be provided for fiscal year 2013-2014 within the Tourism BID, the estimated costs of providing
6 those activities, and the method and basis of levying assessments on assessable businesses within the
7 boundaries of the Tourism BID;

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

11 WHEREAS, the public hearing concerning the annual report, the Tourism BID, the proposed
12 activities to be undertaken, the estimated cost of those activities, and the proposed levy of an annual
13 assessment was held on June 4, 2013;

14 WHEREAS, during the public hearing the Board of Supervisors heard the testimony of all interested
15 persons for or against the Tourism BID, the furnishing of specific types of activities, the estimated cost of
16 those activities, and the proposed levy of an annual assessment for fiscal year 2013-2014; and

17 WHEREAS, at the public hearing, the Board of Supervisors also heard, considered, and overruled
18 all protests against the Tourism BID, the furnishing of specific types of activities, the estimated cost of
19 those activities, and the proposed levy of an annual assessment for fiscal year 2013-2014 and determined
20 that a majority protest did not exist;

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

23 Section 1. Recitals are True and Correct. The recitals set forth herein are true and correct.

24 Section 2. Annual Report of Advisory Board Confirmed. The Board of Supervisors hereby
25 confirms, adopts, and approves the annual report for fiscal year 2013-2014 as originally submitted and filed
26 by the Advisory Board. The Tourism BID, the activities, the estimated costs of the activities, and the
27 proposed levy of an annual assessment as described in the annual report are confirmed, adopted, and
28 approved.

1 An annual assessment shall be levied on Assessable Hotels and Assessable Motels within the
2 boundaries of the Tourism BID for fiscal year 2013-2014. The method and basis of levying the annual
3 assessment remains unchanged from prior fiscal years. There will be no increase in the annual assessment.
4 The assessment for hotels and motels with fifty (50) or more sleeping rooms is two percent (2 %) of the
5 gross rental charges for overnight room stays. Gross Rental Charges shall equal the total dollar amount
6 charged for overnight room rentals to guests (with the exception of government employees and with the
7 exception of long term guests who stay more than twenty-eight consecutive nights at the same Assessable
8 Hotel or Assessable Motel), but shall not include incidental room charges such as room service, video
9 rental, or similar charges. Gross Rental Charges are equal to the total consideration charged for room rental
10 valued in U. S. dollars, whether or not received and whether received in money or other consideration such
11 as goods, labor, property or otherwise. New hotels and motels that have fifty (50) or more sleeping rooms
12 and are located within the Tourism BID boundaries will not be exempt from the assessment levy pursuant
13 to Section 36531 of the California Streets and Highways Code. For further details, reference is made to the
14 report on file with the Clerk of the Board and to the ordinance establishing the Tourism BID.

15 The adoption of this resolution shall constitute the levy of an assessment for fiscal year 2013-2014.

16 The County Treasurer-Tax Collector shall establish an interest bearing trust fund for deposit of all
17 assessments collected for fiscal year 2013-2014. On a quarterly basis, the County Treasurer-Tax Collector
18 may deduct monies from the trust fund to reimburse itself and other County departments for actual costs
19 associated with the administration of the Tourism BID. On a quarterly basis, after first deducting such
20 administrative costs, the County Treasurer-Tax Collector shall transfer all remaining assessment revenues
21 and interest in the trust account to CVA for expenditure pursuant to and in accordance with the annual
22 report. Transferred assessment revenues shall only be expended for expenditures authorized by the
23 ordinance establishing the Tourism BID and the annual report as confirmed by this resolution.

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1 Section 3. Effective Date. This resolution shall take effect immediately upon its adoption.

2 PASSED AND ADOPTED this 4th day of June 2013.

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4 ATTEST:

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7 Clerk of the Board

John J. Benoit, Chairman
Board of Supervisors of the County of Riverside

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