

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

661



FROM: Economic Development Agency

SUBMITTAL DATE:
April 22, 2010

SUBJECT: Public meeting regarding the formation of the Palm Springs Desert Communities Tourism Business Improvement District

RECOMMENDED MOTION: That the Board of Supervisors provide an opportunity for comments and questions regarding the formation of Palm Springs Desert Resort Communities Tourism Business Improvement District (Tourism BID).

BACKGROUND: On March 16, 2010 (item #3.19), the County Board of Supervisors approved Resolution 2010-090 declaring its intent to modify the boundaries of the Tourism BID to include Palm Desert and levy and collect assessments for fiscal year 2010-2011 on assessable hotels and motels located within Palm Springs Desert Resort Communities Tourism Business Improvement District in the Coachella Valley. Part of Resolution 2010-090 includes scheduling this public meeting to comply with requirements pursuant to provisions of California Government Code Section 54954.6 and California Streets and Highways Code Section 36523.5.

FORM APPROVED COUNTY COUNSEL
BY DALE GARDNER DATE 4/22/10

Robert Field

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:	10/11

COMPANION ITEM ON BOARD OF DIRECTORS 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: *Jennifer L. Sargent*
Jennifer L. Sargent

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: May 4, 2010
xc: EDA, Treasurer

Kecia Harper-Ihem
Clerk of the Board
By: *Jennifer L. Sargent*
Deputy

Prev. Agn. Ref.: 3.19 of 3/16/10 **District:** 4, 5 **Agenda Number:** 3.48

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

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

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

270



FROM: Economic Development Agency

SUBMITTAL DATE:
March 4, 2010

SUBJECT: Adoption of Resolution 2010-090, declaring intent to levy and collect assessments for fiscal year 2010-2011 on assessable hotels and assessable motels located within the Palm Springs Desert Resort Communities Tourism Business Improvement District.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the fiscal year 2010-2011 advisory committee report from the Hospitality Industry Business Council to support the Tourism BID levy for fiscal year 2010-2011, on file with the Clerk of the Board; and
2. Approve and adopt Resolution 2010-090, a resolution of the County of Riverside Board of Supervisors declaring its intention to levy and collect assessments for fiscal year 2010-2011 on assessable hotels and assessable motels located within the Palm Springs Desert Resort Communities Tourism Business Improvement District, approving the annual report by the district and advisory board and setting the time and place of a public hearing and giving notice of same.

BACKGROUND: In June 2008, the Palm Springs Desert Resort Communities Convention and Visitors Authority (CVA) requested that the County form the Palm Springs Desert Resort Communities Tourism Business Improvement District (Tourism BID) in the Coachella Valley.

Robert Field

Robert Field, Assistant County Executive Officer/EDA
By Dan Martinez, EDA Managing Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:
	Annual Net County Cost:	\$ 0	For Fiscal Year: 10/11

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA:

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

C.E.O. RECOMMENDATION: APPROVE

BY: *Jennifer L. Sargent*
Jennifer L. Sargent

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above resolutions are adopted as recommended, and that the matter is set for Tuesday, May 4, 2010 at 9:00 a.m., and for public hearing on Tuesday, May 18, 2010 at 9:30 a.m.

Ayes: Buster, Benoit and Ashley
Nays: Stone

Absent: Tavaglione
Date: March 16, 2010 10:01
xc: EDA, Treasurer-Tax Collector, COB

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.: **District:** 4 & 5 **Agenda Number:**

3.19

FORM APPROVED COUNTY COUNSEL
BY: *Dale A. Gardner*
DATE: 3/19/10
DALE A. GARDNER
Departmental Concurrence

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

Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Economic Development Agency

Adoption of Resolution 2010-090, declaring intent to levy and collect assessments for fiscal year 2010-2011 on assessable hotels and assessable motels located within the Palm Springs Desert Resort Communities Tourism Business Improvement District.

March 4, 2010

Page 2

BACKGROUND (Continued)

The Parking and Business Improvement Area Law of 1989 requires that the Tourism BID be approved and implemented on a fiscal year basis. The attached Resolution 2010-090 begins the process of complying with this requirement for fiscal year 2010-2011. There is no requirement to obtain consent again from the participating cities and none have expressed interest in withdrawing their consent. It is, however, an opportunity for non-member jurisdictions to join. The City of Palm Desert has decided to join the Tourism BID. In its regular meeting of February 11, 2010, the Palm Desert City Council adopted Resolution Number 2010-8 granting consent to the County of Riverside to be included in the Palm Springs Desert Resort Communities Tourism BID. The table below notes when the CVA member cities considered the request from the County and took action on membership in the Tourism BID.

City	Action	Date	Resolution #
Cathedral City	APPROVED	08/13/08	2008-53
Desert Hot Springs	APPROVED	09/02/08	2008-69
Indian Wells	APPROVED	07/17/08	2008-40
Indio	APPROVED	09/17/08	9319
La Quinta	APPROVED	09/16/08	2008-055
Palm Desert	APPROVED	02/11/10	2010-8
Palm Springs	APPROVED	07/30/08	22327
Rancho Mirage	APPROVED	09/04/08	2008-51

Resolution 2010-090 includes a complete description of the Tourism BID and sets the date, time and place for the required public meeting and hearing. It also directs the Clerk of the Board to publish a copy of the resolution in newspapers within the boundaries of the proposed BID. Copies of Resolution 2010-090 will also be mailed to all known owners of each assessable hotel and motel within the proposed boundaries of the Tourism BID. The proposed boundaries of the Tourism BID include the County unincorporated area of the Coachella Valley and the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage.

The proposed Tourism BID is a type of assessment district that is publicly sanctioned but privately directed. The assessment is not considered a tax under Proposition 218 because businesses are being assessed, not property. It will essentially be a public/private partnership where private businesses agree to assess themselves in exchange for the authority to use the funds to benefit their business. Other California counties that have created multi-jurisdictional BIDs include Mendocino County, San Luis Obispo County, and Sonoma County.

Tourism is the Coachella Valley's number one industry. Tourism provides the most jobs and contributes the greatest amount to the local tax base for that area. The Tourism BID provides a stable source of marketing dollars that enhances the area's ability to plan and implement marketing and sales programs. It also provides more control to hospitality professionals on the use of funds generated from their businesses. This source of funds allows the Tourism BID member jurisdictions in the Coachella Valley to be more competitive in the tourism market.

Economic Development Agency

Adoption of Resolution 2010-090, declaring intent to levy and collect assessments for fiscal year 2010-2011 on assessable hotels and assessable motels located within the Palm Springs Desert Resort Communities Tourism Business Improvement District.

March 4, 2010

Page 3

BACKGROUND (Continued)

The level of assessment being considered for the fiscal year 2010-2011 Tourism BID will remain at 2% of the sale of overnight room stays and will again apply only to hotels and motels with 50 or more sleeping rooms. There are approximately 80 hotels/motels within the proposed Tourism BID boundaries that fall in this category. The total annual revenue projected to be generated in fiscal year 2010-2011 is approximately \$4.8 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, advertising, and public relations;
2. Brochure development and distribution;
3. Promotion of public events which benefit businesses in the area and which take place on or in public places within the area; and
4. Activities which benefit businesses located and operating in the area, including but not limited to downtown shopping and promotional programs.

Resolution 2010-090 reflects two changes from the current fiscal year's Tourism BID. The changes are being requested by HIBC in their annual report which is on file with the County Clerk of the Board. The changes are: 1) to modify the Tourism Bid boundaries to annex and include the City of Palm Desert, and 2) to clarify when assessments shall be collected, stating they are due on or before the last day of the month following each quarter.

The County Treasurer-Tax Collector's office began collecting the Tourism BID assessment effective July 1, 2009, in accordance with County Ordinance No. 883.1 for fiscal year 2009-2010. The collection process is done on a quarterly basis. If approved, the collection process will continue with the minor modification as noted above for fiscal year 2010-2011.

It is recommended that the County approve Resolution 2010-090 declaring its intent to continue with the Tourism BID in fiscal year 2010-2011.

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

270



FROM: Economic Development Agency

SUBMITTAL DATE:
March 4, 2010

SUBJECT: Adoption of Resolution 2010-090, declaring intent to levy and collect assessments for fiscal year 2010-2011 on assessable hotels and assessable motels located within the Palm Springs Desert Resort Communities Tourism Business Improvement District.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the fiscal year 2010-2011 advisory committee report from the Hospitality Industry Business Council to support the Tourism BID levy for fiscal year 2010-2011, on file with the Clerk of the Board; and
2. Approve and adopt Resolution 2010-090, a resolution of the County of Riverside Board of Supervisors declaring its intention to levy and collect assessments for fiscal year 2010-2011 on assessable hotels and assessable motels located within the Palm Springs Desert Resort Communities Tourism Business Improvement District, approving the annual report by the district and advisory board and setting the time and place of a public hearing and giving notice of same.

BACKGROUND: In June 2008, the Palm Springs Desert Resort Communities Convention and Visitors Authority (CVA) requested that the County form the Palm Springs Desert Resort Communities Tourism Business Improvement District (Tourism BID) in the Coachella Valley.

Robert Field

Robert Field, Assistant County Executive Officer/EDA
By Dan Martinez, EDA Managing Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:
	Annual Net County Cost:	\$ 0	For Fiscal Year: 10/11

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA:

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

C.E.O. RECOMMENDATION: APPROVE

BY: *Jennifer L. Sargent*
Jennifer L. Sargent

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above resolutions are adopted as recommended, and that the matter is set for Tuesday, May 4, 2010 at 9:00 a.m., and for public hearing on Tuesday, May 18, 2010 at 9:30 a.m.

Ayes: Buster, Benoit and Ashley
Nays: Stone
Absent: Tavaglione
Date: March 16, 2010
xc: EDA, Treasurer-Tax Collector, COB(2)

Kecia Harper-Ihem
Clerk of the Board
By: *[Signature]*
Deputy

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

3.19

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* DATE: 3/16/10
DALE A. GARDNER
Departmental Concurrence

[Signature]
Don Kent, Treasurer-Tax Collector
Office of the Treasurer-Tax Collector

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

BACKGROUND (Continued)

The Parking and Business Improvement Area Law of 1989 requires that the Tourism BID be approved and implemented on a fiscal year basis. The attached Resolution 2010-090 begins the process of complying with this requirement for fiscal year 2010-2011. There is no requirement to obtain consent again from the participating cities and none have expressed interest in withdrawing their consent. It is, however, an opportunity for non-member jurisdictions to join. The City of Palm Desert has decided to join the Tourism BID. In its regular meeting of February 11, 2010, the Palm Desert City Council adopted Resolution Number 2010-8 granting consent to the County of Riverside to be included in the Palm Springs Desert Resort Communities Tourism BID. The table below notes when the CVA member cities considered the request from the County and took action on membership in the Tourism BID.

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Resolution 2010-090 includes a complete description of the Tourism BID and sets the date, time and place for the required public meeting and hearing. It also directs the Clerk of the Board to publish a copy of the resolution in newspapers within the boundaries of the proposed BID. Copies of Resolution 2010-090 will also be mailed to all known owners of each assessable hotel and motel within the proposed boundaries of the Tourism BID. The proposed boundaries of the Tourism BID include the County unincorporated area of the Coachella Valley and the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage.

The proposed Tourism BID is a type of assessment district that is publicly sanctioned but privately directed. The assessment is not considered a tax under Proposition 218 because businesses are being assessed, not property. It will essentially be a public/private partnership where private businesses agree to assess themselves in exchange for the authority to use the funds to benefit their business. Other California counties that have created multi-jurisdictional BIDs include Mendocino County, San Luis Obispo County, and Sonoma County.

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Economic Development Agency

Adoption of Resolution 2010-090, declaring intent to levy and collect assessments for fiscal year 2010-2011 on assessable hotels and assessable motels located within the Palm Springs Desert Resort Communities Tourism Business Improvement District.

March 4, 2010

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BACKGROUND (Continued)

The level of assessment being considered for the fiscal year 2010-2011 Tourism BID will remain at 2% of the sale of overnight room stays and will again apply only to hotels and motels with 50 or more sleeping rooms. There are approximately 80 hotels/motels within the proposed Tourism BID boundaries that fall in this category. The total annual revenue projected to be generated in fiscal year 2010-2011 is approximately \$4.8 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, advertising, and public relations;
2. Brochure development and distribution;
3. Promotion of public events which benefit businesses in the area and which take place on or in public places within the area; and
4. Activities which benefit businesses located and operating in the area, including but not limited to downtown shopping and promotional programs.

Resolution 2010-090 reflects two changes from the current fiscal year's Tourism BID. The changes are being requested by HIBC in their annual report which is on file with the County Clerk of the Board. The changes are: 1) to modify the Tourism Bid boundaries to annex and include the City of Palm Desert, and 2) to clarify when assessments shall be collected, stating they are due on or before the last day of the month following each quarter.

The County Treasurer-Tax Collector's office began collecting the Tourism BID assessment effective July 1, 2009, in accordance with County Ordinance No. 883.1 for fiscal year 2009-2010. The collection process is done on a quarterly basis. If approved, the collection process will continue with the minor modification as noted above for fiscal year 2010-2011.

It is recommended that the County approve Resolution 2010-090 declaring its intent to continue with the Tourism BID in fiscal year 2010-2011.

2
3 RESOLUTION NO. 2010 - 090

4 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
5 DECLARING ITS INTENTION TO MODIFY THE BOUNDARIES OF THE PALM SPRINGS DESERT
6 RESORT COMMUNITIES TOURISM BUSINESS IMPROVEMENT DISTRICT TO INCLUDE THE
7 CITY OF PALM DESERT WITHIN THE BOUNDARIES OF THE DISTRICT, DECLARING ITS
8 INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2010-2011 ON CERTAIN
9 HOTELS AND MOTELS LOCATED WITHIN THE BOUNDARIES OF THE DISTRICT AS
10 AMENDED, AND SETTING THE TIME AND PLACE OF A PUBLIC MEETING AND PUBLIC
11 HEARING AND GIVING NOTICE OF SAME

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

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

22 WHEREAS, the benefitted hotel and motel businesses within the Tourism BID boundaries
23 requested the Board of Supervisors to establish the Tourism BID and to levy annual assessments to fund
and support certain tourism-related activities; and

24 WHEREAS, the territory currently included within the boundaries of the Tourism BID is
25 coterminous with the operational boundaries of the Palm Springs Desert Resorts Convention and Visitors

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* DATE: 5/19/10
DALE R. GARDNER

1 Authority (“CVA”), excluding that area within the incorporated city limits of the City of Palm Desert, but
2 including unincorporated Coachella Valley and the cities of Cathedral City, Desert Hot Springs, Indian
3 Wells, Indio, La Quinta, Palm Springs, and Rancho Mirage, which cities have granted the County of
4 Riverside consent to establish the Tourism BID within their jurisdictions; and

5 WHEREAS, the City of Palm Desert is currently outside the established boundaries of the Tourism
6 BID, but the City Council has recently consented to the inclusion of the City of Palm Desert within the
7 Tourism BID boundaries; and

8 WHEREAS, the Advisory Board, appointed by the Board of Supervisors pursuant to Government
9 Code Section 36530, has filed an annual report with the Clerk of the Board which recommends modifying
10 the Tourism BID boundaries to annex and include the City of Palm Desert within the Tourism BID; and

11 WHEREAS, the Board of Supervisors intends to modify the Tourism BID boundaries to include
12 and annex the City of Palm Desert within the Tourism BID; and

13 WHEREAS, after the intended boundary modification, the territory within the Tourism BID
14 boundaries will be coterminous with the operational boundaries of CVA, including unincorporated
15 Coachella Valley and the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm
16 Springs, Palm Desert and Rancho Mirage; and

17 WHEREAS, the Advisory Board’s annual report also recommends the levy of an annual assessment
18 for fiscal year 2010-2011 on assessable hotel and motel businesses located within the Tourism BID to pay
19 for recommended tourism-related activities that will benefit the assessable hotel and motel businesses
20 located within the Tourism BID; and

21 WHEREAS, the Board of Supervisors intends to levy an annual assessment for fiscal year 2010-
22 2011 to pay for recommended tourism-related activities within the Tourism BID; and

23 WHEREAS, it is the opinion of the Board of Supervisors that all of the assessable hotel and motel
24 businesses located within the Tourism BID will benefit from the activities of the Tourism BID; and
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1 WHEREAS, this Resolution of Intention will commence proceedings under the Act to modify the
2 Tourism BID boundaries to include and annex the City of Palm Desert within the Tourism BID and to levy
3 the annual assessment for fiscal year 2010-2011 within the Tourism BID;

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

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

7 Section 2. Intent to Modify the Boundaries of the Tourism BID. The Board of Supervisors
8 declares its intent to modify the boundaries of the Tourism BID. It is the intent of the Board of Supervisors
9 to modify the Tourism BID boundaries by extending the boundaries to include and encompass the City of
10 Palm Desert and thereby annex the City of Palm Desert into the Tourism BID. Upon final approval of the
11 intended boundary modification, the Tourism BID boundaries will be coterminous with the operational
12 boundaries of CVA. A map reflecting the territory included within the modified Tourism BID boundaries
13 is attached hereto as Exhibit A and is also on file with the Clerk of the Board.
14

15 Section 3. Intent to Levy and Collect Assessments within the Tourism BID for fiscal year 2010-
16 2011. Pursuant to and under authority of the Act, except where funds are otherwise available, the Board of
17 Supervisors declares its intent to levy and collect an annual assessment within the boundaries of the
18 Tourism BID to fund the tourism-related activities recommended in the Advisory Board's annual report on
19 file with the Clerk of the Board. Pursuant to the Act and Ordinance No. 883, an annual assessment is
20 intended to be levied on all hotels and motels that have fifty (50) or more sleeping rooms and are located
21 within the Tourism BID boundaries. It is estimated that approximately \$ 4.8 million in revenue will be
22 raised by the intended annual assessment.
23

24 Section 4. Method and Basis of Levy. The method and basis of levying the intended annual
25 assessment follows:
26

27 a. The assessment for hotels and motels with fifty (50) or more sleeping rooms is two percent
28 (2 %) of the gross rental charges for overnight room stays. Gross Rental Charges shall equal the total

1 dollar amount charged for overnight room rentals to guests (with the exception of government employees
2 and with the exception of long term guests who stay more than twenty-eight consecutive nights at the same
3 Assessable Hotel or Assessable Motel), but shall not include incidental room charges such as room service,
4 video rental, or similar charges. Gross Rental Charges are equal to the total consideration charged for room
5 rental valued in U. S. dollars, whether or not received and whether received in money or other
6 consideration such as goods, labor, property or otherwise.
7

8 b. New hotels and motels that have fifty (50) or more sleeping rooms and are located within
9 the Tourism BID boundaries will not be exempt from the assessment levy pursuant to Section 36531 of the
10 California Streets and Highways Code.

11 c. The benefit assessments shall be collected by the County in four (4) installments. Each
12 operator of an assessable hotel or motel shall, on or before the last day of the month following each quarter,
13 make a report to the County Treasurer-Tax Collector on forms provided by the County reflecting the
14 amount of assessment due for that quarter. The report and amount become delinquent on the last day of the
15 month following the close of each calendar quarter. The full amount of the assessment calculated shall be
16 remitted to the County Treasurer-Tax Collector at the time that the return form is filed. The County
17 Treasurer-Tax Collector may establish shorter reporting or remitting periods for any operator and may
18 require additional information in any return. Returns and payments are due immediately upon cessation of
19 business for any reason. Each return shall contain a declaration under penalty of perjury, executed by the
20 operator or its authorized agent, that, to the best of the declarant's knowledge, the statements in the return
21 are true, correct, and complete. Any operator of an assessable hotel or motel who fails to remit any
22 assessment within the time required shall pay a penalty of ten percent (10 %) of the amount of the
23 assessment in addition to the amount of the assessment. Any operator of an assessable hotel or motel who
24 fails to remit any delinquent remittance on or before the fifteenth day of the month following the date of the
25 first penalty shall pay a second delinquency penalty of ten percent (10 %) of the amount of
26 the assessment in addition to the amount of assessment and the ten percent (10 %) penalty first imposed.
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1 d. The County may charge an administrative fee for the collection and processing of the
2 assessments in order to cover its reasonable costs for this service.

3 e. If the County Treasurer-Tax Collector determines that the nonpayment of any assessment is
4 due to fraud, a penalty of twenty-five percent (25 %) of the amount of the assessment shall be added thereto
5 in addition to the penalties stated above.

6 f. In addition to the penalties imposed, any operator of an assessable hotel or motel who fails
7 to remit any assessment shall pay interest at the rate of one percent (1 %) per month, or fraction thereof, on
8 the amount of tax, exclusive of penalties, from the date on which the remittance first became delinquent
9 until paid.

10 g. Every penalty imposed and such interest as accrued under the provisions of this section shall
11 become a part of the assessment required to be paid.

12 Section 5. Types of Activities To Be Funded. The proposed type or types of activities to be funded
13 by and through the annual levy of assessments on businesses within the Tourism BID are as follows:

- 14 a. Marketing, advertising, and public relations;
15 b. Brochure development and distribution;
16 c. Promotion of public events which benefit businesses in the area and which take place
17 on or in public places within the area;
18 d. Activities which benefit businesses located and operating in the area, including but
19 not limited to downtown shopping and promotional programs.

20 Section 6. Advisory Board's Annual Report. The Board of Supervisors appoints HIBC, Inc. (an
21 advisory council to CVA) to serve as the Advisory Board for the Tourism BID. HIBC, Inc. has filed its
22 annual report with the Clerk of the Board. The Board of Supervisors approves said report subject to any
23 further modification that may be necessary or desirable based upon future recommendations by staff and
24 public participation at the public meeting and public hearing.

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1 Section 7. Joint Notice of Time and Place of Public Meeting and Public Hearing.

2 NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Riverside will hold a
3 Public Meeting and Public Hearing on the intended modification of the Tourism BID boundaries and the
4 intended levy of an annual assessment within the Tourism BID.

5 The time and place of the public meeting on the intended modification of the Tourism BID
6 boundaries and the intended levy of the annual assessment shall be at 9:00 a.m., May 4, 2010, or as soon
7 thereafter as this matter may be heard, at the Board of Supervisor's Chambers, located on the first floor of
8 the County Administrative Center, 4080 Lemon Street in Riverside, California 92501. The public meeting
9 may be continued from time to time as necessary.

10 The time and place of the public hearing on the intended modification of the Tourism BID
11 boundaries and the intended levy of the annual assessment shall be at 9:30 a.m., May 18, 2010, or as soon
12 thereafter as this matter may be heard, at the Board of Supervisor's Chambers, located on the first floor of
13 the County Administrative Center, 4080 Lemon Street in Riverside, California 92501. The public hearing
14 may be continued from time to time as necessary.

15 At the public hearing set forth above, the Board of Supervisors will hear the testimony of all
16 interested persons for or against the Tourism BID, the intended modification of the Tourism BID
17 boundaries, the extent of the area encompassed within the Tourism BID, the furnishing of specific types of
18 improvements or activities within the Tourism BID boundaries, and/or the intended levy of an annual
19 assessment within the Tourism BID.

20 At the public hearing, the Board of Supervisors will also hear and consider all protests made by any
21 owner of any assessable hotel or motel located within the Tourism BID boundaries (either the current
22 boundaries or the intended, modified boundaries) against the Tourism BID, the intended modification of
23 the Tourism BID boundaries, the extent of the area encompassed within the Tourism BID, the furnishing of
24 specific types of improvements or activities within the Tourism BID, and/or the intended levy of an annual
25 assessment within the Tourism BID.

1 assessment within the Tourism BID. At the conclusion of the public hearing the Board of Supervisors will
2 determine whether or not a majority protest exists under the Act.

3 Any person who wishes to be heard regarding the Tourism BID may appear at the public meeting
4 and public hearing or may send written comments to: Kecia Harper-Ihem, Clerk of the Board, 4080 Lemon
5 Street, Riverside, CA 92501. Further information concerning the Tourism BID, the intended modification
6 of the boundaries of the Tourism BID, and intended annual assessment may be obtained from JoAnn
7 Cornelius, Senior Marketing/Development Specialist, Riverside County Economic Development Agency,
8 3499 10th Street, Suite 100, Riverside, CA 92501; telephone number (951) 955-5990.

9 In compliance with the Americans with Disabilities Act, if you need special assistance to participate
10 in the meeting or public hearing, or if you need further information relating to the subject meeting or
11 hearing, please contact the Clerk of the Board's Office at (951) 955-1060. Notification at least 48 hours
12 prior to the meeting will assist the County staff in assuring that reasonable arrangements can be made to
13 provide accessibility.
14

15 The Clerk of the Board is authorized and directed to publish a copy of this resolution in a
16 newspaper or newspapers of general circulation within the unincorporated area of the Coachella Valley of
17 the County and within each of the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La
18 Quinta, Palm Desert, Palm Springs, and Rancho Mirage once per week for each of three weeks. Said
19 publication shall be a display advertisement of at least one-eighth page and shall be first published at least
20 forty-five days prior to the date of the public hearing.
21

22 In addition, the Clerk of the Board is authorized and directed to mail copies of this Resolution by
23 first-class mail to those interested parties who filed a written request with the County for mailed notice of
24 public meetings or hearings on new or increased general taxes or assessments. Copies of this Resolution
25 shall also be mailed by first-class mail to the known owners of each assessable hotel and motel within the
26 boundaries of the Tourism BID, including those owners of assessable hotels and motels located within the
27
28

1 incorporated limits of Palm Desert which are intended to be included within the Tourism BID upon final
2 approval of the modified boundaries.

3 Section 8. Protests. The Board of Supervisors will consider all protests against the Tourism BID,
4 the intended modification of the boundaries of the Tourism BID, the extent of the area encompassed within
5 the Tourism BID, the furnishing of specific types of improvements or activities within the boundaries of the
6 Tourism BID; and/or the intended levy of annual assessments within the boundaries of the Tourism BID.
7

8 The following rules shall apply to all protests:

- 9 a. A protest may be made orally or in writing by any interested person. Any protest
10 pertaining to the regularity or sufficiency of the proceedings shall be in writing and
11 shall clearly set forth the irregularity or defect to which the objection is made.
12
- 13 b. Every written protest shall be filed with the Office of the Clerk of the Board, located
14 at County Administrative Center, 4080 Lemon Street, 1st Floor, Riverside,
15 California 92501, at or before the time fixed for the public hearing as set forth
16 above.
- 17 c. The Board of Supervisors may waive any irregularity in the form or content of any
18 written protest, and at the public hearing, may correct minor defects in the protest.
- 19 d. A written protest may be withdrawn in writing at any time before the conclusion of
20 the public hearing set forth above.
- 21
- 22 e. Each written protest shall contain a description of the business in which the person
23 subscribing the protest is interested, sufficient to identify the business, and if a
24 person subscribing is not shown on the official records of the County of Riverside as
25 the owner of the business, the protest shall contain or be accompanied by written
26 evidence that the person subscribing is the owner of the business. A written protest
27 that does not comply with this paragraph shall not be counted in determining a
28 majority protest.

1 f. If written protests are received from the owners of businesses in the Tourism BID
2 which will pay fifty percent (50 %) or more of the assessments intended to be levied
3 and protests are not withdrawn so as to reduce the protests to less than the fifty
4 percent (50 %), no further proceedings on the proposal to modify the Tourism BID
5 boundaries or to levy the intended annual assessment within the Tourism BID
6 boundaries shall be taken by the Board of Supervisors for a period of one year from
7 the date of the filing of a majority protest. However, if the majority protest is only
8 against the furnishing of a specified type or types of improvements or activities
9 within the Tourism BID, those types of improvements or activities shall be
10 eliminated and (if there is no majority protest pursuant to 8.g.) the boundaries of the
11 Tourism BID shall be modified and the intended annual assessment shall be levied.
12 Nevertheless, if there is no majority protest pursuant to this subsection 8.f. but there
13 is a majority protest pursuant to subsection 8.g., the boundaries of the Tourism BID
14 shall not be modified, but the intended annual assessment shall be levied within the
15 currently established boundaries of the Tourism BID.
16

17
18 g. If written protests are received from business owners located within the City of Palm
19 Desert, whose businesses are proposed to be included within the modified Tourism
20 BID boundaries, and if these protesting business owners will pay fifty percent (50 %)
21 or more of the assessments intended to be levied within this area to be annexed and
22 included within the Tourism BID, and if protests are not withdrawn so as to reduce
23 the protests to less than the fifty percent (50 %), no further proceedings on the
24 proposal to modify the Tourism BID boundaries to annex and include the City of
25 Palm Desert within the Tourism BID or to levy the intended annual assessment
26 within the City of Palm Desert shall be taken by the Board of Supervisors for a
27 period of one year from the date of the filing of a majority protest. However, if the
28

1 majority protest is only against the furnishing of a specified type or types of
2 improvements or activities within the area intended to be annexed and included
3 within Tourism BID boundaries, those types of improvements or activities shall be
4 eliminated and (provided that there is no majority protest pursuant to section 8.f.),
5 the intended modification to the Tourism BID boundaries shall be approved and the
6 intended annual assessment shall be levied.
7

8 Section 9. Effective Date. This resolution shall take effect immediately upon its adoption.

9 PASSED AND ADOPTED this 16th day of March, 2010.
10

11 ROLL CALL:

12 Ayes: Buster, Benoit and Ashley
13 Nays: Stone
14 Absent: Tavaglione _____
15

16
17 The foregoing is certified to be a true copy of a resolution duly
adopted by said Board of Supervisors on the date therein set forth.

18 KECIA HARPER-IHEM, Clerk of said Board

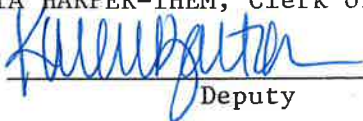
19 By:  _____
Deputy
20
21
22
23
24
25
26
27
28

EXHIBIT 1

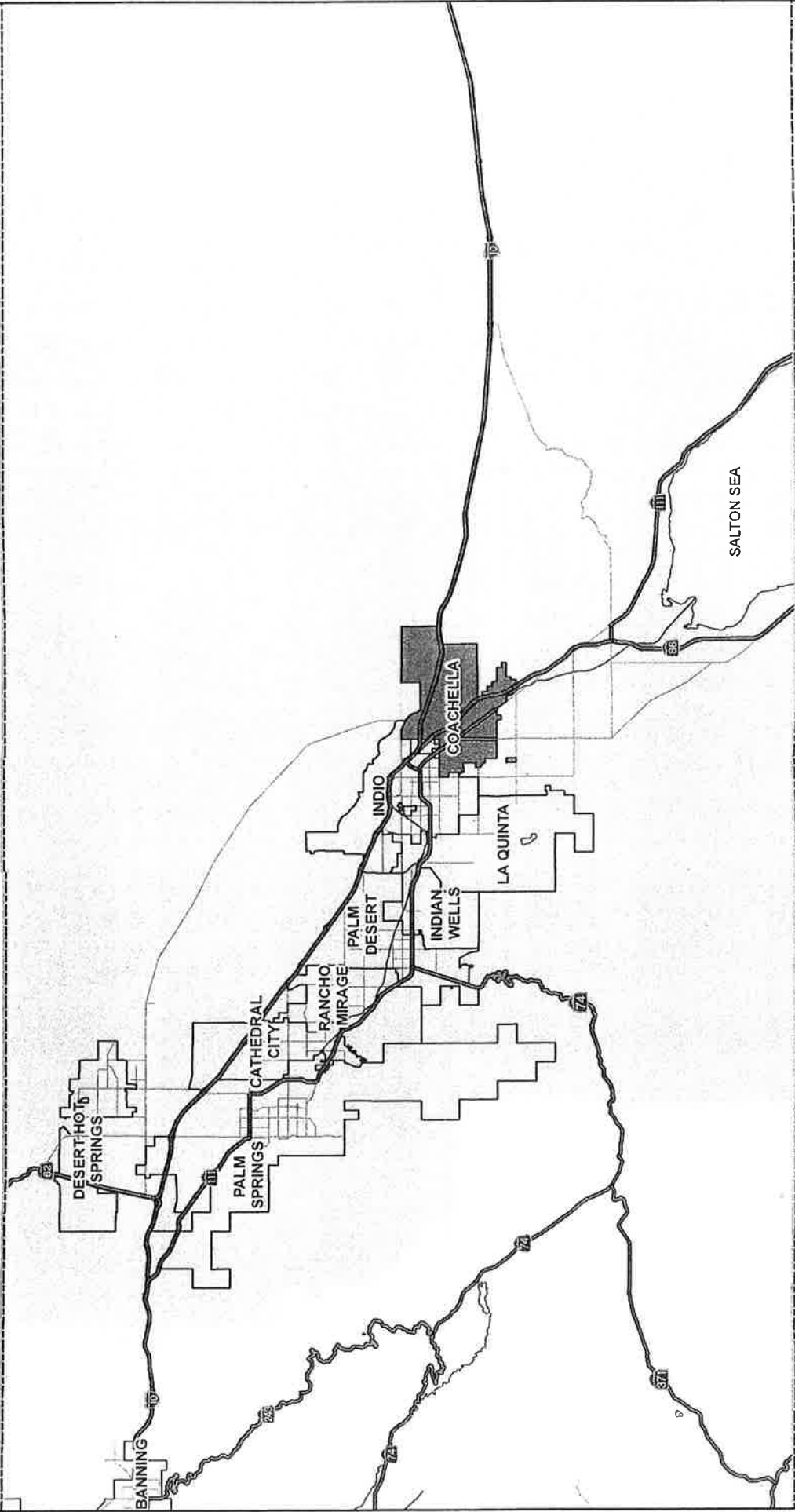
**MAP AND LEGAL DESCRIPTION OF THE BOUNDARIES OF
THE PALM SPRINGS DESERT RESORT COMMUNITIES TOURISM
BUSINESS IMPROVEMENT DISTRICT**

**The Palm Springs Desert Resorts Communities
Tourism Improvement District
Boundary Description**

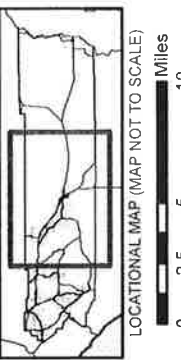
1. **BEGINNING** at the Northeast corner of Section 1, Township 2 South, Range 2 East, San Bernardino Meridian, also being a point on the north line of Riverside County;
2. Thence South along said Range line to the Northeast corner of Section 36, T2S, R2E;
3. Thence West along the North line of said Section 36 to the North one-quarter corner thereof;
4. Thence South along the North-South center section line of said Section 36 to the Center section corner thereof;
5. Thence East along the East-West center section line of said Section 36 to the East one-quarter corner thereof;
6. Thence South along the East line of said Section 36 to the Northeast corner of Section 1, T3S, R2E;
7. Thence West along the North line of said Section 1 to the Northwest corner thereof;
8. Thence South along the West line of said Section 1 to the Northwest corner of Section 12, T3S, R2E;
9. Thence East along the North line of said Section 12 to the Northeast corner thereof;
10. Thence South along the East line of said Section 12 to the Southeast corner thereof;
11. Thence West along the South line of said Section 12 to the Northwest corner of Section 13, T3S, R2E;
12. Thence South along the West line of said Section 13 to the Southwest corner thereof;
13. Thence East along the South line of said Section 13 to the Southeast corner thereof;
14. Thence South along said Range line to the Southwest corner of Section 18, T4S, R3E;
15. Thence East along Section lines to the Northeast corner of Section 20, T4S, R3E;
16. Thence South along the East line of said Section 20 to the Southeast corner thereof;
17. Thence West along the South line of said Section 20 to the Northwest corner of Section 29, T4S, R3E;
18. Thence South along the West line of said Section 29 to the Southwest corner thereof;
19. Thence East along the South line of said Section 29 to the Northeast corner of Section 32, T4S, R3E;
20. Thence South along the East line of said Section 32 to the Southeast corner thereof;
21. Thence West along the South line of said Section 32 to the Northeast corner of Section 5, T5S, R3E;
22. Thence South along Section lines to the Northwest corner of Section 16, T5S, R3E;
23. Thence East along the North line of said Section 16 to the Northeast corner thereof;
24. Thence South along the East line of said Section 16 to the Northwest corner of Section 22, T5S, R3E;
25. Thence East along the North line of said Section 22 to the Northeast corner thereof;
26. Thence South along the East line of said Section 22 to the Northwest corner of Section 26, T5S, R3E;
27. Thence East along the North line of said Section 26 to the Northeast corner thereof;
28. Thence South along Section lines to the Northwest corner of Section 1, T6S, R3E;
29. Thence East along the North line of said Section 1 to the Northeast corner thereof, being a point of intersection with the Palm Springs Unified School District boundary line defined by the West line of Section 31, T5S, R4E;
30. Thence Easterly and Southerly along the Palm Springs Unified School District boundary line to a point of intersection with the south Riverside County line;
31. Thence Easterly along the Riverside County line, also being the southernmost boundaries of the Palm Springs Unified School District, the Desert Sands Unified School District and the Coachella Valley Unified School District, to a point of intersection with the easternmost boundary line of the Coachella Valley Unified School District;
32. Thence Northerly, along the easternmost boundary line of the Coachella Valley Unified School District to a point of intersection with the north Riverside County line;
33. Thence Westerly along the north Riverside County line to the **Point of Beginning**.








The boundary of the Palm Springs Desert resorts Communities tourism Improvement District excludes the incorporated city limits for the City of Coachella.

The Palm Springs Desert Resort Communities Tourism Business Improvement District



Date: March 3, 2010
 Source: Riverside County TLMA/GIS
 Filename: \\Agency\lmagis\Workspace\Rock\Coachella_bw_map.mxd



-  Participating Cities/Unincorporated
-  Non-Participating City (Coachella)
-  Cities
-  Highways
-  Major Roads
-  County Line
-  Waterbodies



NOTICE

5-4-10

PERTAINING TO AGENDA ITEM 3.48
Public Meeting Regarding Resolution of the
Board of Supervisors of the County of
Riverside declaring its intention to modify
the Boundaries of the Palm Springs Desert
Communities Tourism Business
Improvement District (Tourism BID) to
include Palm Desert and levy and collect
assessments for fiscal year 2010-2011 on
assessable hotels and motels located within
the Tourism BID.

Anyone wishing to address the Board on
this item must fill out a speaker's slip and
submit it to the Clerk of the Board prior to
the Board's consideration of the item.

Thank you.



Palm Springs Desert Resorts

CONVENTION AND VISITORS AUTHORITY

HIBC Advisory Board to
The County of Riverside
Board of Supervisors for
Palm Springs Desert Resorts Tourism
Business Improvement District (BID)

Fiscal Year 2009-2010 Annual Report

Fiscal Year 2010-2011 Budget

The Hospitality Industry and Business Council (HIBC), the Advisory Board for the Palm Springs Desert Resorts Tourism Business Improvement District (BID) has completed eight (8) months of the 2009-2010 Sales and Marketing Plan for our destination. Funding for the plan implementation is provided from the BID.

The Advisory Board recommends the continuation of the BID for Fiscal Year 2010-2011, as follows:

- 1) The boundaries of the parking and business improvement area or in any benefit zones within the area be expanded to include the addition of the City of Palm Desert.
- 2) The improvements and activities to be provided for fiscal year 2010-2011, are detailed in Attachment A.
- 3) The estimated cost of providing the improvement and activities for fiscal year 2010-2011 is \$4.8 million, and detailed in Attachment C.
- 4) Levying of the BID assessment remains the same; i.e., 2% of total hotel room revenue in hotels within the District having 50 rooms and more.
- 5) Recognize that HIBC has incorporated, and is now Hospitality Industry and Business Council, Inc.
- 6) HIBC members file a Form 700, Conflict of Interest statement, as recommended by County Counsel, and will formulate an HIBC Conflict of Interest code.
- 7) As recommended by the Riverside County Treasurer/Tax Collector, the due date of the four quarterly hotel payments be changed from "before the last day of the month following each quarter" to "by the end of the last day of the month following each quarter" (section 7b (page 4) of the existing ordinance).

Serving the Desert Resort Communities of Riverside County

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70-100 Highway 111 • Rancho Mirage, CA 92270 • T: 760-770-9000 • TF: 800-967-3767 • F: 780-770-8001 • palm Springs usa.com
Washington, DC Sales Office • 515 King Street, Suite 315 • Alexandria, VA 22314 • T: 703-549-8028 • F: 703-510-7578



Palm Springs Desert Resorts

CONVENTION AND VISITORS AUTHORITY

HIBC/Advisory Board
Report for FY 2009-10
Page Two

- 8) The Palm Springs Desert Resort Communities Convention and Visitors Authority (CVA) has contracted with Mayer Hoffman McCann, beginning March 29, 2010, to conduct the audit of Calendar Year 2009, which includes the time required to audit the Fiscal 2008-2009 BID.

Coachella Valley Outlook:

The Coachella Valley hospitality industry is driven by the performance of the hotel industry. Restaurants, attractions, shopping, and other small businesses flourish when the hotels are full. The latest Smith Travel Research (STR) hotel analysis reports a decline of 11.4 percent in occupancy year-over-year through December 2009. Hotel average daily rate (ADR) has declined 8.8 percent through December 2009, and Revenue per available room (REVPAR) has declined 19.2 percent. Transient occupancy taxes (TOT) have also declined by 16.6 percent through October 2009. Other hospitality industry businesses have felt the effect of the poor hotel performance. The Coachella Valley restaurant industry continues to suffer from reduced per caps and revenues. The attractions and shopping segments have also suffered declines.

The continued poor performance by the U.S. economy, and the added negative rhetoric aimed at the nationwide meetings industry have staggered both the U.S. and Southern California hotel industry. However, both STR and PKF Hospitality Research believe that hotel performance may begin to stabilize by the fourth quarter of 2010.

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Palm Springs Desert Resorts

CONVENTION AND VISITORS AUTHORITY

HIBC/Advisory Board
Report for FY 2009-10
Attachment A

With the BID funding in Fiscal Year 2010-2011, the CVA working with the Coachella Valley hospitality industry will continue the following strategies and activities:

Convention Sales:

- Continue funding satellite sales offices to boost meeting and convention leads
- concentrate meetings and conventions sales efforts on Southern California, Seattle, Portland, San Francisco, Sacramento, Los Angeles, Orange County, San Diego, Dallas, Washington, D.C., Northeast United States, and Chicago
- generate qualified meeting and convention leads
- assist hotels in closing business
- increase alliances with third-party booking sources
- increase CVA client database
- promote destination awareness
- increase participation in trade shows, FAMs, and sales missions
- increase small meetings business to all hotels
- expand the "Bring My Meeting Home" program
- work with the Palm Springs International Airport to stabilize air service
- continue to include Ontario International Airport as a gateway

Market Development:

- increase direct consumer advertising and promotions
- partner with the State of California Tourism Commission and key industry leaders to extend our advertising dollars to reach a national audience
- leverage advertising dollars by continuing the cooperative partnership between cities, hoteliers, airport, etc.
- focus additional partnerships with nontraditional partners
- develop an integrated campaign of print and broadcast advertising, promotions, public relations, conventional and electronic mail
- enhance online technology and marketing

Travel Industry Sales:

- generate qualified tour operator and tour wholesaler leads
- expand positioning in new and existing travel partner brochures
- assist hotels in closing business

Serving the Desert Resort Communities of Riverside County

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Palm Springs Desert Resorts

CONVENTION AND VISITORS AUTHORITY

HIBC/Advisory Board
Report for FY 2009-10
Attachment A - continued

- increase client database
- increase participation in trade shows, FAMs, and sales missions
- promote destination awareness
- expand sales efforts with receptive tour operators
- work with the Palm Springs International Airport to stabilize air service
- add contract sales representation in Canada
- expand international positioning through increased participation in state co-op sales/marketing offices in UK and Germany

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Palm Springs Desert Resorts

CONVENTION AND VISITORS AUTHORITY

HIBC/Advisory Board
Report for FY 2009-10
Attachment B

For Calendar Year 2009, the following highlights were achieved with the assistance of the BID funding*:

<u>Convention Sales:</u>	<u>Goal</u>	<u>Attainment</u>	<u>%</u>
Room Nights	174,818	104,653	60
Lead Room Nights	684,000	519,632	76
Leads	744	603	81
 <u>Travel Industry Sales/Marketing:</u>			
Leads	150	109	73
FAM Tours	13	16	123
Industry Co-Op Advertising	\$295,350	\$255,396	86
 <u>Media Relations:</u>			
Print Value	\$5,000,000	\$4,292,696	85
Media Assists	550	615	111
Circulation	60,000,000	82,056,099	136

*In Fiscal Year 2009-2010, the BID funds were used to purchase assets for Convention Sales. Seventy percent (70%) of the cost (\$77,475.07) of a Convention Sales Tradeshow Booth has been assigned to the BID.

Serving the Desert Resort Communities of Riverside County

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BID ACTUAL EXPENSES / FUND BALANCE
PALM SPRINGS DESERT RESORT COMMUNITIES CVA
Business Improvement District

BEGIN FUND
BALANCE
JULY 1, 2009
(6 Month Report)
\$ 761,340

BEGIN FUND
BALANCE
JULY 1, 2009
\$ 761,340

HIBC/Advisory Board
Report for FY 2009-10
Attachment C

JULY 1, 2009 to JUNE 30, 2010
As of December 31, 2009 (Forecast-Revenue)

REVENUE

EXPENSES

Administration

	6 Months July 1-Dec 31, 2009 2009-2010	12 Month FORECAST 2009-2010	12 Month BUDGET 2009-2010	VARIANCE 2009-2010
Labor	\$67,496	\$150,864	\$212,461	\$61,597
Advertising Production	\$0	\$0	\$2,920	\$2,920
Fams/Sites/Tours	\$0	\$23	\$0	-\$23
Print Collateral	\$332	\$450	\$0	-\$450
Website Marketing & Development	\$419	\$5,405	\$5,620	\$215
Tradeshows & Sales Missions/Promotions/Booth	\$1,506	\$3,636	\$5,940	\$2,304
Supportive Services/Equip/Supplies	\$28,545	\$117,504	\$97,655	-\$19,849

Market Development

Labor	\$99,050	\$219,275	\$200,180	-\$19,095
Advertising Production	\$56,526	\$67,666	\$467,781	\$400,115
Advertising Placement	\$261,083	\$469,658	\$822,353	\$352,695
Online Promotions	\$0	\$0	\$280,000	\$280,000
Fams/Sites/Tours	\$7,682	\$13,107	\$0	-\$13,107
Print Collateral	\$34,509	\$32,552	\$0	-\$32,552
Website Marketing & Development	\$81,129	\$175,263	\$254,167	\$78,904
Tradeshows/Sales Missions/Promotions/Booth	\$3,189	\$17,219	\$22,771	\$5,552
Marketing Representation-FAM-EVENT Hosting	\$7,525	\$27,276	\$71,910	\$44,634
Supportive Services/Equip/Supplies	\$97,194	\$89,683	\$128,231	\$38,548

TIS

Labor	\$215,125	\$324,197	\$358,075	\$33,878
Advertising Production	\$9,299	\$24,154	\$41,821	\$17,667
Advertising Placement	\$16,162	\$70,685	\$117,192	\$46,507
Fams/Sites/Tours	\$8,985	\$33,358	\$0	-\$33,358
Print Collateral	\$71	\$7,416	\$0	-\$7,416
Website Marketing & Development	\$0	\$5	\$0	-\$5
Tradeshows/Sales Missions/Promotions/Booth	\$27,907	\$101,867	\$149,541	\$47,674
Marketing Representation-FAM-EVENT Hosting	\$78,444	\$119,903	\$207,637	\$87,734
Supportive Services/Equip/Supplies	\$18,996	\$28,482	\$41,758	\$13,276

Convention Services

Labor	\$30,916	\$76,945	\$0	-\$76,945
Advertising Production			\$0	\$0
Advertising Placement			\$0	\$0
Online Promotions			\$0	\$0
Fams/Sites/Tours			\$0	\$0
Print Collateral			\$0	\$0
Tradeshows/Sales Missions/Promotions/Booth		\$88	\$0	-\$88
Marketing Representation-FAM-EVENT Hosting	\$4,808	\$11,334	\$0	-\$11,334
Supportive Services/Equip/Supplies	\$2,807	\$4,289	\$0	-\$4,289

Convention Sales

Labor	\$587,089	\$1,236,123	\$1,372,723	\$136,600
Advertising Production	\$140	\$2,054	\$62,698	\$60,644
Advertising Placement	\$11,921	\$34,228	\$78,069	\$43,841
Online Promotions		\$33	\$60,000	\$59,967
Fams/Sites/Tours	\$27,040	\$86,449	\$0	-\$86,449
Print Collateral	\$148	\$23,355	\$0	-\$23,355
Website Marketing & Development	\$67		\$0	\$0
Tradeshows/Sales Missions/Promotions/Booth	\$163,529	\$324,846	\$344,231	\$19,385
Marketing Representation-FAM-EVENT Hosting	\$9,902	\$120,638	\$297,482	\$176,844
Supportive Services/Equip/Supplies	\$30,820	\$69,611	\$96,784	\$27,173

TOTAL

NET REVENUE Dec 31, 2009
ENDING FUND BALANCE
December 31, 2009

	6 Month Actual EST Revenue \$ 1,436,785	12 Month FORECAST \$ 4,089,641	12 Month BUDGET \$ 5,800,000	VARIANCE \$ 1,710,359
	6 Months July 1-Dec 31, 2009 2009-2010	12 Month FORECAST 2009-2010	12 Month BUDGET 2009-2010	VARIANCE 2009-2010
	\$1,990,362	\$4,089,641	\$5,800,000	\$1,710,359
	Actual	Forecast		Variance W/Rev
	-\$553,606	\$0		
	\$207,734	\$207,734		
			Net Revenue 12 Month 6/30/2010	
			Fund Balance 12 Month 6/30/2010	

BID FORECAST EXPENSES / FUND BALANCE
PALM SPRINGS DESERT RESORT COMMUNITIES CVA
Business Improvement District

BEGIN FUND
BALANCE
JULY 1, 2010
(Estimated) \$207,734

HIBC/Advisory Board
Report for FY 2010-11
Attachment C

JULY 1, 2010 to JUNE 30, 2011

REVENUE
EXPENSES

Administration

Labor
Advertising Production
Fams/Sites/Tours
Print Collateral
Website Marketing & Development
Tradeshows/Sales Missions/Promotions/Booth
Supportive Services/Equip/Supplies

Market Development

Labor
Advertising Production
Advertising Placement
Online Promotions
Fams/Sites/Tours
Print Collateral
Website Marketing & Development
Tradeshows/Sales Missions/Promotions/Booth
Marketing Representation-FAM-EVENT Hosting
Supportive Services/Equip/Supplies

TIS

Labor
Advertising Production
Advertising Placement
Fams/Sites/Tours
Print Collateral
Website Marketing & Development
Tradeshows/Sales Missions/Promotions/Booth
Marketing Representation-FAM-EVENT Hosting
Supportive Services/Equip/Supplies

Convention Services

Labor
Advertising Production
Advertising Placement
Online Promotions
Fams/Sites/Tours
Print Collateral
Tradeshows/Sales Missions/Promotions/Booth
Marketing Representation-FAM-EVENT Hosting
Supportive Services/Equip/Supplies

Convention Sales

Labor
Advertising Production
Advertising Placement
Online Promotions
Fams/Sites/Tours
Print Collateral
Website Marketing & Development
Tradeshows/Sales Missions/Promotions/Booth
Marketing Representation-FAM-EVENT Hosting
Supportive Services/Equip/Supplies

TOTAL

NET REVENUE June 30, 2011
EST ENDING FUND BALANCE
June 30, 2011

	12 Month FORECAST	12 Month BUDGET	VARIANCE
	2010-2011	2010-2011	2010-2011
	\$ 4,810,676	\$ 4,810,676	\$ -
Administration			
Labor	\$ 159,496	\$ 159,496	\$ -
Advertising Production	\$ 518	\$ 518	\$ -
Fams/Sites/Tours			\$ -
Print Collateral			\$ -
Website Marketing & Development	\$ 9,695	\$ 9,695	\$ -
Tradeshows/Sales Missions/Promotions/Booth	\$ 4,916	\$ 4,916	\$ -
Supportive Services/Equip/Supplies	\$ 121,231	\$ 121,231	\$ -
Market Development			
Labor	\$ 306,322	\$ 306,322	\$ -
Advertising Production	\$ 59,651	\$ 59,651	\$ -
Advertising Placement	\$ 522,880	\$ 522,880	\$ -
Online Promotions			\$ -
Fams/Sites/Tours	\$ 16,503	\$ 16,503	\$ -
Print Collateral	\$ 29,101	\$ 29,101	\$ -
Website Marketing & Development	\$ 305,900	\$ 305,900	\$ -
Tradeshows/Sales Missions/Promotions/Booth	\$ 27,732	\$ 27,732	\$ -
Marketing Representation-FAM-EVENT Hosting	\$ 34,365	\$ 34,365	\$ -
Supportive Services/Equip/Supplies	\$ 62,317	\$ 62,317	\$ -
TIS			
Labor	\$ 267,948	\$ 267,948	\$ -
Advertising Production	\$ 35,179	\$ 35,179	\$ -
Advertising Placement	\$ 91,529	\$ 91,529	\$ -
Fams/Sites/Tours	\$ 48,944	\$ 48,944	\$ -
Print Collateral	\$ 12,880	\$ 12,880	\$ -
Website Marketing & Development			\$ -
Tradeshows/Sales Missions/Promotions/Booth	\$ 141,801	\$ 141,801	\$ -
Marketing Representation-FAM-EVENT Hosting	\$ 110,283	\$ 110,283	\$ -
Supportive Services/Equip/Supplies	\$ 26,417	\$ 26,417	\$ -
Convention Services			
Labor	\$ 103,419	\$ 103,419	\$ -
Advertising Production			\$ -
Advertising Placement			\$ -
Online Promotions			\$ -
Fams/Sites/Tours			\$ -
Print Collateral			\$ -
Tradeshows/Sales Missions/Promotions/Booth	\$ 201	\$ 201	\$ -
Marketing Representation-FAM-EVENT Hosting	\$ 13,685	\$ 13,685	\$ -
Supportive Services/Equip/Supplies	\$ 4,672	\$ 4,672	\$ -
Convention Sales			
Labor	\$ 1,542,305	\$ 1,542,305	\$ -
Advertising Production	\$ 4,562	\$ 4,562	\$ -
Advertising Placement	\$ 50,183	\$ 50,183	\$ -
Online Promotions	\$ -	\$ -	\$ -
Fams/Sites/Tours	\$ 120,439	\$ 120,439	\$ -
Print Collateral	\$ 38,322	\$ 38,322	\$ -
Website Marketing & Development			\$ -
Tradeshows/Sales Missions/Promotions/Booth	\$ 296,855	\$ 296,855	\$ -
Marketing Representation-FAM-EVENT Hosting	\$ 177,009	\$ 177,009	\$ -
Supportive Services/Equip/Supplies	\$ 63,416	\$ 63,416	\$ -
TOTAL	\$ 4,810,676	\$ 4,810,676	\$ -
	Forecast		Variance W/Rev
NET REVENUE June 30, 2011	\$ -	\$ -	
EST ENDING FUND BALANCE June 30, 2011	\$ 207,734		



PROOF OF PUBLICATION (2015.5.C.C.P)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENTION TO MODIFY THE BOUNDARIES OF THE PALM SPRINGS DESERT RESORT COMMUNITIES TOURISM BUSINESS IMPROVEMENT DISTRICT TO INCLUDE THE CITY OF PALM DESERT WITHIN THE BOUNDARIES OF THE DISTRICT, DECLARING ITS INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2010-2011 ON CERTAIN HOTELS AND MOTELS LOCATED WITHIN THE BOUNDARIES OF THE DISTRICT AS AMENDMENT NO. SETTING THE TIME AND PLACE OF PUBLIC MEETING AND PUBLIC HEARING AND GIVING NOTICE OF SAME

WHEREAS, the California Legislature in adopting the Parking and Business Improvement Area Law of 1986 (Streets & Highways Code § 36600 et. seq.) (the "Act") authorized cities and counties to levy assessments on businesses in order to promote economic revitalization and tourism, to create jobs, attract new businesses and prevent erosion of business dollars; and

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

WHEREAS, the hotel and motel businesses within the Tourism BID boundaries requested the Board of Supervisors to establish the Tourism BID and to levy annual assessments to fund and support certain tourism-related activities; and

WHEREAS, the territory currently included within the boundaries of the Tourism BID is consistent with the operational boundaries of the Palm Springs Desert Resorts Convention and Visitors Authority (CVA), including that area within the incorporated city limits of the City of Palm Desert, but including unincorporated Coachella Valley and the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Springs, and Rancho Mirage, which cities have granted the County of Riverside consent to establish the Tourism BID within their jurisdictions; and

WHEREAS, the City of Palm Desert is currently outside the established boundaries of the Tourism BID, but the City Council has recently consented to the inclusion of the City of Palm Desert within the Tourism BID boundaries; and

WHEREAS, the Advisory Board, appointed by the Board of Supervisors pursuant to Government Code Section 36510, has filed an annual report with the Clerk of the Board which recommends modifying the Tourism BID boundaries to annex and include the City of Palm Desert within the Tourism BID; and

WHEREAS, the Board of Supervisors intends to modify the Tourism BID boundaries to include and annex the City of Palm Desert within the Tourism BID; and

WHEREAS, after the intended boundary modification, the territory within the Tourism BID boundaries will be consistent with the operational boundaries of CVA, including unincorporated Coachella Valley and the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Springs, Palm Desert and Rancho Mirage; and

WHEREAS, the Advisory Board's annual report also recommends the levy of an annual assessment for fiscal year 2010-2011 on assessable hotel and motel businesses located within the Tourism BID to pay for recommended tourism-related activities that will benefit the assessable hotel and motel businesses located within the Tourism BID; and

WHEREAS, the Board of Supervisors intends to levy an annual assessment for fiscal year 2010-2011 to pay for recommended tourism-related activities within the Tourism BID; and

WHEREAS, it is the opinion of the Board of Supervisors that all of the assessable hotel and motel businesses located within the Tourism BID will benefit from the activities of the Tourism BID; and

WHEREAS, this Resolution of intention will commence proceedings under the Act to modify the Tourism BID boundaries to include and annex the City of Palm Desert within the Tourism BID and to levy the annual assessment for fiscal year 2010-2011 within the Tourism BID;

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

Section 1. **Findings and Intent.** The findings and facts herein are true and correct.

Section 2. **Intent to Modify the Boundaries of the Tourism BID.** The Board of Supervisors declares its intent to modify the boundaries of the Tourism BID. It is the intent of the Board of Supervisors to modify the Tourism BID boundaries by extending the boundaries to include and encompass the City of Palm Desert and thereby annex the City of Palm Desert into the Tourism BID. Upon final approval of the intended boundary modification, the Tourism BID boundaries will be consistent with the operational boundaries of CVA. A map reflecting the territory included within the modified Tourism BID boundaries is attached hereto as Exhibit A and is also on file with the Clerk of the Board.

Section 3. **Intent to Levy and Collect Assessments within the Tourism BID for Fiscal Year 2010-2011.** Pursuant to and under authority of the Act, except where funds are otherwise available, the Board of Supervisors declares its intent to levy and collect an annual assessment within the boundaries of the Tourism BID to fund the tourism-related activities recommended in the Advisory Board's annual report on file with the Clerk of the Board. Pursuant to the Act and Ordinance No. 683, an annual assessment is intended to be levied on all hotels and motels that have fifty (50) or more sleeping rooms and are located within the Tourism BID boundaries. It is estimated that approximately \$ 4.8 million in revenue will be realized by the intended annual assessment.

Section 4. **Method and Basis of Levy.** The method and basis of levying the intended annual assessment shall be:

- The assessment for hotels and motels with fifty (50) or more sleeping rooms is two percent (2%) of the gross rental charges for overnight room stays. Gross Rental Charges shall equal the total dollar amount charged for overnight room rentals to guests (with the exception of government employees and with the exception of long term guests who stay more than twenty-eight consecutive nights at the same Assessable Hotel or Assessable Motel), but shall not include incidental room charges such as room service, video rental, or similar charges. Gross Rental Charges are equal to the total consideration charged for room rental when in U. S. dollars, whether or not received and whether received in money or other consideration such as goods, labor, property or otherwise.
- Hotels and motels that have fifty (50) or more sleeping rooms and are located within the Tourism BID boundaries will not be exempt from the assessment levy pursuant to Section 36531 of the California Streets and Highways Code.
- The benefit assessments shall be collected by the County in four (4) installments. Each operator of an assessable hotel or motel shall, on or before the last day of the month following each quarter, make a report to the County Treasurer-Tax Collector on forms provided by the County reflecting the amount of assessment due for that quarter. The report and amount lessened delinquent on the last day of the month following the close of each calendar quarter. The net amount of the assessment calculated shall be remitted to the County Treasurer-Tax Collector at the time that the return is filed. The County Treasurer-Tax Collector may establish shorter reporting or remittance periods for any operator and may require additional information in any return. Returns and payments are due immediately upon cessation of business for any reason. Each return shall contain a declaration under penalty of perjury, executed by the operator or its authorized agent, that, to the best of the declarant's knowledge, the statements in the return are true, correct, and complete. Any operator of an assessable hotel or motel who fails to remit any assessment within the time required shall pay a penalty of ten percent (10%) of the amount of the assessment in addition to the amount of the assessment. Any operator of an assessable hotel or motel who fails to remit any delinquent remittance on or before the fifteenth day of the month following the date of the first penalty shall pay a second delinquency penalty of ten percent (10%) of the amount of the assessment in addition to the amount of assessment and the ten percent (10%) penalty shall be imposed.
- The County may charge an administrative fee for the collection and processing of the assessments in order to cover its reasonable costs for this service.
 - If the County Treasurer Tax Collector determines that the nonpayment of any assessment is due to fraud, a penalty of twenty-five percent (25%) of the amount of the assessment shall be added thereto in addition to the penalties stated above.
 - In addition to the penalties imposed, any operator of an assessable hotel or motel who fails to remit any assessment shall pay interest at the rate of one percent (1%) per month, or fraction thereof, on the amount of tax, exclusive of penalties, from the date on which the remittance first became delinquent until paid.
 - Every penalty imposed and such interest as accrued under the provisions of this section shall become a part of the assessment required to be paid.

Section 5. **Types of Activities To Be Funded.** The proposed type or types of activities to be funded by and through the annual levy of assessments on businesses within the Tourism BID are as follows:

- Marketing, advertising, and public relations;
- Business development and distribution;
- Promotion of public events which benefit businesses in the area and which take place on or in public places within the area;
- Activities which benefit businesses located and operating in the area, including but not limited to downtown shopping and promotional programs.

Section 6. **Advisory Board's Annual Report.** The Board of Supervisors appoints HBC, Inc. (an Advisory Council to CVA) in service as the Advisory Board for the Tourism BID. HBC, Inc. has filed its annual report with the Clerk of the Board. The Board of Supervisors approves said report subject to any further modification that may be necessary or desirable based upon future recommendations by staff and public participation at the public meeting and public hearing.

Section 7. **Joint Notice of Time and Place of Public Meeting and Public Hearing.**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Riverside will hold a Public Meeting and Public Hearing on the intended modification of the Tourism BID boundaries and the intended levy of an annual assessment within the Tourism BID.

The time and place of the public meeting on the intended modification of the Tourism BID boundaries and the intended levy of the annual assessment shall be at 9:00 a.m., May 4, 2010, or as soon thereafter as this matter may be heard, at the Board of Supervisor's Chambers, located on the first floor of the County Administrative Center, 4080 Lemon Street in Riverside, California 92501. The public meeting may be continued from time to time as necessary.

The time and place of the public hearing on the intended modification of the Tourism BID boundaries and the intended levy of the annual assessment shall be at 9:00 a.m., May 18, 2010, or as soon thereafter as this matter may be heard, at the Board of Supervisor's Chambers, located on the first floor of the County Administrative Center, 4080 Lemon Street in Riverside, California 92501. The public hearing may be continued from time to time as necessary.

At the public hearing set forth above, the Board of Supervisors will hear the testimony of all interested persons for or against the Tourism BID, the intended modification of the Tourism BID boundaries, the extent of the area encompassed within the Tourism BID, the furnishing of specific types of improvements or activities within the Tourism BID boundaries, and the intended levy of an annual assessment within the Tourism BID.

At the public hearing, the Board of Supervisors will also hear and consider all protests made by any owner of any assessable hotel or motel located within the Tourism BID boundaries (other than the current boundaries or the intended, modified boundaries) against the Tourism BID, the intended modification of the Tourism BID boundaries, the extent of the area encompassed within the Tourism BID, the furnishing of specific types of improvements or activities within the Tourism BID, and/or the intended levy of an annual assessment within the Tourism BID. At the conclusion of the public hearing the Board of Supervisors will determine whether or not a majority protest exists under the Act.

Any person who wishes to be heard regarding the Tourism BID may appear at the public meeting and public hearing or may send written comments to: Kacia Stapp-Barn, Clerk of the Board, 4080 Lemon Street, Riverside, CA 92501. Further information concerning the Tourism BID, the intended modification of the boundaries of the Tourism BID, and intended annual assessment may be obtained from JuAnn Corneilus, Senior Marketing / Development Specialist, Riverside County Economic Development Agency, 3489 10th Street, Suite 100, Riverside, CA 92501, telephone number (951) 955-9390.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting or public hearing, if you need further information relating to the subject meeting or hearing, please contact the Clerk of the Board's Office at (951) 955-1080. Notification at least 48 hours prior to the meeting will assist the County staff in assessing that reasonable arrangements can be made to provide accessibility.

The Clerk of the Board is authorized and directed to publish a copy of this resolution in a newspaper or newspapers of general circulation within the unincorporated area of the Coachella Valley of the County and within each of the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage once per week for each of three weeks. Said publications shall be a display advertisement of at least one-eighth page and shall be first published at least forty-five days prior to the date of the public hearing. In addition, the Clerk of the Board is authorized and directed to mail copies of this Resolution by first-class mail to those interested parties who filed a written request with the County for mailed notice of public meetings or hearings on new or increased general taxes or assessments. Copies of this Resolution shall also be mailed by first-class mail to the known owners of each assessable hotel and motel within the boundaries of the Tourism BID, including those owners of assessable hotels and motels located within the incorporated limits of Palm Desert which are intended to be included within the Tourism BID upon final approval of the modified boundaries.

Section 8. **Protests.** The Board of Supervisors will consider all protests against the Tourism BID, the intended modification of the boundaries of the Tourism BID, the extent of the area encompassed within the Tourism BID, the furnishing of specific types of improvements or activities within the boundaries of the Tourism BID, and/or the intended levy of annual assessments within the boundaries of the Tourism BID. The following rules shall apply to all protests:

- A protest may be made orally or in writing by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made.
- Every written protest shall be filed with the Office of the Clerk of the Board, located at County Administrative Center, 4080 Lemon Street, 1st Floor, Riverside, California

STATE OF CALIFORNIA
County of Riverside

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of a printer of the, DESERT SUN PUBLISHING COMPANY a newspaper of general circulation, printed and published in the city of Palm Springs, County of Riverside, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Riverside, State of California under the date of March 24, 1988. Case Number 191236; that the notice, of which the annexed is a printed copy (set in type not smaller than non pariel, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

March 20th, 27th, April 3rd, 2010

All in the year 2010

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Palm Springs, California this ---5th--- day

of --- April ---, 2010

Signature

- b. Every written protest shall be filed with the Office of the Clerk of the Board, located at County Administration Center, 4000 Lemon Street, 1st Floor, Riverside, California 92501, at or before the time fixed for the public hearing as set forth above.
- c. The Board of Supervisors may waive any irregularity in the form or content of any written protest, and of the public hearing, may correct minor defects in the protest.
- d. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing set forth above.
- e. Each written protest shall contain a description of the business in which the person subscribing the protest is interested, sufficient to identify the business, and if a person subscribing is not shown on the official records of the County of Riverside as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business. A written protest that does not comply with this paragraph shall not be counted in determining a majority protest.
- f. If written protests are received from the owners of businesses in the Tourism BID which will pay fifty percent (50%) or more of the assessments intended to be levied and protests are not withdrawn as to reduce the protests to less than the fifty percent (50%), no further proceedings on the proposal to modify the Tourism BID boundaries or to levy the intended annual assessment within the Tourism BID boundaries shall be taken by the Board of Supervisors for a period of one year from the date of the filing of a majority protest. However, if the majority protest is only against the levying of a specified type or types of improvements or activities within the Tourism BID, those types of improvements or activities shall be eliminated and (if there is no majority protest pursuant to 8.g.) the boundaries of the Tourism BID shall be modified and the intended annual assessment shall be levied. Nevertheless, if there is no majority protest pursuant to this subsection 8.f. but there is a majority protest pursuant to subsection 8.g., the boundaries of the Tourism BID shall not be modified, but the intended annual assessment shall be levied within the currently established boundaries of the Tourism BID.
- g. If written protests are received from business owners located within the City of Palm Desert, whose businesses are proposed to be included within the modified Tourism BID boundaries, and if these protesting business owners will pay fifty percent (50%) or more of the assessments intended to be levied within the area to be amended and included within the Tourism BID, and if protests are not withdrawn so as to reduce the protests to less than the fifty percent (50%), no further proceedings on the proposal to modify the Tourism BID boundaries to annex and include the City of Palm Desert within the Tourism BID or to levy the intended annual assessment within the City of Palm Desert shall be taken by the Board of Supervisors for a period of one year from the date of the filing of a majority protest. However, if the majority protest is only against the levying of a specified type or types of improvements or activities within the area intended to be annexed and included within Tourism BID boundaries, those types of improvements or activities shall be eliminated and (provided that there is no majority protest pursuant to section 8.f.) the intended modification to the Tourism BID boundaries shall be approved and the intended annual assessment shall be levied.

Section 8. Election Date. This resolution shall take effect immediately upon its adoption.

The Palm Springs Desert Resorts Communities Tourism Improvement District Boundary Description

1. BEGINNING at the Northeast corner of Section 1, Township 2 South, Range 2 East, San Bernardino Meridian, also being a point on the north line of Riverside County;
2. Thence South along said Range line to the Northeast corner of Section 36, T2S, R2E;
3. Thence West along the North line of said Section 36 to the North one-quarter corner thereof;
4. Thence South along the North-South center section line of said Section 36 to the Center section corner thereof;
5. Thence East along the East-West center section line of said Section 36 to the East one-quarter corner thereof;
6. Thence South along the East line of said Section 36 to the Northeast corner of Section 1, T3S, R2E;
7. Thence West along the North line of said Section 1 to the Northwest corner of Section 12, T3S, R2E;
8. Thence South along the West line of said Section 1 to the Northwest corner of Section 12, T3S, R2E;
9. Thence East along the North line of said Section 12 to the Northeast corner thereof;
10. Thence South along the East line of said Section 12 to the Southeast corner thereof;
11. Thence West along the South line of said Section 12 to the Northwest corner of Section 13, T3S, R2E;
12. Thence South along the West line of said Section 13 to the Southwest corner thereof;
13. Thence East along the South line of said Section 13 to the Southeast corner thereof;
14. Thence South along said Range line to the Southwest corner of Section 18, T4S, R2E;
15. Thence East along Section lines to the Northeast corner of Section 20, T4S, R2E;
16. Thence South along the East line of said Section 20 to the Southeast corner thereof;
17. Thence West along the East line of said Section 20 to the Northwest corner of Section 29, T4S, R2E;
18. Thence South along the West line of said Section 29 to the Southwest corner thereof;
19. Thence East along the South line of said Section 29 to the Northeast corner of Section 32, T4S, R2E;
20. Thence South along the East line of said Section 32 to the Southeast corner thereof;
21. Thence West along the South line of said Section 32 to the Northwest corner of Section 5, T5S, R2E;
22. Thence South along Section lines to the Northwest corner of Section 16, T5S, R2E;
23. Thence East along the North line of said Section 16 to the Northeast corner thereof;
24. Thence South along the East line of said Section 16 to the Northwest corner of Section 22, T5S, R2E;
25. Thence East along the North line of said Section 22 to the Northeast corner thereof;
26. Thence South along the East line of said Section 22 to the Northwest corner of Section 26, T5S, R2E;
27. Thence East along the North line of said Section 26 to the Northeast corner thereof;
28. Thence South along Section lines to the Northwest corner of Section 1, T6S, R2E;
29. Thence East along the North line of said Section 1 to the Northeast corner thereof, being a point of intersection with the Palm Springs Unified School District boundary line defined by the West line of Section 31, T5S, R4E;
30. Thence Easterly and Southerly along the Palm Springs Unified School District boundary line to a point of intersection with the south Riverside County line;
31. Thence Easterly along the Riverside County line, also being the southernmost boundaries of the Palm Springs Unified School District, the Desert Sands Unified School District and the Coachella Valley Unified School District, to a point of intersection with the easternmost boundary line of the Coachella Valley Unified School District;
32. Thence Northerly, along the easternmost boundary line of the Coachella Valley Unified School District to a point of intersection with the north Riverside County line;
33. Thence Westerly along the north Riverside County line to the Point of Beginning.

The boundary of the Palm Springs Desert Resorts Communities Tourism Improvement District includes the incorporated city limits for the City of Coachella.

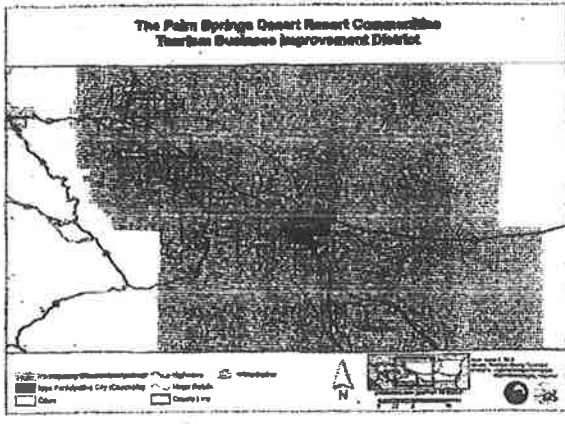
ROLL CALL:
 Aye: Butler, Bonell and Ashley
 Nay: Stone
 Absent: Tingelone

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date hereinafter set.

KECIA HARPER-HEM, Clerk of said Board
 By: Cecilia Gil, Board Assistant

The project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 8:00 a.m. to 5:00 p.m. at the Clerk of the Board of Supervisors at 4000 Lemon Street, 1st Floor, Riverside, California 92501, and at the Riverside County Planning Department at 4000 Lemon Street, 3rd Floor, Riverside, California 92501.

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public hearing or may appear and be heard in support of or in opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors or, or prior to, the public hearing.



Please send all written correspondence to: Clerk of the Board, 4000 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Date: March 18, 2019
 Kacia Harper-Hem
 Clerk of the Board
 By: Cecilia Gil, Board Assistant

SCHEDULE : PALM DESERT ANNEXATION AND ANNUAL LEVY

- 2/26/10 Deadline for Resolution of Consent to be adopted City of Palm Desert
- 3/01/10 First Draft of ROI – Annual Levy and Amendment of Boundaries [OPR: County Counsel]
- 3/03/10 Deadline for all comments to County Counsel regarding ROI- Amendment of Boundaries and Annual levy
- 3/04/10 Agenda deadline for ROI to Amend Boundaries & Annual Levy
- 3/10/10 Deadline for receipt of HIBC’s Annual Report regarding Amendment of Boundaries & Levy of Annual Assessment; File with Clerk of the Board[OPR: EO/HIBC]
- 3/10/10 Identify all businesses and addresses of businesses to be subject to assessment and compile mailing list for Reso of Intent/Joint Notice of Meeting and Public hearing; Coordinate publication of ROI with COB to ensure publication within 3 days of adoption; From COB obtain list of all persons requesting mailing of notices regarding new or increased taxes or assessments so that ROI can be mailed to them. [OPR: EO]
- 3/16/10 BOS Adopt ROI to Amend Boundaries and Annual Levy (to be published and to be mailed to every business in BID to be assessed – not just annexation area and to be mailed to those requesting notice from COB--as joint notice of public hearing and public meeting)**
- 3/19/10 First publication of ROI/Joint Notice of Public Hearing and Meeting re Amend Boundaries, Annual Levy, approval of HIBC report
- *{Publication is required once a week for three successive weeks. Three publications in a newspaper regularly published once a week or oftener, with at least five days intervening between the respective publication dates not counting such publication dates in newspaper of general circulation in area of BID. Each publication requires a display ad that must be at least one-eighth page in size.}
- 3/23/10 Deadline (by close of business) to have mailed all ROI/Joint Notice of Meeting and Hearing to all business owners in BID to be assessed (plus mail to “interested parties” who request notice of new or increased assessments) [OPR: EO]

3/26/10 Second publication of ROI/Joint Notice of Public Hearing and Meeting re Amend Boundaries, Annual Levy, approval of HIBC report

4/02/10 Third publication of ROI/Joint Notice of Public Hearing and Meeting re Amend Boundaries, Annual Levy, approval of HIBC report

4/08/10 First Draft of Ordinance Amending Bid and Resolution Confirming Annual Report and Annual Levy [OPR: County Counsel]

4/22/10 Second Draft of Ordinance Amending Bid and Resolution Confirming Annual Report and Annual Levy [OPR: County Counsel]

4/22/10 Agenda Deadline for Public Meeting (5/04/10)

4/28/10 Deadline for all comments to County Counsel on Ordinance Amending Bid.

5/04/10 Ordinance Amending Bid forwarded to CC mgt team for comments and final approval. [OPR: County Counsel]

5/04/10 **Public meeting** on ROI Amendment to Boundaries & Annual Levy and approval of HIBC report. [May 11 BOS Dark]

5/06/10 Agenda Deadline for Resolution Confirming HIBC Report (Annual Report and Proposal to Change Boundaries)

5/06/10 Agenda Deadline for Introduction and adoption of Ordinance Amending BID

5/06/10 Agenda Deadline for Public Hearing (5/18/10)

5/18/10 **Public Hearing** on ROI Amendment to Boundaries & Annual Levy/Majority Protest proceeding; BOS finds no majority protest

5/18/10 **BOS Adopts Resolution Confirming** HIBC Report (Annual Report and Proposal to Changes Boundaries).

5/18/10 **BOS introduces Ordinance** Amending BID

5/25/10 **BOS adopts Ordinance** Amending BID

6/24/10

Ordinance Amending BID in effect & Potential challenges to ordinance are time-barred.



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

March 18, 2010

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

VIA FAX (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: NOTICE OF PUBLIC HEARING: RESOLUTION NO. 2010-090

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **THREE (3) SATURDAYS: March 20, 27 and April 3, 2010.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE FORMAT INTO A 1/8TH PAGE DISPLAY AD

Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Schlemmer, Sandi A.

From: Moeller, Charlene [CMOELLER@palmspri.gannett.com]
Sent: Thursday, March 18, 2010 3:34 PM
To: Schlemmer, Sandi A.
Subject: RE: URGENT question regarding 1/8th page display ad...

Ad received and will publish on date(s) requested.

Charlene Moeller
Public Notice Customer Service Rep.
The Desert Sun Newspaper
750 N. Gene Autry Trail, Palm Springs, CA 92262
(760) 778-4578, Fax (760) 778-4731
Desert Sun legals@thedesertsun.com
& Desert Post Weekly dpwlegals@thedesertsun.com
The Coachella Valley's #1 Source in News & Advertising! Visit us at mydesert.com
NOTE: Starting on March 29th, there will be a \$10 affidavit processing fee added to the cost of each Public Notice

From: Schlemmer, Sandi A. [mailto:SASCHLEMMER@rcbos.org]
Sent: Thursday, March 18, 2010 3:28 PM
To: Moeller, Charlene
Cc: Gallavan, Teresa; Gil, Cecilia
Subject: RE: URGENT question regarding 1/8th page display ad...
Importance: High


Charlene:

Please see the attached resolution, legal boundary description and the map...

Again, I apologize for such late notice, but was just advised. Thank you very much for your time and assistance.

Sandi Schlemmer
Clerk of the Board of Supervisors

Effective August 14, 2009 the County Administrative Center will be closed every Friday until further notice. Business hours for the Clerk of the Board Office will be Monday through Thursday, 7:00 a.m. to 5:00 p.m.

 Please consider your responsibility to the environment before printing this email.

From: Moeller, Charlene [mailto:CMOELLER@palmspri.gannett.com]
Sent: Thursday, March 18, 2010 3:24 PM
To: Schlemmer, Sandi A.
Subject: RE: URGENT question regarding 1/8th page display ad...

only if you can get it to me in the next 20 min...

Charlene Moeller

Public Notice Customer Service Rep.

The Desert Sun Newspaper

750 N. Gene Autry Trail, Palm Springs, CA 92262

(760) 778-4578, Fax (760) 778-4731

Desert Sun legals@thedesertsun.com

& Desert Post Weekly dpwlegals@thedesertsun.com

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NOTE: Starting on March 29th, there will be a \$10 affidavit processing fee added to the cost of each Public Notice

From: Schlemmer, Sandi A. [<mailto:SASCHLEMMER@rcbos.org>]

Sent: Thursday, March 18, 2010 3:17 PM

To: tds-legals

Subject: URGENT question regarding 1/8th page display ad...

Importance: High

I apologize for this urgent request...

I have JUST been informed that we need to publish a 1/8th page display ad in the Desert Sun on 3/19.... OBVIOUSLY we cannot meet that deadline... can you publish the matter on Saturday, March 20th? I have to let staff know immediately as this matter will need to be pulled from the Board's agenda if we cannot do this.

Sandi Schlemmer, Deputy Clerk



Riverside County Clerk of the Board of Supervisors

951-955-1062 - telephone

951-955-1071 - facsimile

saschlemmer@rcbos.org - e-mail

WARNING: This email is confidential and intended solely for the use of the individual(s) to whom it is addressed.

Effective August 14, 2009 the County Administrative Center will be closed every Friday until further notice by order of the Board of Supervisors. Business hours for the Clerk of the Board Office will be Monday through Thursday, 7:00 a.m. to 5:00 p.m.



Please consider your responsibility to the environment before printing this email.

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE RIVERSIDE

RESOLUTION NO. 2010 – 090

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENTION TO MODIFY THE BOUNDARIES OF THE PALM SPRINGS DESERT RESORT COMMUNITIES TOURISM BUSINESS IMPROVEMENT DISTRICT TO INCLUDE THE CITY OF PALM DESERT WITHIN THE BOUNDARIES OF THE DISTRICT, DECLARING ITS INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2010-2011 ON CERTAIN HOTELS AND MOTELS LOCATED WITHIN THE BOUNDARIES OF THE DISTRICT AS AMENDED, AND SETTING THE TIME AND PLACE OF A PUBLIC MEETING AND PUBLIC HEARING AND GIVING NOTICE OF SAME

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

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

WHEREAS, the benefitted hotel and motel businesses within the Tourism BID boundaries requested the Board of Supervisors to establish the Tourism BID and to levy annual assessments to fund and support certain tourism-related activities; and

WHEREAS, the territory currently included within the boundaries of the Tourism BID is coterminous with the operational boundaries of the Palm Springs Desert Resorts Convention and Visitors Authority ("CVA"), excluding that area within the incorporated city limits of the City of Palm Desert, but including unincorporated Coachella Valley and the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Springs, and Rancho Mirage, which cities have granted the County of Riverside consent to establish the Tourism BID within their jurisdictions; and

WHEREAS, the City of Palm Desert is currently outside the established boundaries of the Tourism BID, but the City Council has recently consented to the inclusion of the City of Palm Desert within the Tourism BID boundaries; and

WHEREAS, the Advisory Board, appointed by the Board of Supervisors pursuant to Government Code Section 36530, has filed an annual report with the Clerk of the Board which recommends modifying the Tourism BID boundaries to annex and include the City of Palm Desert within the Tourism BID; and

WHEREAS, the Board of Supervisors intends to modify the Tourism BID boundaries to include and annex the City of Palm Desert within the Tourism BID; and

WHEREAS, after the intended boundary modification, the territory within the Tourism BID boundaries will be coterminous with the operational boundaries of CVA, including unincorporated Coachella Valley and the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Springs, Palm Desert and Rancho Mirage; and

WHEREAS, the Advisory Board's annual report also recommends the levy of an annual assessment for fiscal year 2010-2011 on assessable hotel and motel businesses located within the Tourism BID to pay for recommended tourism-related activities that will benefit the assessable hotel and motel businesses located within the Tourism BID; and

WHEREAS, the Board of Supervisors intends to levy an annual assessment for fiscal year 2010-2011 to pay for recommended tourism-related activities within the Tourism BID; and

WHEREAS, it is the opinion of the Board of Supervisors that all of the assessable hotel and motel businesses located within the Tourism BID will benefit from the activities of the Tourism BID; and

WHEREAS, this Resolution of Intention will commence proceedings under the Act to modify the Tourism BID boundaries to include and annex the City of Palm Desert within the Tourism BID and to levy the annual assessment for fiscal year 2010-2011 within the Tourism BID;

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

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

Section 2. Intent to Modify the Boundaries of the Tourism BID. The Board of Supervisors declares its intent to modify the boundaries of the Tourism BID. It is the intent of the Board of Supervisors to modify the Tourism BID boundaries by extending the boundaries to include and encompass the City of Palm Desert and thereby annex the City of Palm Desert into the Tourism BID. Upon final approval of the intended boundary modification, the Tourism BID boundaries will be coterminous with the operational boundaries of CVA. A map reflecting the territory included within the modified Tourism BID boundaries is attached hereto as Exhibit A and is also on file with the Clerk of the Board.

Section 3. Intent to Levy and Collect Assessments within the Tourism BID for fiscal year 2010-2011. Pursuant to and under authority of the Act, except where funds are otherwise available, the Board of Supervisors declares its intent to levy and collect an annual assessment within the boundaries of the Tourism BID to fund the tourism-related

activities recommended in the Advisory Board's annual report on file with the Clerk of the Board. Pursuant to the Act and Ordinance No. 883, an annual assessment is intended to be levied on all hotels and motels that have fifty (50) or more sleeping rooms and are located within the Tourism BID boundaries. It is estimated that approximately \$ 4.8 million in revenue will be raised by the intended annual assessment.

Section 4. Method and Basis of Levy. The method and basis of levying the intended annual assessment follows:

- a. The assessment for hotels and motels with fifty (50) or more sleeping rooms is two percent (2 %) of the gross rental charges for overnight room stays. Gross Rental Charges shall equal the total dollar amount charged for overnight room rentals to guests (with the exception of government employees and with the exception of long term guests who stay more than twenty-eight consecutive nights at the same Assessable Hotel or Assessable Motel), but shall not include incidental room charges such as room service, video rental, or similar charges. Gross Rental Charges are equal to the total consideration charged for room rental valued in U. S. dollars, whether or not received and whether received in money or other consideration such as goods, labor, property or otherwise.
- b. New hotels and motels that have fifty (50) or more sleeping rooms and are located within the Tourism BID boundaries will not be exempt from the assessment levy pursuant to Section 36531 of the California Streets and Highways Code.
- c. The benefit assessments shall be collected by the County in four (4) installments. Each operator of an assessable hotel or motel shall, on or before the last day of the month following each quarter, make a report to the County Treasurer-Tax Collector on forms provided by the County reflecting the amount of assessment due for that quarter. The report and amount become delinquent on the last day of the month following the close of each calendar quarter. The full amount of the assessment calculated shall be remitted to the County Treasurer-Tax Collector at the time that the return form is filed. The County Treasurer-Tax Collector may establish shorter reporting or remitting periods for any operator and may require additional information in any return. Returns and payments are due immediately upon cessation of business for any reason. Each return shall contain a declaration under penalty of perjury, executed by the operator or its authorized agent, that, to the best of the declarant's knowledge, the statements in the return are true, correct, and complete. Any operator of an assessable hotel or motel who fails to remit any assessment within the time required shall pay a penalty of ten percent (10 %) of the amount of the assessment in addition to the amount of the assessment. Any operator of an assessable hotel or motel who fails to remit any delinquent remittance on or before the fifteenth day of the month following the date of the first penalty shall pay a second delinquency penalty of ten percent (10 %) of the amount of the assessment in addition to the amount of assessment and the ten percent (10 %) penalty first imposed.
- d. The County may charge an administrative fee for the collection and processing of the assessments in order to cover its reasonable costs for this service.
- e. If the County Treasurer-Tax Collector determines that the nonpayment of any assessment is due to fraud, a penalty of twenty-five percent (25 %) of the amount of the assessment shall be added thereto in addition to the penalties stated above.
- f. In addition to the penalties imposed, any operator of an assessable hotel or motel who fails to remit any assessment shall pay interest at the rate of one percent (1 %) per month, or fraction thereof, on the amount of tax, exclusive of penalties, from the date on which the remittance first became delinquent until paid.
- g. Every penalty imposed and such interest as accrued under the provisions of this section shall become a part of the assessment required to be paid.

Section 5. Types of Activities To Be Funded. The proposed type or types of activities to be funded by and through the annual levy of assessments on businesses within the Tourism BID are as follows:

- a. Marketing, advertising, and public relations;
- b. Brochure development and distribution;
- c. Promotion of public events which benefit businesses in the area and which take place on or in public places within the area;
- d. Activities which benefit businesses located and operating in the area, including but not limited to downtown shopping and promotional programs.

Section 6. Advisory Board's Annual Report. The Board of Supervisors appoints HIBC, Inc. (an advisory council to CVA) to serve as the Advisory Board for the Tourism BID. HIBC, Inc. has filed its annual report with the Clerk of the Board. The Board of Supervisors approves said report subject to any further modification that may be necessary or desirable based upon future recommendations by staff and public participation at the public meeting and public hearing.

Section 7. Joint Notice of Time and Place of Public Meeting and Public Hearing.

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Riverside will hold a Public Meeting and Public Hearing on the intended modification of the Tourism BID boundaries and the intended levy of an annual assessment within the Tourism BID.

The time and place of the public meeting on the intended modification of the Tourism BID boundaries and the intended levy of the annual assessment shall be at 9:00 a.m., May 4, 2010, or as soon thereafter as this matter may be heard, at the Board of Supervisor's Chambers, located on the first floor of the County Administrative Center, 4080 Lemon Street in Riverside, California 92501. The public meeting may be continued from time to time as necessary.

The time and place of the public hearing on the intended modification of the Tourism BID boundaries and the intended levy of the annual assessment shall be at 9:30 a.m., May 18, 2010, or as soon thereafter as this matter may be heard, at the Board of Supervisor's Chambers, located on the first floor of the County Administrative Center, 4080 Lemon Street in Riverside, California 92501. The public hearing may be continued from time to time as necessary.

At the public hearing set forth above, the Board of Supervisors will hear the testimony of all interested persons for or against the Tourism BID, the intended modification of the Tourism BID boundaries, the extent of the area encompassed within the Tourism BID, the furnishing of specific types of improvements or activities within the Tourism BID boundaries, and/or the intended levy of an annual assessment within the Tourism BID.

At the public hearing, the Board of Supervisors will also hear and consider all protests made by any owner of any assessable hotel or motel located within the Tourism BID boundaries (either the current boundaries or the intended, modified boundaries) against the Tourism BID, the intended modification of the Tourism BID boundaries, the extent of the area encompassed within the Tourism BID, the furnishing of specific types of improvements or activities within the Tourism BID, and/or the intended levy of an annual assessment within the Tourism BID. At the conclusion of the public hearing the Board of Supervisors will determine whether or not a majority protest exists under the Act.

Any person who wishes to be heard regarding the Tourism BID may appear at the public meeting and public hearing or may send written comments to: Kecia Harper-Ihem, Clerk of the Board, 4080 Lemon Street, Riverside, CA 92501. Further information concerning the Tourism BID, the intended modification of the boundaries of the Tourism BID, and intended annual assessment may be obtained from JoAnn Cornelius, Senior Marketing / Development Specialist, Riverside County Economic Development Agency, 3499 10th Street, Suite 100, Riverside, CA 92501; telephone number (951) 955-5990.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting or public hearing, or if you need further information relating to the subject meeting or hearing, please contact the Clerk of the Board's Office at (951) 955-1060. Notification at least 48 hours prior to the meeting will assist the County staff in assuring that reasonable arrangements can be made to provide accessibility.

The Clerk of the Board is authorized and directed to publish a copy of this resolution in a newspaper or newspapers of general circulation within the unincorporated area of the Coachella Valley of the County and within each of the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage once per week for each of three weeks. Said publication shall be a display advertisement of at least one-eighth page and shall be first published at least forty-five days prior to the date of the public hearing.

In addition, the Clerk of the Board is authorized and directed to mail copies of this Resolution by first-class mail to those interested parties who filed a written request with the County for mailed notice of public meetings or hearings on new or increased general taxes or assessments. Copies of this Resolution shall also be mailed by first-class mail to the known owners of each assessable hotel and motel within the boundaries of the Tourism BID, including those owners of assessable hotels and motels located within the incorporated limits of Palm Desert which are intended to be included within the Tourism BID upon final approval of the modified boundaries.

Section 8. Protests. The Board of Supervisors will consider all protests against the Tourism BID, the intended modification of the boundaries of the Tourism BID, the extent of the area encompassed within the Tourism BID, the furnishing of specific types of improvements or activities within the boundaries of the Tourism BID; and/or the intended levy of annual assessments within the boundaries of the Tourism BID. The following rules shall apply to all protests:

- a. A protest may be made orally or in writing by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made.
- b. Every written protest shall be filed with the Office of the Clerk of the Board, located at County Administrative Center, 4080 Lemon Street, 1st Floor, Riverside, California 92501, at or before the time fixed for the public hearing as set forth above.
- c. The Board of Supervisors may waive any irregularity in the form or content of any written protest, and at the public hearing, may correct minor defects in the protest.
- d. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing set forth above.
- e. Each written protest shall contain a description of the business in which the person subscribing the protest is interested, sufficient to identify the business, and if a person subscribing is not shown on the official records of the County of Riverside as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business. A written protest that does not comply with this paragraph shall not be counted in determining a majority protest.
- f. If written protests are received from the owners of businesses in the Tourism BID which will pay fifty percent (50 %) or more of the assessments intended to be levied and protests are not withdrawn so as to reduce the protests to less than the fifty percent (50 %), no further proceedings on the proposal to modify the Tourism BID boundaries or to levy the intended annual assessment within the Tourism BID boundaries shall be taken by the Board of Supervisors for a period of one year from the date of the filing of a majority protest. However, if

the majority protest is only against the furnishing of a specified type or types of improvements or activities within the Tourism BID, those types of improvements or activities shall be eliminated and (if there is no majority protest pursuant to 8.g.) the boundaries of the Tourism BID shall be modified and the intended annual assessment shall be levied. Nevertheless, if there is no majority protest pursuant to this subsection 8.f. but there is a majority protest pursuant to subsection 8.g., the boundaries of the Tourism BID shall not be modified, but the intended annual assessment shall be levied within the currently established boundaries of the Tourism BID.

- g. If written protests are received from business owners located within the City of Palm Desert, whose businesses are proposed to be included within the modified Tourism BID boundaries, and if these protesting business owners will pay fifty percent (50 %) or more of the assessments intended to be levied within this area to be annexed and included within the Tourism BID, and if protests are not withdrawn so as to reduce the protests to less than the fifty percent (50 %), no further proceedings on the proposal to modify the Tourism BID boundaries to annex and include the City of Palm Desert within the Tourism BID or to levy the intended annual assessment within the City of Palm Desert shall be taken by the Board of Supervisors for a period of one year from the date of the filing of a majority protest. However, if the majority protest is only against the furnishing of a specified type or types of improvements or activities within the area intended to be annexed and included within Tourism BID boundaries, those types of improvements or activities shall be eliminated and (provided that there is no majority protest pursuant to section 8.f.), the intended modification to the Tourism BID boundaries shall be approved and the intended annual assessment shall be levied.

Section 9. Effective Date. This resolution shall take effect immediately upon its adoption.

**(INSERT ATTACHED LEGAL BOUNDARY DESCRIPTION)
(INSERT ATTACH MAP)**

ROLL CALL:

Ayes: Buster, Benoit and Ashley
Nays: Stone
Absent: Tavaglione

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board
By: Cecilia Gil, Board Assistant

The project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 8:00 a.m. to 5:00 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Riverside County Planning Department at 4080 Lemon Street, 9th Floor, Riverside, California 92501.

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public hearing or may appear and be heard in support of or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: March 18, 2010

Kecia Harper-Ihem
Clerk of the Board
By: Cecilia Gil, Board Assistant

EXHIBIT 1

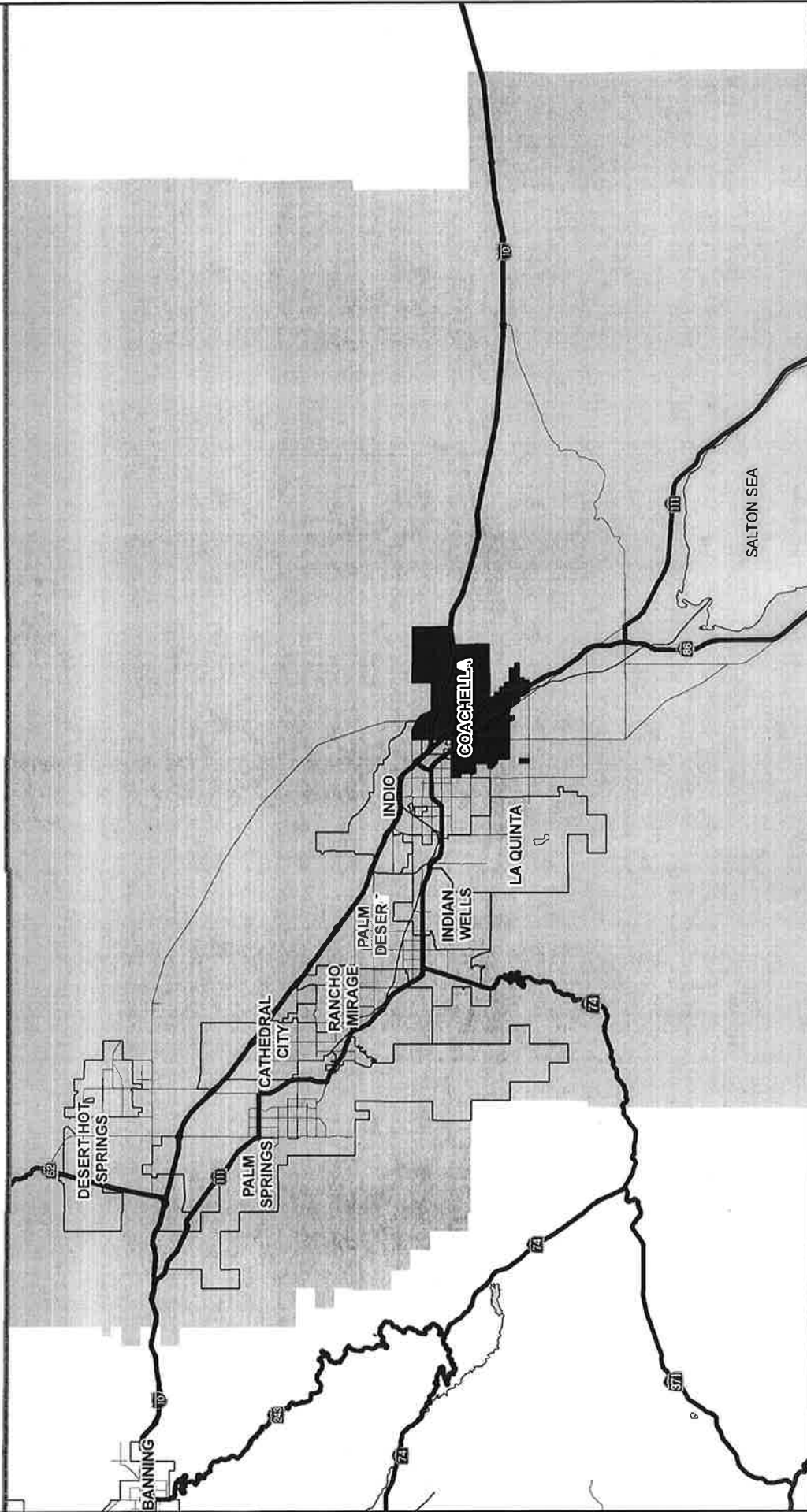
**MAP AND LEGAL DESCRIPTION OF THE BOUNDARIES OF
THE PALM SPRINGS DESERT RESORT COMMUNITIES TOURISM
BUSINESS IMPROVEMENT DISTRICT**








**The Palm Springs Desert Resorts Communities
Tourism Improvement District
Boundary Description**

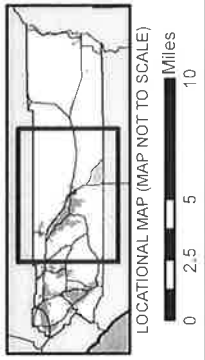
1. **BEGINNING** at the Northeast corner of Section 1, Township 2 South, Range 2 East, San Bernardino Meridian, also being a point on the north line of Riverside County;
2. Thence South along said Range line to the Northeast corner of Section 36, T2S, R2E;
3. Thence West along the North line of said Section 36 to the North one-quarter corner thereof;
4. Thence South along the North-South center section line of said Section 36 to the Center section corner thereof;
5. Thence East along the East-West center section line of said Section 36 to the East one-quarter corner thereof;
6. Thence South along the East line of said Section 36 to the Northeast corner of Section 1, T3S, R2E;
7. Thence West along the North line of said Section 1 to the Northwest corner thereof;
8. Thence South along the West line of said Section 1 to the Northwest corner of Section 12, T3S, R2E;
9. Thence East along the North line of said Section 12 to the Northeast corner thereof;
10. Thence South along the East line of said Section 12 to the Southeast corner thereof;
11. Thence West along the South line of said Section 12 to the Northwest corner of Section 13, T3S, R2E;
12. Thence South along the West line of said Section 13 to the Southwest corner thereof;
13. Thence East along the South line of said Section 13 to the Southeast corner thereof;
14. Thence South along said Range line to the Southwest corner of Section 18, T4S, R3E;
15. Thence East along Section lines to the Northeast corner of Section 20, T4S, R3E;
16. Thence South along the East line of said Section 20 to the Southeast corner thereof;
17. Thence West along the South line of said Section 20 to the Northwest corner of Section 29, T4S, R3E;
18. Thence South along the West line of said Section 29 to the Southwest corner thereof;
19. Thence East along the South line of said Section 29 to the Northeast corner of Section 32, T4S, R3E;
20. Thence South along the East line of said Section 32 to the Southeast corner thereof;
21. Thence West along the South line of said Section 32 to the Northeast corner of Section 5, T5S, R3E;
22. Thence South along Section lines to the Northwest corner of Section 16, T5S, R3E;
23. Thence East along the North line of said Section 16 to the Northeast corner thereof;
24. Thence South along the East line of said Section 16 to the Northwest corner of Section 22, T5S, R3E;
25. Thence East along the North line of said Section 22 to the Northeast corner thereof;
26. Thence South along the East line of said Section 22 to the Northwest corner of Section 26, T5S, R3E;
27. Thence East along the North line of said Section 26 to the Northeast corner thereof;
28. Thence South along Section lines to the Northwest corner of Section 1, T6S, R3E;
29. Thence East along the North line of said Section 1 to the Northeast corner thereof, being a point of intersection with the Palm Springs Unified School District boundary line defined by the West line of Section 31, T5S, R4E;
30. Thence Easterly and Southerly along the Palm Springs Unified School District boundary line to a point of intersection with the south Riverside County line;
31. Thence Easterly along the Riverside County line, also being the southernmost boundaries of the Palm Springs Unified School District, the Desert Sands Unified School District and the Coachella Valley Unified School District, to a point of intersection with the easternmost boundary line of the Coachella Valley Unified School District;
32. Thence Northerly, along the easternmost boundary line of the Coachella Valley Unified School District to a point of intersection with the north Riverside County line;
33. Thence Westerly along the north Riverside County line to the **Point of Beginning**.

The boundary of the Palm Springs Desert resorts Communities tourism Improvement District excludes the incorporated city limits for the City of Coachella.

The Palm Springs Desert Resort Communities Tourism Business Improvement District



-  Participating Cities/Unincorporated
-  Non-Participating City (Coachella)
-  Cities
-  Highways
-  Major Roads
-  County Line
-  Waterbodies



Date: March 3, 2010
 Source: Riverside County TLMA/GIS
 Filename: \\Agency\limgis\Workspace\Rock\Coachella_bw_map.mxd



The Desert Sun

mydesert.com

750 N. Gene Autry Trail
Palm Springs, CA 92262
Billing Inquiries: (866) 875-0854
Main Office: (760) 322-8889

ADVERTISING INVOICE/STATEMENT

Make Checks payable to DESERT SUN PUBLISHING CO.
P.O. Box 677368 Dallas, TX 75267-7368
A finance charge of 1.5% per month(18% Annually) will be added to balances not paid by the 20th.

132

RIV0690000037356650126979510820

RIVERSIDE COUNTY-BOARD OF SUP.
PO BOX 1147
RIVERSIDE CA 92502-1147

Customer No.	Invoice No.
RIV069	0003735665
For the Period	Thru
03/29/10	05/02/10
Due Date	Amount Due
05/17/10	12,697.95
AMOUNT PAID	

PLEASE RETURN THIS TOP SECTION WITH PAYMENT IN THE ENCLOSED ENVELOPE AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

Date	EDT	Class	Description	Times Run	Col	Depth	Total Size	Rate	Amount
0329			BALANCE FORWARD						4,965.04
0320	CLS	0001	SANDI SCHLEMNO 1190 / RES 20	3	5	21.00	315.00		3,772.35
0331	CLS	0001	CECILIA NO 1338 NOTICE T	12	2	83.00	1992.00		704.90
0403	CLS	0001	CECILIA NO 1427 NOTICE I	9	2	79.00	1422.00		278.28
0409	DLY		SENIOR INSPIRATION AWARDS	1	3	10.00	30.00		500.00
0414	CLS	0001	CECILIA NO 1529 NOTICE I	10	2	49.00	980.00		422.70
0416	CLS	0001	CECILIA NO 1579 NOTICE O	2	2	316.00	1264.00		540.56
0418	DLY		SENIOR INSPIRATION AWARDS	1	3	10.00	30.00		500.00
0423	CLS	0001	CECILIA NO 1692 NOTICE O	2	2	101.00	404.00		183.66
0424	CLS	0001	CECILIA NO 1699 NOTICE O	2	2	246.00	984.00		424.36
0428	CLS	0001	CECILIA NO 1730 NOTICE I	10	2	47.00	940.00		406.10
Current		Over 30 Days	Over 60 Days	Over 90 Days	Over 120 Days	Total Due			
7,732.91		1,730.86	3,044.68	.00	189.50	12,697.95			
Contract Type		Contract Qnty.	Expiration Date	Current Usage	Total Used	Quantity Remaining	Salesperson		
							MOELLER		

RECEIVED RIVERSIDE COUNTY
CLERK / BOARD OF SUPERVISORS
2010 MAY 10 PM 3:55

The Advertiser shall make payment within 15 days of the billing date indicated on Company's statement, and, in the event that it fails to make payment within such time, Company may eject advertising copy and / or immediately cancel this contract and Advertiser agrees to indemnify Company for all expenses incurred in connection with the collection of amounts payable under this contract, including but not limited to collection fees, attorney's fees and court costs. If this agreement is cancelled due to Advertiser's failure to make timely payment, Company may rebill the Advertiser for the outstanding balance due at the open or earned contract rate, whichever is applicable.

TO ENSURE PROPER CREDIT, PLEASE RETURN THE TOP SECTION AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

Customer Number	Name	Invoice Number	Amount Paid
RIV069	RIVERSIDE COUNTY-BOARD OF SUP.	0003735665	

THE DESERT SUN PUBLISHING CO.
ADVERTISING INVOICE/STATEMENT

3.19 of 03/16/10
3.48 5/11/10

PROOF OF PUBLICATION (2015.5.C.C.P)

STATE OF CALIFORNIA
County of Riverside

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of a printer of the, DESERT SUN PUBLISHING COMPANY a newspaper of general circulation, printed and published in the city of Palm Springs, County of Riverside, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Riverside, State of California under the date of March 24, 1988. Case Number 191236; that the notice, of which the annexed is a printed copy (set in type not smaller than non pariel, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

March 20th, 27th, April 3rd, 2010

All in the year 2010

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Palm Springs, California this ---5th, ---- day

of----- April -----, 2010



 Signature



RESOLUTION 14
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

NOTICE OF PUBLIC HEARING BEFORE THE BOARD
Autos For

<p>NEW TODAY Mar 20 & 21 Furniture, TVs, clothes and more! 77105 Michigan Dr. No Early Birds! 1025 E. Twin Palms Dr. Fri. 8:30-3 & Sat. 10-3 High discounts & bargain collectors & design items Major sale of 20th Century Palm Springs and that these items are...</p>	<p>Palm Desert 72875 Somera Rd South Palm Desert one block above Haystack and pipe fittings, lots of "Meek-Kier" and other treat-able and other treat-able items. 200 record al- health equipment, more clothing, books, liners, etc. Furniture, TV, VCR. More! Miller, New Bob Mackie, Radio orna- for jewelry, John Rivers, Sam grass lamps, fast- March 20th 7AM-1PM Hrs- March 20th 7AM-1PM Hrs- March 20th 7AM-1PM Hrs-</p>	<p>Palm Desert Estate Sale Saturday 9AM-3PM, 6:00 Kade Circle Moving Sale, 5AT Only 9AM-3PM, 6:00 Kade Circle Moving Sale, 5AT Only 9AM-3PM, 6:00 Kade Circle Moving Sale, 5AT Only</p>
<p>Palm Springs Saturday, March 20, 7:00am-12:00am Noon Collectibles, Kitchen Collectibles, Kitch- items, camping equip- ment, and much more! more 7357 Broken Arrow Trail, Palm Desert. plus</p>	<p>Palm Desert Garage Sale Saturday, Sunday 7AM-1PM Furniture, TV, VCR, More! Miller, New Bob Mackie, Radio orna- for jewelry, John Rivers, Sam grass lamps, fast- March 20th 7AM-1PM Hrs- March 20th 7AM-1PM Hrs- March 20th 7AM-1PM Hrs-</p>	<p>Palm Desert Estate Sale Saturday 9AM-3PM, 6:00 Kade Circle Moving Sale, 5AT Only 9AM-3PM, 6:00 Kade Circle Moving Sale, 5AT Only 9AM-3PM, 6:00 Kade Circle Moving Sale, 5AT Only</p>
<p>Palm Desert NEIGHBORHOOD YARD SALE Sat 7am-11am Pirahya, Shadow Mountain, Beverly Hills, Hedgero- Sal, Sun. starting at 7A One Stop Shop!</p>	<p>Palm Desert Garage Sale Saturday, Sunday 7AM-1PM Furniture, TV, VCR, More! Miller, New Bob Mackie, Radio orna- for jewelry, John Rivers, Sam grass lamps, fast- March 20th 7AM-1PM Hrs- March 20th 7AM-1PM Hrs- March 20th 7AM-1PM Hrs-</p>	<p>Palm Desert Estate Sale Saturday 9AM-3PM, 6:00 Kade Circle Moving Sale, 5AT Only 9AM-3PM, 6:00 Kade Circle Moving Sale, 5AT Only 9AM-3PM, 6:00 Kade Circle Moving Sale, 5AT Only</p>

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