

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

760



SUBMITTAL DATE:
June 6, 2013

FROM: Economic Development Agency

SUBJECT: Public Hearing and Resolution No. 2013-119 Confirming the Report of the Advisory Board of the Palm Springs Desert Resort Communities Tourism Business Improvement District and Levying an Assessment for Fiscal Year 2013-2014

RECOMMENDED MOTION: That the Board of Supervisors :

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

BACKGROUND: (Commences on Page 2)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2013/14

COMPANION ITEM ON BOARD AGENDA: No

SOURCE OF FUNDS: N/A

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

C.E.O. RECOMMENDATION:

APPROVE

BY:

Karen L. Johnson

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Benoit and Ashley

Nays: Stone

Absent: Tavaglione

Date: June 4, 2013

By: EDA, Treasurer

Kecia Harper-Ihem
Clerk of the Board

By:

Deputy

Prev. Agn. Ref.:

District: 4/4, 5/4

Agenda Number:

FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner
DATE: 5/2/13

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

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

RECEIVED BY THE BOARD OF SUPERVISORS
JUN 11 2013

BACKGROUND:

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

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

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

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

2
3 RESOLUTION NO. 2013-119

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5 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
6 CONFIRMING THE REPORT OF THE ADVISORY BOARD OF THE PALM SPRINGS DESERT
7 RESORT COMMUNITIES TOURISM BUSINESS IMPROVEMENT DISTRICT AND LEVYING AN
8 ASSESSMENT FOR FISCAL YEAR 2013-2014

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

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

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

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

FORM APPROVED COUNTY COUNSEL
BY DALE A. GARDNER DATE 5/20/13

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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5 ROLL CALL:

6 Ayes: Jeffries, Benoit and Ashley

7 Nays: Stone

8 Absent: Tavaglione

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

11 KECIA HARPER-IHEM, Clerk of said Board

12 By: _____
13 Deputy

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

RESOLUTION NO. 2013-100

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2013-2014 ON CERTAIN HOTELS AND MOTELS LOCATED WITHIN THE BOUNDARIES OF THE PALM SPRINGS DESERT RESORT COMMUNITIES TOURISM BUSINESS IMPROVEMENT DISTRICT AND SETTING THE TIME AND PLACE OF A PUBLIC HEARING AND 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 the desert communities; and

WHEREAS, the benefited 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 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") which includes the geographical area within unincorporated Coachella Valley and the cities of Cathedral City, Desert Hot Springs, Indio, Palm Springs, La Quinta, Palm Springs, Palm Desert, and Rancho Mirage, which cities have granted the County of Riverside consent to establish the Tourism BID within their jurisdictions; and

WHEREAS, the Hospitality Industry and Business Council, Inc. was designated by the Board of Supervisors pursuant to Streets and Highways Code Section 36530 as the advisory board to the Tourism BID ("Advisory Board") which makes recommendations concerning the Tourism BID, its operations, the expenditures of revenues derived from assessments levied by the County of Riverside related to the Tourism BID and which is authorized to incur obligations against funds derived from those assessments in accordance with policy guidelines established by the Board of Supervisors; and

WHEREAS, the Advisory Board has filed an annual report with the Clerk of the Board; and WHEREAS, the Advisory Board's annual report recommends the levy of an annual assessment for fiscal year 2013-2014 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 approves the annual report and intends to levy an annual assessment for fiscal year 2013-2014 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 levy the annual assessment for fiscal year 2013-2014 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. **Intent, Purpose, and Scope.** The recitals set forth herein are true and correct.

Section 2. **Intent, Levy, and Collection Assessments.** Within the Tourism BID for fiscal year 2013-2014, 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 for fiscal year 2013-2014 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. 963, an annual assessment is authorized 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 \$5,540,515 in revenue will be used by the intended annual assessment.

Section 3. **Method and Basis of Levy.** The method and basis of levying the intended annual assessment remains unchanged from prior fiscal years. There will be no increase in the annual assessment. 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 at \$1.00, 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.

Section 4. **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 assessable hotel and motel businesses within the Tourism BID are as follows:

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

No improvements are intended to be funded by the annual assessment.

Section 5. **Reference to Annual Report.** Reference is made to the annual report on file with the Clerk of the Board for a full and detailed description of the activities to be provided for fiscal year 2013-2014, as well as the boundaries of the Tourism BID and the proposed annual assessment to be levied upon businesses within the Tourism BID for fiscal year 2013-2014.

Section 6. **Approval of Advisory Board's Annual Report.** The Board of Supervisors approves the annual report subject to any further modification that may be necessary or desirable based upon future recommendations by staff and the public at the public hearing.

Section 7. **Notice of Time and Place of Public Hearing.** NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Riverside will hold a Public Hearing on the intended levy of an annual assessment for fiscal year 2013-2014 within the Tourism BID.

The time and place of the public hearing on the intended levy of the annual assessment shall be at 9:50 a.m., June 2, 2013, 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 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 oral and written protests made by any owner of any assessable hotel or assessable motel located within the Tourism BID boundaries against the Tourism BID, against the furnishing of specific types of improvements or activities within the Tourism BID, and against 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 hearing or may send written comments to: Keria Harper-Heim, Clerk of the Board, 4080 Lemon Street, Riverside, CA 92501. Further information concerning the Tourism BID and intended annual assessment may be obtained from: Dahi Rogers, CDA Development Manager, Riverside County Economic Development Agency, 3490 10th Street, Suite 100, Riverside, CA 92501; telephone number (951) 955-3892.

Pursuant to the Americans with Disabilities Act, if you need special assistance to participate in the public hearing, or if you need further information relating to the subject 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 ensuring that reasonable accommodations 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, Indio, Wildomar, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage once per week for one week. Said publication shall be a display advertisement of at least one-eighth page and shall be published no later than seven days prior to the date of the public hearing.

Section 8. **Protests.** At the public hearing, the Board of Supervisors will consider all protests against the Tourism BID, against the furnishing of specific types of improvements or activities within the Tourism BID, and against the intended levy of an annual assessment within the boundaries of the Tourism BID. The form and manner of written protests shall comply with California Streets and Highways Code Sections 35224 and 35225. 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 considered in determining a majority protest.
f. Written protests are received from the owners of businesses in the Tourism BID which will pay fifty percent (50 %) of costs 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 %) of further proceedings as the proposal 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 the intended annual assessment shall be levied.

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

ROLL CALL:
Ayes: Jeffries, Tavaglione, Stone, and Ashby
Nays: None
Absent: Benoit

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on May 7, 2013.

KERIA HARPER-HEIM, Clerk of said Board
By: Cecilia G. Board Assistant

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 levied in court, you may be invited 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.

Dated: May 21, 2013 Keria Harper-Heim, Clerk of the Board
By: Cecilia G. Board Assistant

☐ PROOF O.K. BY:

☐ O.K. WITH CORRECTIONS BY:

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

ADVERTISER: RIVERSIDE COUNTY-BOARD O

SALES PERSON: Charlene Moeller

PUBLICATION: DS-DAILY

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DS-2000370567-01.
INDD

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

421



FROM: Economic Development Agency

SUBMITTAL DATE:
April 11, 2013

SUBJECT: Adoption of Resolution 2013-100, Declaring its Intent to Levy and Collect Assessments for Fiscal Year 2013-2014 on Assessable Hotels and Motels Located within the Palm Springs Desert Resort Communities Tourism Business Improvement District

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and adopt Resolution 2013-100, a Resolution of the County of Riverside Board of Supervisors declaring its intention to levy and collect assessments for fiscal year 2013-2014 on assessable hotels and motels located within the Palm Springs Desert Resort Communities Tourism Business Improvement District (BID), 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; and
2. Approve the fiscal year 2013-2014 advisory committee report from the Hospitality Industry Business Council to support the Tourism BID levy for fiscal year 2013-2014, on file with the Clerk of the Board.

BACKGROUND: (Commences on Page 2)


Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:		Fiscal Year:	2013/14

COMPANION ITEM ON BOARD AGENDA

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:

APP

BY:


County Executive Office Signature


Jennifer E. Sargent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing on Tuesday, June 4, 2013, at 9:30 a.m.

Ayes: Jeffries, Tavaglione, Stone and Ashley
Nays: None
Absent: Benoit
Date: May 7, 2013
xc: EDA, Treasurer, COB

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

SOB 066 30 6N 1: 10
OFFICE OF THE CLERK OF THE BOARD
RECEIVED MAY 20 2013

Prev. Agn. Ref.:

District: 4/4, 5/4

Agenda Number:

3-6

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 BID in the Coachella Valley.

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 2013-100 begins the process of complying with this requirement for fiscal year 2013-2014. There is no requirement to obtain consent again from the participating cities and none have expressed interest in withdrawing their consent.

Resolution 2013-100 includes a complete description of the Tourism BID and sets the date, time and place for the required public hearing. It also directs the Clerk of the Board to publish a copy of the resolution in newspapers within the boundaries of the BID. The 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 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 is 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.

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

1. Marketing, 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 2013-100 reflects no changes from the current fiscal year's Tourism BID.

(Continued)

Economic Development Agency

Adoption of Resolution 2013-100, Declaring its Intent to Levy and Collect Assessments for Fiscal Year 2013-2014 on Assessable Hotels and Motels Located within the Palm Springs Desert Resort Communities Tourism Business Improvement District

April 11, 2013

Page 3

BACKGROUND: (Continued)

The County Treasurer-Tax Collector's office began collecting the Tourism BID assessment effective July 1, 2010, in accordance with County Ordinance No. 883.2 for fiscal year 2010-2011. The collection process is done on a quarterly basis. If approved, the collection process will remain the same for fiscal year 2013-2014.

It is recommended that the County approve Resolution 2013-100 declaring its intent to continue with the Tourism BID in fiscal year 2013-2014.

2
3 RESOLUTION NO. 2013-100

4 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
5 DECLARING ITS INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2013-
6 2014 ON CERTAIN HOTELS AND MOTELS LOCATED WITHIN THE BOUNDARIES OF THE
7 PALM SPRINGS DESERT RESORT COMMUNITIES TOURISM BUSINESS IMPROVEMENT
8 DISTRICT AND SETTING THE TIME AND PLACE OF A PUBLIC HEARING AND GIVING
9 NOTICE OF SAME

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

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

20
21 WHEREAS, the benefitted hotel and motel businesses within the Tourism BID boundaries
22 requested the Board of Supervisors to establish the Tourism BID and to levy annual assessments to fund
23 and support certain tourism-related activities; and

24
25 WHEREAS, the territory included within the boundaries of the Tourism BID is coterminous with
26 the operational boundaries of the Palm Springs Desert Resorts Convention and Visitors
27 Authority ("CVA") which includes the geographical area within unincorporated Coachella Valley and the
28 cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Springs, Palm Desert,

1 and Rancho Mirage, which cities have granted the County of Riverside consent to establish the Tourism
2 BID within their jurisdictions; and

3 WHEREAS, the Hospitality Industry and Business Council, Inc. was designated by the Board of
4 Supervisors pursuant to Streets and Highways Code Section 36530 as the advisory board to the Tourism
5 BID ("Advisory Board") which makes recommendations concerning the Tourism BID, its operations, the
6 expenditures of revenues derived from assessments levied by the County of Riverside related to the
7 Tourism BID and which is authorized to incur obligations against funds derived from those assessments in
8 accordance with policy guidelines established by the Board of Supervisors; and

9
10 WHEREAS, the Advisory Board has filed an annual report with the Clerk of the Board; and

11 WHEREAS, the Advisory Board's annual report recommends the levy of an annual assessment for
12 fiscal year 2013-2014 on assessable hotel and motel businesses located within the Tourism BID to pay for
13 recommended tourism-related activities that will benefit the assessable hotel and motel businesses located
14 within the Tourism BID; and

15
16 WHEREAS, the Board of Supervisors approves the annual report and intends to levy an annual
17 assessment for fiscal year 2013-2014 to pay for recommended tourism-related activities within the Tourism
18 BID; and

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

21
22 WHEREAS, this Resolution of Intention will commence proceedings under the Act to levy the
23 annual assessment for fiscal year 2013-2014 within the Tourism BID;

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

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

27 Section 2. Intent to Levy and Collect Assessments within the Tourism BID for fiscal year 2013-
28 2014. 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 for fiscal year 2013-2014 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 \$6,540,515 in revenue will be raised by the intended annual assessment.

Section 3. Method and Basis of Levy. The method and basis of levying the intended annual assessment remains unchanged from prior fiscal years. There will be no increase in the annual assessment. 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.

Section 4. 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 assessable hotel and motel businesses within the Tourism BID are as follows:

- a. Marketing, advertising, and public relations;
- b. Brochure development and distribution;

- 1 c. Promotion of public events which benefit businesses in the area and which take place
2 on or in public places within the area;
3 d. Activities which benefit businesses located and operating in the area, including but
4 not limited to downtown shopping and promotional programs.
5

6 No improvements are intended to be funded by the annual assessment.

7 Section 5. Reference to Annual Report. Reference is made to the annual report on file with the
8 Clerk of the Board for a full and detailed description of the activities to be provided for fiscal year 2013-
9 2014, as well as the boundaries of the Tourism BID and the proposed annual assessment to be levied upon
10 businesses within the Tourism BID for fiscal year 2013-2014.

11 Section 6. Approval of Advisory Board's Annual Report. The Board of Supervisors approves the
12 annual report subject to any further modification that may be necessary or desirable based upon future
13 recommendations by staff and the public at the public hearing.
14

15 Section 7. Notice of Time and Place of Public Hearing.

16 NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Riverside will hold a
17 Public Hearing on the intended levy of an annual assessment for fiscal year 2013-2014 within the Tourism
18 BID.

19 The time and place of the public hearing on the intended levy of the annual assessment shall be at
20 9:30 a.m., June 4, 2013, or as soon thereafter as this matter may be heard, at the Board of Supervisor's
21 Chambers, located on the first floor of the County Administrative Center, 4080 Lemon Street in Riverside,
22 California 92501. The public hearing may be continued from time to time as necessary.
23

24 At the public hearing set forth above, the Board of Supervisors will hear the testimony of all
25 interested persons for or against the Tourism BID, the furnishing of specific types of improvements or
26 activities within the Tourism BID boundaries, and the intended levy of an annual assessment within the
27 Tourism BID.
28

1 At the public hearing, the Board of Supervisors will also hear and consider all oral and written
2 protests made by any owner of any assessable hotel or assessable motel located within the Tourism BID
3 boundaries against the Tourism BID, against the furnishing of specific types of improvements or activities
4 within the Tourism BID, and against the intended levy of an annual assessment within the Tourism BID.
5 At the conclusion of the public hearing the Board of Supervisors will determine whether or not a majority
6 protest exists under the Act.
7

8 Any person who wishes to be heard regarding the Tourism BID may appear at the public hearing or
9 may send written comments to: Kecia Harper-Ihem, Clerk of the Board, 4080 Lemon Street, Riverside, CA
10 92501. Further information concerning the Tourism BID and intended annual assessment may be obtained
11 from Debi Moore, EDA Development Manager, Riverside County Economic Development Agency, 3499
12 10th Street, Suite 100, Riverside, CA 92501; telephone number (951) 205-3892.
13

14 Pursuant to the Americans with Disabilities Act, if you need special assistance to participate in the
15 public hearing, or if you need further information relating to the subject hearing, please contact the Clerk of
16 the Board's Office at (951) 955-1060. Notification at least 48 hours prior to the meeting will assist the
17 County staff in assuring that reasonable arrangements can be made to provide accessibility.
18

19 The Clerk of the Board is authorized and directed to publish a copy of this resolution in a
20 newspaper or newspapers of general circulation within the unincorporated area of the Coachella Valley of
21 the County and within each of the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La
22 Quinta, Palm Desert, Palm Springs, and Rancho Mirage once per week for one week. Said publication
23 shall be a display advertisement of at least one-eighth page and shall be published no later than seven days
24 prior to the date of the public hearing.
25

26 Section 8. Protests. At the public hearing, the Board of Supervisors will consider all protests
27 against the Tourism BID, against the furnishing of specific types of improvements or activities within the
28 Tourism BID, and against the intended levy of an annual assessment within the boundaries of the Tourism

1 BID. The form and manner of written protests shall comply with California Streets and Highways Code
2 Sections 36524 and 36525. The following rules shall apply to all protests:

- 3 a. A protest may be made orally or in writing by any interested person. Any protest
4 pertaining to the regularity or sufficiency of the proceedings shall be in writing and
5 shall clearly set forth the irregularity or defect to which the objection is made.
- 6 b. Every written protest shall be filed with the Office of the Clerk of the Board, located
7 at County Administrative Center, 4080 Lemon Street, 1st Floor, Riverside,
8 California 92501, at or before the time fixed for the public hearing as set forth
9 above.
- 10 c. The Board of Supervisors may waive any irregularity in the form or content of any
11 written protest, and at the public hearing, may correct minor defects in the protest.
- 12 d. A written protest may be withdrawn in writing at any time before the conclusion of
13 the public hearing set forth above.
- 14 e. Each written protest shall contain a description of the business in which the person
15 subscribing the protest is interested, sufficient to identify the business, and if a
16 person subscribing is not shown on the official records of the County of Riverside as
17 the owner of the business, the protest shall contain or be accompanied by written
18 evidence that the person subscribing is the owner of the business. A written protest
19 that does not comply with this paragraph shall not be counted in determining a
20 majority protest.
- 21 f. If written protests are received from the owners of businesses in the Tourism BID
22 which will pay fifty percent (50 %) or more of the assessments intended to be levied
23 and protests are not withdrawn so as to reduce the protests to less than the fifty
24 percent (50 %), no further proceedings on the proposal to levy the intended annual
25 assessment within the Tourism BID boundaries shall be taken by the Board of
26
27
28

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 the intended annual assessment shall be levied.

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

PASSED AND ADOPTED this 7th day of May, 2013.

ROLL CALL:

Ayes: Jeffries, Tavaglione, Stone and Ashley
Nays: None
Absent: Benoit

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: 

Deputy



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

May 21, 2013

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

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

RE: NOTICE OF PUBLIC HEARING: RESOLUTION NO. 2013-100

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) SUNDAY, MAY 26, 2013.**

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,

Cecilia Gil

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

Gil, Cecilia

From: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Monday, May 20, 2013 11:07 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: RES. 2013-100

Hi Cecilia,
Due to the amount of text it might be more like a ¼ page or just under.

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

Charlene Moeller | Media Sales Legal Notice Coordinator

The Desert Sun Media Group
750 N. Gene Autry Trail, Palm Springs, CA 92262
t 760.778.4578 | f 760.778.4731
legals@thedesertsun.com / dpwlegals@thedesertsun.com

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This email and any files transmitted with it are confidential and intended for the individual to whom they are addressed. If you have received this email in error, please notify the sender and delete the message from your system

From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Monday, May 20, 2013 10:11 AM
To: tds-legals
Subject: FOR PUBLICATION: RES. 2013-100

Good morning! Attached is a Notice of Public Hearing, for publication on a **1/8 Page Display Ad**, for May 26, 2013. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

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

RESOLUTION NO. 2013-100

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING
ITS INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2013-2014 ON CERTAIN
HOTELS AND MOTELS LOCATED WITHIN THE BOUNDARIES OF THE PALM SPRINGS DESERT
RESORT COMMUNITIES TOURISM BUSINESS IMPROVEMENT DISTRICT AND SETTING THE TIME
AND PLACE OF A 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 the 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 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") which includes the geographical area within unincorporated Coachella Valley and the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Springs, Palm Desert, and Rancho Mirage, which cities have granted the County of Riverside consent to establish the Tourism BID within their jurisdictions; and

WHEREAS, the Hospitality Industry and Business Council, Inc. was designated by the Board of Supervisors pursuant to Streets and Highways Code Section 36530 as the advisory board to the Tourism BID ("Advisory Board") which makes recommendations concerning the Tourism BID, its operations, the expenditures of revenues derived from assessments levied by the County of Riverside related to the Tourism BID and which is authorized to incur obligations against funds derived from those assessments in accordance with policy guidelines established by the Board of Supervisors; and

WHEREAS, the Advisory Board has filed an annual report with the Clerk of the Board; and

WHEREAS, the Advisory Board's annual report recommends the levy of an annual assessment for fiscal year 2013-2014 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 approves the annual report and intends to levy an annual assessment for fiscal year 2013-2014 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 levy the annual assessment for fiscal year 2013-2014 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 Levy and Collect Assessments within the Tourism BID for fiscal year 2013-2014. 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 for fiscal year 2013-2014 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 \$6,540,515 in revenue will be raised by the intended annual assessment.

Section 3. Method and Basis of Levy. The method and basis of levying the intended annual assessment remains unchanged from prior fiscal years. There will be no increase in the annual assessment. 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.

Section 4. 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 assessable hotel and motel 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.

No improvements are intended to be funded by the annual assessment.

Section 5. Reference to Annual Report. Reference is made to the annual report on file with the Clerk of the Board for a full and detailed description of the activities to be provided for fiscal year 2013-2014, as well as the boundaries of the Tourism BID and the proposed annual assessment to be levied upon businesses within the Tourism BID for fiscal year 2013-2014.

Section 6. Approval of Advisory Board's Annual Report. The Board of Supervisors approves the annual report subject to any further modification that may be necessary or desirable based upon future recommendations by staff and the public at the public hearing.

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

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Riverside will hold a Public Hearing on the intended levy of an annual assessment for fiscal year 2013-2014 within the Tourism BID.

The time and place of the public hearing on the intended levy of the annual assessment shall be at 9:30 a.m., June 4, 2013, 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 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 oral and written protests made by any owner of any assessable hotel or assessable motel located within the Tourism BID boundaries against the Tourism BID, against the furnishing of specific types of improvements or activities within the Tourism BID, and against 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 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 and intended annual assessment may be obtained from Debi Moore, EDA Development Manager, Riverside County Economic Development Agency, 3499 10th Street, Suite 100, Riverside, CA 92501; telephone number (951) 205-3892.

Pursuant to the Americans with Disabilities Act, if you need special assistance to participate in the public hearing, or if you need further information relating to the subject 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 one week. Said publication shall be a display advertisement of at least one-eighth page and shall be published no later than seven days prior to the date of the public hearing.

Section 8. Protests. At the public hearing, the Board of Supervisors will consider all protests against the Tourism BID, against the furnishing of specific types of improvements or activities within the Tourism BID, and against the intended levy of an annual assessment within the boundaries of the Tourism BID. The form and manner of written protests shall comply with California Streets and Highways Code Sections 36524 and 36525. 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 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 the intended annual assessment shall be levied.

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

ROLL CALL:

Ayes: Jeffries, Tavaglione, Stone, and Ashley
Nays: None
Absent: Benoit

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on May 7, 2013.

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

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.

Dated: May 21, 2013

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