

RESOLUTION NO. 10-055

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA DECLARING ITS INTENTION TO ESTABLISH THE SANTA BARBARA TOURISM BUSINESS IMPROVEMENT DISTRICT (SBTBID) AND FIXING THE TIME AND PLACE OF THE PUBLIC HEARINGS THEREON AND GIVING NOTICE THEREOF

WHEREAS, the Property and Business Improvement Law of 1994, Streets and Highways Code §36600 et seq., authorizes cities and counties to establish property and business improvement districts for the purposes of promoting tourism;

WHEREAS, the Santa Barbara Conference and Visitors Bureau and Film Commission, lodging business owners, members of the business community and representatives from the City of Santa Barbara have met to consider the formation of the Santa Barbara Tourism Business Improvement District (SBTBID);

WHEREAS, Santa Barbara Conference and Visitors Bureau and Film Commission has drafted a Management District Plan which sets forth the name of the proposed district, a map of the district in sufficient detail to locate each business within its boundaries to be assessed, a description of the boundaries of the district a service plan and budget, a proposed means of governance, and a list of the businesses to be assessed; and

WHEREAS, more than fifty percent of the lodging business owners subject to assessment under the SBTBID have petitioned the City Council to establish the SBTBID.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT:

1. The recitals set forth herein are true and correct.
2. The City Council finds that the lodging businesses that will pay more than fifty percent (50%) of the assessment proposed in the Management District Plan have signed and submitted petitions in support of the formation of the SBTBID. The City Council accepts the petitions and adopts this resolution of intention to establish the SBTBID and to levy an assessment on certain lodging businesses within the SBTBID boundaries in accordance with the Property and Business Improvement District Law of 1994.
3. The City Council finds that the Management District Plan satisfies all requirements of Streets and Highways Code §36622.
4. The City Council declares its intention to establish the SBTBID and to levy assessments on lodging businesses within the SBTBID boundaries pursuant to the Property and Business Improvement District Law of 1994.

5. Each jurisdiction within the boundaries of the SBTBID shall collect the SBTBID assessment from each lodging business to be assessed within its jurisdiction and shall remit said assessment to the Santa Barbara Conference and Visitors Bureau and Film Commission as provided in the Management District Plan and each jurisdiction may impose an administrative fee to pay for its administrative costs in an amount set forth in the Management District Plan.
6. The boundaries of the SBTBID shall be the cities of Santa Barbara, Carpinteria, and Goleta, and portions of unincorporated southern Santa Barbara county bounded on the west by Refugio Road, on the east by the Santa Barbara County line, on the south by the Pacific Ocean and on the north by Camino Cielo Road/Murietta Juncal Road.
7. The name of the district shall be the Santa Barbara Tourism Business Improvement District (SBTBID).
8. The annual assessment rate for the first year of operation is as follows: lodging businesses with an average daily rate (ADR) of under \$100 shall be assessed \$0.50 per occupied room per night, lodging businesses with an ADR between \$100 and \$150 shall be assessed \$1.00 per occupied room per night, lodging businesses with an ADR over \$150 and up to \$200 shall be assessed \$1.50 per occupied room per night and lodging businesses with an ADR over \$200 shall be assessed \$2.00 per occupied room per night. Lodging properties with 3 or less units shall be exempt from the assessment. Based on the benefit received, assessments will not be collected on lodging stays of more than 30 consecutive days, federal government employees on government business, and stays at time shares. Assessments pursuant to the SBTBID shall not include room nights resulting from stays pursuant to contracts executed prior to October 1, 2010. The ADR figures shall be updated annually.
9. The assessments levied for the SBTBID shall be applied toward sales promotion and marketing programs to market Santa Barbara as a tourist, meeting and event destination, and for other capital improvements as set forth in Streets and Highways Code §36610. Funds remaining at the end of any year may be used in subsequent years in which SBTBID assessments are levied as long as they are used consistent with the requirements of this resolution.
10. The SBTBID will have a five year term unless renewed pursuant to Streets and Highways Code §36660.
11. Bonds shall not be issued.
12. The time and place for the public hearing to establish the SBTBID and the levy of assessments is set for July 27, 2010, at 2:00 p.m., or as soon thereafter as the matter may be heard, at the Council Chambers located at 735 Anacapa Street, Santa Barbara, CA 93101.

13. The time and place for the public hearing to establish the SBTBID and the levy of assessments is set for September 28, 2010, at 2:00 p.m., or as soon thereafter as the matter may be heard, at the Council Chambers located at 735 Anacapa Street, Santa Barbara, CA 93101. The City Clerk is directed to provide written notice to the lodging businesses subject to assessment of the date and time of the hearing and to provide that notice as required by Streets and Highways Code §36623.
14. At the public hearing the testimony of all interested persons for or against the establishment of the SBTBID may be received. If at the conclusion of the public hearing, there are of record written protests by the owners of the lodging businesses within the proposed SBTBID that will pay fifty percent (50%) or more of the estimated total assessment of the entire SBTBID, no further proceedings to establish the SBTBID shall occur.
15. The complete Management District Plan is on file with the City Clerk and may be reviewed upon request.
16. This resolution shall take effect when adopted.

RESOLUTION NO. 10-055

STATE OF CALIFORNIA)
)
COUNTY OF SANTA BARBARA) ss.
)
CITY OF SANTA BARBARA)

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Santa Barbara at a meeting held on July 13, 2010, by the following roll call vote:

- AYES: Councilmembers Dale Francisco, Frank Hotchkiss, Michael Self, Bendy White, Das Williams, Mayor Helene Schneider
NOES: None
ABSENT: Councilmember Grant House
ABSTENTIONS: None

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on July 14, 2010.



Cynthia M. Rodriguez
Cynthia M. Rodriguez
City Clerk Services Manager

I HEREBY APPROVE the foregoing resolution on July 14, 2010.

Helene Schneider
Helene Schneider
Mayor