

Attachment C

Resolution of Intention to establish the Santa Ynez Tourism Business Improvement District

RESOLUTION NO. 10 – 845

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLVANG DECLARING ITS INTENTION TO ESTABLISH THE SANTA YNEZ VALLEY TOURISM BUSINESS IMPROVEMENT DISTRICT (SYVTBID) AND FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING 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 Ynez Valley Hotel Association, lodging business owners, members of the business community and representatives from the City of Solvang have met to consider the formation of the Santa Ynez Valley Tourism Business Improvement District (SYVTBID).

WHEREAS, Santa Ynez Valley Hotel Association has drafted a Management District Plan which sets forth the proposed boundary of the SYVTBID, a service plan and budget, and a proposed means of governance.

WHEREAS, a majority of the lodging business owners subject to assessment under the SYVTBID have petitioned the City Council to establish the SYVTBID.

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 SYVTBID. The City Council accepts the petitions and adopts this Resolution of Intention to establish the SYVTBID and to levy an assessment on certain lodging businesses within the SYVTBID 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 SYVTBID and to levy and collect assessments on lodging businesses within the SYVTBID boundaries pursuant to the Property and Business Improvement District Law of 1994.

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5. The boundaries of the SYVTBID shall be as described on Exhibit A. Please see the attached map and boundary description, incorporated herein as Exhibit A.
6. The name of the district shall be the Santa Ynez Valley Tourism Business Improvement District (SYVTBID).
7. Annual assessment rates are \$2.00 per occupied room per night. Based on the benefit received, assessments will not be collected on stays of more than thirty (30) consecutive days, nor on government employees on government business. Assessments pursuant to the SYVTBID shall not include stays pursuant to contracts executed prior to June 1, 2010.
8. The assessments levied for the SYVTBID shall be applied toward sales promotion and marketing programs to market Santa Ynez Valley 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 SYVTBID assessments are levied as long as they are used consistent with the requirements of this resolution.
9. The SYVTBID will have a five (5) year term unless renewed pursuant to Streets and Highways Code § 36660.
10. Bonds will not be issued.
11. The time and place for the public meeting to establish the SYVTBID and the levy of assessments are set for April 12, 2010, at 7:00 p.m., or as soon thereafter as the matter may be heard, at the Council Chambers located at 1644 Oak Street, Solvang, CA 93463.
12. The time and place for the public hearing to establish the SYVTBID and the levy of assessments are set for May 10, 2010, at 7:00 p.m., or as soon thereafter as the matter may be heard, at the Council Chambers located at 1644 Oak Street, Solvang, CA 93463. 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.
13. At the public hearing the testimony of all interested persons for or against the establishment of the SYVTBID 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 SYVTBID that will pay fifty percent (50%) or more of the estimated total assessment of the entire SYVTBID, no further proceedings to establish the SYVTBID shall occur.
14. The complete Management District Plan is on file with the City Clerk and may be reviewed upon request.

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15. This resolution shall take effect immediately upon its adoption by the City Council.

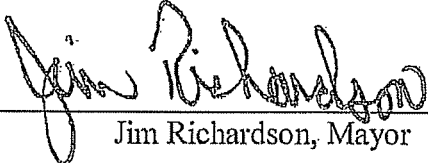
I HEREBY CERTIFY that the foregoing Resolution of Intention was introduced and adopted at a regular meeting of the City Council on the 22nd day of March 2010 by the following vote:

AYES: Mayor Richardson, Council Members Duus, Jamieson and Palmer

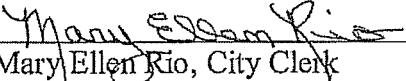
NOES:

ABSENT:

ABSTAIN: Council Member Skytt


Jim Richardson, Mayor

ATTEST:


Mary Ellen Rio, City Clerk