

RESOLUTION NO. 40-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA CONFIRMING THE ANNUAL REPORT OF THE ADVISORY BOARD OF THE HOTEL BUSINESS IMPROVEMENT DISTRICT, APPROVING THE HOTEL BUSINESS IMPROVEMENT DISTRICT'S PROGRAM OF EXPENDITURES, AND ASSESSING THE LEVY FOR FISCAL YEAR 2017-18 AT THE SAME RATES LEVIED IN FISCAL YEAR 2016-2017 WITHOUT CHANGE

WHEREAS, pursuant to California Streets and Highways Code sections 36500 et. seq., the City Council of the City of Pacifica adopted Ordinance No. 714-C.S. in 2004 creating the Pacifica Hotel Business Improvement District and levying an annual assessment of \$1.00 per room per day of occupancy on the hotels in the City; and

WHEREAS, the Pacifica Hotel Business Improvement District has been operating and levying an annual assessment of \$1.00 per room per day of occupancy on the hotels in the City continuously since 2004, including fiscal year 2016-2017; and

WHEREAS, pursuant to Streets and Highways Code section 36533, the Pacifica Hotel Business Improvement District Advisory Committee has prepared and filed with the City Clerk an annual report regarding the District's operations that proposes to continue the program and assessments for fiscal year 2017-2018 at the same amount as levied for the fiscal year 2016-2017; and

WHEREAS, on July 10, 2017, the City Council adopted Resolution No. 34-2017, which approved the annual report of the Advisory Board of the Pacifica Hotel Business Improvement District (BID) and gave notice of the Council's intent to levy the proposed Fiscal Year 2017-18 assessment for the BID following a public hearing on July 24, 2017, at 7:00 p.m. at the Pacifica City Council Chambers; and

WHEREAS, the City Clerk gave notice of the public hearing by publishing in a newspaper of general circulation at least seven days before the public hearing in accordance and by mailing a copy of said public hearing notice and Resolution No. 34-2017 to all affected businesses as required by California Streets and Highways Code section 36534; and

WHEREAS, at the public hearing, the City Council heard and considered all protests against the Fiscal Year 2017-18 levy of assessments for the BID, and the rules and procedures used in receiving and considering protests complied with those set forth in the California Streets and Highways Code sections 36524, 36525, 36534 and 36535; and

WHEREAS, the City Council desires to adopt this Resolution to confirm the Advisory Committee's report as submitted and continue the program and assessments as levied in fiscal year 2016-2017 at \$1.00 per room per day of occupancy on the hotels in the City without change for fiscal year 2017-2018.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Pacifica, that:

1. Incorporation of Recitals. The foregoing recitals are true and correct and are hereby incorporated in and form a part of this resolution.

2. Approval of Report and Program of Expenditures. The Annual Report of the Pacifica Hotel Business Improvement District Advisory Committee, attached to this Resolution as Exhibit A, that was filed with the City Clerk on June 23, 2017 and approved by the City Council by Resolution No. 34-2017, is hereby confirmed as submitted and the program of expenditures is hereby approved for Fiscal Year 2016-17.
3. Annual Assessment. The City hereby levies and will collect assessments for Fiscal Year 2017-18 at the same rate of \$1.00 per room per day of occupancy on the hotels in the City of Pacifica as levied in fiscal year 2016-2017, without change.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on the 24th day of July 2017, by the following vote of the members thereof:

AYES, Martin, Vaterlaus, Digre, Keener, O'Neill
NOES, None
ABSENT, None
ABSTAIN, None



Mike O'Neill, Mayor

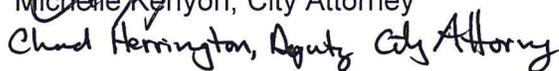
ATTEST:



Kathy O'Connell, City Clerk

APPROVED AS TO FORM:



Michelle Kenyon, City Attorney

Chand Herrington, Deputy City Attorney