

RESOLUTION NO. 2014 -

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF FRESNO DECLARING ITS INTENTION TO RENEW
THE FRESNO/CLOVIS TOURISM BUSINESS
IMPROVEMENT DISTRICT (FCTBID) AND FIXING THE
TIME AND PLACE OF A PUBLIC MEETING AND A
PUBLIC HEARING THEREON AND GIVING NOTICE
THEREOF**

WHEREAS, the City of Fresno created the Fresno/Clovis Tourism Business Improvement District (FCTBID) on December 16, 2010 by Resolution No. 2010-295; and

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

WHEREAS, the Fresno/Clovis Convention and Visitors Bureau, lodging business owners, members of the business community and representatives from the City of Fresno have met to consider the renewal of the FCTBID; and

WHEREAS, the Fresno/Clovis Convention and Visitors Bureau has drafted a Management District Plan which sets forth the proposed boundary of the FCTBID, a service plan and budget, and a proposed means of governance; and

WHEREAS, lodging businesses which will pay more than fifty percent (50%) of the assessment under the FCTBID have petitioned the City Council to establish the FCTBID.

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

5. The FCTBID shall include all lodging businesses located within the boundaries of the cities of Fresno and Clovis, as shown in the map, attached as Exhibit A.

6. The name of the district shall be Fresno/Clovis Tourism Business Improvement District (FCTBID).

7. The annual assessment rate is one and one-half percent (1.5%) of gross short-term (stays less than 31 days) room rental revenue, for years one through five of the ten year term. In years six through ten, the annual assessment rate is two percent (2%) of gross short-term (stays less than 31 days) room rental revenue. Based on the benefit received, assessments will not be collected on stays of more than thirty (30) consecutive days, nor on stays by railroad crews, airline crews, or tax exempt government employees on government business as described in detail in section V of the Management District Plan.

8. The assessments levied for the FCTBID shall be applied toward sales promotion and destination marketing programs to market assessed lodging businesses in Fresno and Clovis as tourist, meeting, and event destinations, as described in the Plan. Funds remaining at the end of any year may be used in subsequent years in which FCTBID assessments are levied as long as they are used consistent with the requirements of this resolution and the Plan.

9. The FCTBID will have a ten (10) year term, beginning January 1, 2016 through December 31, 2025, unless renewed pursuant to Streets and Highways Code § 36660.

10. Bonds shall not be issued.

11. The time and place for the public meeting to hear testimony on renewing the FCTBID and levying assessments are set for November 20, 2014, at 10:00 AM, or as soon thereafter as the matter may be heard, at the Council Chambers located at 2600 Fresno Street, Fresno, CA 93721.

12. The time and place for the public hearing to renew the FCTBID and the levy of assessments are set for December 18, 2014, at 2:00 PM, or as soon thereafter as the matter may be heard, at the Council Chambers located at 2600 Fresno Street, Fresno, CA 93721. The City Clerk is directed to provide written notice to the lodging businesses subject to assessment of the date and time of the meeting and hearing, and to provide that notice as required by Streets and Highways Code § 36623.

13. At the public meeting and hearing the testimony of all interested persons for or against the establishment of the FCTBID 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 FCTBID that will pay more than fifty percent (50%) of the estimated total assessment of the entire FCTBID, no further proceedings to establish the FCTBID shall occur for a period of one year.

14. The complete Management District Plan is on file with the City Clerk and may be reviewed upon request.

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

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the day of _____, 2014.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2014
Mayor Approval/No Return: _____, 2014
Mayor Veto: _____, 2014
Council Override Vote: _____, 2014

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
Katherine B. Doerr Date
Supervising Deputy

KBD:elb [65876elb/kbd] Reso

EXHIBIT A
District Boundaries

