

**RESOLUTION NO. 27-2018**

**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 2018-19 AT THE SAME RATES LEVIED IN FISCAL YEAR 2017-2018 WITHOUT CHANGE**

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**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 (BID) 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 2017-2018; 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 BID's operations that proposes to continue the program and assessments for fiscal year 2018-2019 at the same amount as levied for the fiscal year 2017-2018; and

**WHEREAS**, on June 11, 2018, the City Council adopted Resolution No. 21-2018, 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 2018-19 assessment for the BID following a public hearing on June 25, 2018, 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 and by mailing a copy of said public hearing notice and Resolution No. 21-2018 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 2018-19 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 2017-2018 at \$1.00 per room per day of occupancy on the hotels in the City without change for fiscal year 2018-2019.

**RESOLVED** by the City Council of the City of Pacifica, California, 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 4, 2018 and approved by the City Council by Resolution No. 21-2018, is hereby confirmed as submitted and the program of expenditures is hereby approved for Fiscal Year 2018-19.
3. Annual Assessment. The City hereby levies and will collect assessments for Fiscal Year 2018-19 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 2017-2018, without change.
4. Effective Date and Certification. The City Clerk is directed to certify the adoption of this Resolution. The Resolution shall take effect immediately upon its adoption by the City Council.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on the 25th day of June 2018, by the following vote of the members thereof:


AYES, Councilmembers:  
NOES, Councilmembers:  
ABSENT, Councilmembers:  
ABSTAIN, Councilmembers:

  
\_\_\_\_\_  
John Keener, Mayor

ATTEST:

  
\_\_\_\_\_  
Kathy O'Connell, City Clerk

APPROVED AS TO FORM:

*For*   
\_\_\_\_\_  
Michelle Marchetta Kenyon, City Attorney