



**CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT**

**7/24/2017**

**SUBJECT:**

Conduct Public Hearing and Adopt Resolution Confirming the Annual Report from the Pacifica Hotel Business Improvement District, Approving the Program of Expenditures, and Assessing the Levy for Fiscal Year 2017-18 at the Same Rates Levied in Fiscal Year 2016-17 Without Change.

**STAFF CONTACT:**

Kathy O'Connell, City Clerk  
o'connellk@ci.pacifica.ca.us

**RECOMMENDED ACTION:**

1) Conduct the Public Hearing; 2) Rule on Oral and Written protests, if any; and 3) Adopt the resolution confirming the annual report of the Pacifica Hotel Business Improvement District Advisory Board and continuing the assessments levied in 2016-17 without change in Fiscal Year 2017-18.

**BACKGROUND/DISCUSSION:**

The attached Pacifica Hotel Business Improvement District (BID) report was filed with the City Clerk as required by the California Streets and Highways Code Section 36533. The report was prepared by the Chamber of Commerce acting as the Managing Agency for the hotels in the BID and on behalf of the Advisory Committee.

A Resolution of Intention to Continue the BID program and Levy the annual assessments for fiscal year 2017-18 was passed by a 5-0 vote at the July 10, 2017 City Council meeting. This action kept the 2017-18 levy rate at the same level as was levied in fiscal year 2016-17. The public hearing date was set for the City Council meeting of July 24, 2017.

Written and oral protests to the levy of the annual assessments may be made at the public hearing in the form and manner prescribed in Sections 36625 and 36626 of the California Streets and Highway Code up until the close of the public hearing.

**FISCAL IMPACT:**

No direct impact to the City.

**ORIGINATED BY:**

City Clerk

**ATTACHMENT LIST:**



**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,  
NOES,  
ABSENT,  
ABSTAIN.

\_\_\_\_\_  
Mike O'Neill, Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Michelle Kenyon, City Attorney