

**RESOLUTION NO. 2017-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OJAI DECLARING ITS INTENTION TO RENEW OR MODIFY AS PROPOSED THE OJAI TOURISM IMPROVEMENT DISTRICT (OTID) AND MANAGEMENT PLAN, FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF AND REPEALING RESOLUTION NO. 17-01.**

**WHEREAS**, the City of Ojai created the OTID on October 9, 2012 by Resolution No. 12-52;  
and

**WHEREAS**, the OTID was created for a five (5) year term which ends on October 31, 2017;  
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 Ojai Chamber of Commerce, lodging business owners, and representatives from the City of Ojai have met to consider the renewal of the OTID; and

**WHEREAS**, the Ojai Chamber of Commerce has drafted a Management District Plan (Plan) which sets forth the proposed boundary of the OTID, a service plan and budget, and a proposed means of governance; and

**WHEREAS**, the renewed district includes lodging businesses in the City of Ojai and a portion of the County of Ventura; and

**WHEREAS**, consent to include lodging businesses in the County of Ventura's jurisdiction will be requested from the County of Ventura; and

**WHEREAS**, lodging business who will pay more than fifty percent (50%) of the assessment under the OTID have petitioned the City Council to renew the OTID.

**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 lodging businesses that will pay more than fifty percent (50%) of the assessment proposed in the Plan have signed and submitted petitions in support of the renewal of the OTID. The City Council accepts the petitions and adopts this Resolution of Intention to renew the OTID and to levy an assessment on certain lodging businesses within the OTID boundaries in accordance with the Property and Business Improvement District Law of 1994. The assessment, if adopted, will only be levied on hotels, motels, and bed breakfasts with current licenses and operated in compliance with all state, federal and local laws.

3. The City Council finds that the Plan satisfies all requirements of Streets and Highways Code § 36622.
4. The City Council declares its intention to renew the OTID and to levy and collect assessments on lodging businesses within the OTID boundaries pursuant to the Property and Business Improvement District Law of 1994.
5. The OTID shall include all lodging businesses located within the boundaries of the City of Ojai and that portion of the County of Ventura, as shown in the map attached as Exhibit A, attached hereto and incorporated herein by reference.
6. The name of the district shall be Ojai Tourism Improvement District (OTID).
7. The initial annual assessment rate (November – December 2017) is one percent (1%) of gross short-term room rental revenue. Beginning January 1, 2018, the annual assessment rate shall be one and one-half percent (1.5%) of gross short-term room rental revenue. During the ten (10) year term, the assessment rate may be increased by the Owners' Association Board to a maximum of two percent (2%) of gross short-term room rental revenue as described in Section V of the Plan. The assessment rate may also be decreased by the Owners' Association Board, but shall not drop below one percent (1%) of gross short-term room rental revenue. The maximum increases or decrease in any year shall be one-quarter of one percent (0.25%). Based on the benefit received, assessments will not be collected on: stays of more than thirty (30) consecutive days; and stays pursuant to contracts executed prior to November 1, 2012.
8. The assessments levied for the OTID shall be applied toward sales promotion and marketing programs to market assessed lodging businesses in Ojai 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 OTID assessments are levied as long as they are used consistent with the requirements of this resolution and the Plan.
9. The renewed OTID will have a ten (10) year term, beginning November 1, 2017 through October 31, 2027, 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 establishing the OTID and levying assessments are set for February 28, 2017, at 7:00 PM, or as soon thereafter as the matter may be heard, at the Council Chambers located at 401 S. Ventura Street, Ojai, CA 93023.
12. The time and place for the public hearing to establish the OTID and the levy of assessments is set for March 28, 2017, at 7:00 PM, or as soon thereafter as the matter may be heard, at the Council Chambers located at 401 S. Ventura Street, Ojai, CA 93023. 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, no later than February 10, 2017.

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

**I HEREBY CERTIFY** that the foregoing Resolution of Intention was introduced and adopted at a special meeting of the City Council on the 31<sup>st</sup> day of January, 2017 by the following vote:

**AYES:** Council MEMBERS: Blatz, Haney, Weirick  
**NOES:** Council MEMBERS: Johnston, Francina  
**ABSENT:** Council MEMBERS: None  
**ABSTAIN:** Council MEMBERS: None

  
\_\_\_\_\_  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Deputy City Clerk

### EXHIBIT A District Boundaries

