Item 341 - 6/28/16

(R-2016-742)
Cor. Copy

RESOLUTION NUMBER R- 310581

DATE OF FINAL PASSAGE JUN 29 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING THE INTENTION OF THE CITY COUNCIL TO MODIFY THE SAN DIEGO TOURISM MARKETING DISTRICT AND THE SAN DIEGO TOURISM MARKETING DISTRICT MANAGEMENT PLAN, AND SETTING A DATE FOR A PUBLIC HEARING REGARDING THE MODIFICATIONS.

WHEREAS, on November 5, 2007, by adoption of its Resolution No. R-303077, the City Council established the San Diego Tourism Marketing District (District) for a five year term; and

WHEREAS, on November 26, 2012, by adoption of its Resolution No. R-307843, the City Council renewed the District for a period of thirty-nine and one-half (39 ½) years commencing January 1, 2013, pursuant to the the San Diego Tourism Marketing District Management Plan (District Plan), on file in the Office of the City Clerk as Document No. RR-307843; and

WHEREAS, the San Diego Tourism Marketing District Procedural Ordinance, San Diego Municipal Code sections 61.2501 *et seq.* (Procedural Ordinance), authorizes the modification of the District and the District Plan; and

WHEREAS, the San Diego Tourism Marketing District Corporation (TMD Corp.) and lodging industry representatives now seek to modify the District and the District Plan to eliminate from the District and assessment those lodging businesses with fewer than 70 rooms and make other modifications consistent with and necessary to accomplish the elimination of lodging businesses with fewer than 70 rooms; and

WHEREAS, the rate of assessment will continue at two percent (2%) in total for lodging businesses with 70, or more rooms and the District boundaries shall remain the same; and

WHEREAS, the City has received a petition requesting the modification of the District, executed by the owners or authorized representatives of lodging businesses who pay more than 50 percent of the assessments levied in the District; and

WHEREAS, a proposed modified District Plan for the remainder of the thirty-nine and one-half (39 ½) years has been drafted to reflect all proposed modifications to the District, and is on file with the City Clerk as Document No. RR- 310581 and incorporated herein by reference (Modified District Plan); NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego as follows:

1. The City Council hereby declares its intent to: modify the District and to continue the levy of assessments for the District on lodging businesses with 70 or more rooms through June 30, 2052; modify the District Plan, as reflected in the Modified District Plan; and set August 2, 2016, at 2:00 a.m./p.m. in the City Council Chambers located at, 202 "C" Street, 12th Floor, San Diego, CA, as the noticed public hearing date and location for consideration of the proposed modifications to the District and the District Plan, and for consideration of protests to the proposed modifications.

2. City staff shall mail notice of the public hearing and proposed modifications to the District and the District Plan in accordance with the Procedural Ordinance.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

Adam R. Wander
Deputy City Attorney

ARW:mm
06/16/2016
06/23/2016 Cor. Copy
Or.Dept: Econ. Dev't
Doc. No. 1312468

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I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 6/28/2016

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: 6/29/16
(date)

_____
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

_____
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 28 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	☒	☐	☐	☐
Lorie Zapf	☒	☐	☐	☐
Todd Gloria	☒	☐	☐	☐
Myrtle Cole	☒	☐	☐	☐
Mark Kersey	☒	☐	☐	☐
Chris Cate	☒	☐	☐	☐
Scott Sherman	☒	☐	☐	☐
David Alvarez	☐	☐	☒	☐
Marti Emerald	☒	☐	☐	☐

Date of final passage JUN 29 2016.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Meg Beady, Deputy

Office of the City Clerk, San Diego, California

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