

RESOLUTION NO. 2010-_____
RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS
DECLARING ITS INTENTION TO MODIFY THE MARIN COUNTY TOURISM BUSINESS
IMPROVEMENT DISTRICT, FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND
PUBLIC HEARING THEREON, AND GIVING NOTICE THEREOF

WHEREAS, in February, 2004, in accordance with the State Street and Highways Code, Section 36533-36542 the County of Marin ("County") established the Marin County Tourism Business Improvement District ("MCTBID"); and

WHEREAS, the Parking and Business Improvement Area Law of 1989, Streets and Highways Code §36540, authorizes cities and counties to modify established business improvement districts; and

WHEREAS, the MCTBID advisory board has requested the Marin Board of Supervisors modify the MCTBID assessment rate.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Marin as follows:

1. The recitals set forth herein are true and correct.
2. The Board of Supervisors declares its intention to modify the MCTBID pursuant to the Parking and Business Improvement Area Law of 1989, Streets and Highways Code §36500 et seq.
3. The proposed modification will increase the assessment, from 1% of gross room rental revenue to 2% of gross room rental revenue.
4. The time and place for a public meeting on the proposed MCTBID and the levy of assessments are set for 10:30 a.m. on October 26, 2010 at 3501 Civic Center Drive, San Rafael, CA 94903.
5. The time and place for the public hearing to modify the MCTBID and levy assessments are set for 10:30 a.m. on November 30, 2010 at 3501 Civic Center Drive, San Rafael, CA 94903.
6. At the public hearing the testimony of all interested persons for or against modifying the MCTBID assessment rate will be heard.
7. Protests against modifying the MCTBID shall be made, as provided in Streets and Highways Code §36524. To count, any protest regarding the sufficiency of the proceedings for modification of the MCTBID must be made in writing. A written protest may be withdrawn, in writing, at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person signing the protest is interested, sufficient to identify the business and its address. If the person signing the protest is not shown on the official records of the County of Marin as the owner of the business, then the protest shall contain or be accompanied by written evidence that the person is the owner of the business, or the authorized representative. Any protest as to the regularity or evidence of the proceedings shall be in writing and clearly state the irregularity or defect to which

objection is made. Written protests must be received by the Marin County Clerk of the Board before the close of the public hearing scheduled herein, and may be delivered or mailed to the Clerk of the Board at 3501 Civic Center Drive, San Rafael, CA 94903.

8. If, at the conclusion of the public meeting on October 26, 2010, there are of record written protests by the owners of businesses within the MCTBID that will collectively pay fifty percent or more of the total MCTBID assessment, no further proceedings to modify the MCTBID shall occur for a period of one year from the date of the finding of a majority protest.
9. Further information regarding the proposed MCTBID modification may be obtained from the Clerk of the Board, at 3501 Civic Center Drive, San Rafael, CA 94903.
10. The Clerk of the Board is instructed to provide notice of the public meeting and public hearing as follows:
 - a. Publish this Resolution of Intention in a newspaper of general circulation in the County of Marin at least seven days before the hearing; and
 - b. Mail a complete copy of this Resolution of Intention to each and every business owner proposed to be assessed in the MCTBID within seven days of the adoption of this Resolution.
11. This resolution shall take effect immediately upon its adoption, and the Clerk of the Board shall certify the vote adopting this resolution.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on this ____th day of _____, 2010, by the following vote:

AYES: SUPERVISORS
NOES:
ABSENT:

PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

CLERK