

Ukiah Daily Journal

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PLANNING & BUILDING OF MENDOCINO CO
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Legal No. **0006829165**

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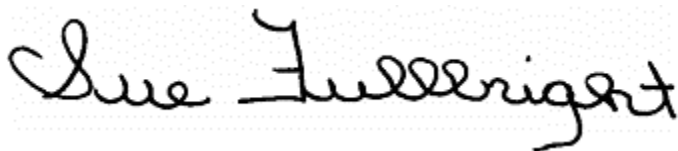
STATE OF CALIFORNIA COUNTY OF MENDOCINO

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Ukiah Daily Journal, a newspaper of general circulation, printed and published daily in the City of Ukiah, County of Mendocino and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Mendocino, State of California, under the date of September 22, 1952, Case Number 9267; that the notice, of which the annexed is a printed copy (set in type not smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

06/09/2024

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Ukiah, California,
June 10th, 2024

A handwritten signature in black ink that reads "Sue Fullbright". The signature is written in a cursive, flowing style. Below the signature is a solid horizontal line.

Sue Fullbright, LEGAL CLERK

RESOLUTION NO. 24-075

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING ITS INTENTION TO LEVY AND COLLECT AN ANNUAL ASSESSMENT FROM BUSINESSES IN THE MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT WITHIN THE BOUNDARIES OF THE UNINCORPORATED PORTION OF THE COUNTY OF MENDOCINO AND THE INCORPORATED AREAS OF THE CITY OF FORT BRAGG, THE CITY OF POINT ARENA, THE CITY OF UKIAH, AND THE CITY OF WILLITS FROM SPECIFIED LODGING BUSINESSES AND FIXING THE DATE, TIME AND PLACE OF A PUBLIC HEARING TO BE HELD BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO TO LEVY THE PROPOSED ASSESSMENT FOR FISCAL YEAR 2024/2025

WHEREAS, the Board of Supervisors of the County of Mendocino (the "Board of Supervisors") adopted Ordinance No. 4336 adding Chapter 5.140 to Title 5 of the Mendocino County Lodging Business Improvement District (the "District Ordinance") pursuant to the "Parking and Business Improvement Area Law of 1989" being Section 36500 to 36551 of the California Streets and Highways Code; and

WHEREAS, the Board of Supervisors appointed an Advisory Board for the District; and

WHEREAS, the Advisory Board approved and submitted an Annual Report to the Board of Supervisors pursuant to the District Ordinance for Fiscal Year 2024/2025; and

WHEREAS, the Board of Supervisors approved the Annual Report on May 7, 2024, as approved and submitted by the Advisory Board.

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

SECTION 1 – AUTHORITY AND INTENTION TO LEVY AND COLLECT

The County of Mendocino hereby declares its authority and intention to levy and collect an annual assessment for Fiscal Year 2024/2025 pursuant to the Annual Report.

SECTION 2 – NAME AND LOCATION

The name of business improvement area is the "Mendocino County Lodging Business Improvement District" (the "District") and the location of the District includes all that area within the unincorporated area of the County of Mendocino, and the incorporated areas of the City of Fort Bragg, City of Point Arena, City of Ukiah, and the City of Willits, California.

SECTION 3 – CLASSIFICATION OF BUSINESSES

The classification of businesses remains unchanged and shall include all "Hotel" or "Lodging" businesses, as defined by Section 5.140.030 of the Mendocino County Code.

SECTION 4 – GENERAL DESCRIPTIONS OF AUTHORIZED USES

As authorized by the District Ordinance and described by the Annual Report, the services, activities and programs to be provided for in the 2024/2025 Fiscal Year by the District, as defined by Section 5.140.050 of the Mendocino County Code, are generally as follows:

- A. The general promotion of all lodging operating within the District;
- B. The marketing of products and events that have a connection with the lodging industry operating in the District;
- C. The marketing of the District to the media and travel industry in order to benefit local tourism and the lodging establishments in the District; and
- D. Any activities permitted under the Parking and Business Improvement Law of 1989, being Section 36500 to 36551 of the California Streets and Highways Code that are included as costs as specified in this annual report and adopted by the Mendocino County Board of Supervisors.

SECTION 5 – ANNUAL REPORT

The Annual Report is available for review on the Department of Planning and Building Services website at, <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/business-improvement-district-advisory-board-bid>. The Annual Report contains a description of the improvement and activities to be provided for Fiscal Year 2024/2025, the boundaries of the District, the proposed assessment to be levied upon the businesses within the District area, and other information.

Government Code section 544-8306. The subject of the Mendocino County Lodging Business Improvement District Ordinance is continuing the program a 2023/2024, without change

All persons are invited to be presented to the Board of Supervisors in meetings in the following ways: via a "raise hand" feature when available to the Supervisor. Information regarding submitted eComments will be immediately upon submission.

For details and a complete list of items, please visit: <https://www.mendocinocounty.org/engagement>.

As an alternative the Board of Supervisors is confirming the report as a majority protest in Parking and Business Improvement Area.

At the public hearing, the Board of Supervisors is levying of the proposed assessment on activities within the area of writing by any interested person 501 Low Gap Road, Room 501 Protests to the regularity or forth the irregularity or defect at any time before the conclusion identify the business and, in records of the County as or written evidence that the majority protest.

If written protests are received which will pay 50% or more withdrawn so as to reduce proposed assessment shall majority protests by the Board of Supervisors.

Within one year from receipt removal from the District to who will pay more than fifty incorporated city boundary businesses contained therein including Streets & Highways.

The foregoing Resolution was adopted by the Board of Supervisors, and carried this 7th

AYES: _____
NOES: _____
ABSENT: _____

WHEREUPON, the

ATTEST: DARCIE AN
Clerk of the


Deputy

APPROVED AS TO FORM

n 54953(e)(1)(A)). Meetings are live streamed and available for the Mendocino County YouTube page, at [MendocinoCountyVideo](#) or by toll-free, telephonic live stream at 888- the public hearing is the possible adoption of a resolution confirming lodging Business Improvement District Annual Report as submitted, and and assessments as levied in the current year, being Fiscal Year 2024.

appear and present testimony in this matter. Oral comments may be made by Supervisors during the public hearing. The public may participate in person or by electronic means. Comment may be made in any of the following ways: written comment using our online eComment platform at [com/Calendar.aspx](#), or by joining the Zoom Webinar and using the Public Comment is called. All submitted eComments will be made available to the Board of Supervisors, staff, and the general public immediately upon submittal. telecomment participation can be found here: [nty.org/government/board-of-supervisors/agendas-and-minutes](#). All comments will be made available to the Supervisors, staff, and the general public.

For a list of the latest available options by which to engage with agenda items, please visit [/www.mendocinocounty.org/government/board-of-supervisors/public-](#)

The Board of Supervisors may modify the report and adopt a resolution modified after providing notice of the proposed change(s) as specified in the Business Improvement Area Law of 1989.

The Board of Supervisors shall hear and consider all protests against the assessment, or the furnishing of specified types of improvements or directed at increasing tourism. Protests may be made orally or in person and must be filed with the Clerk of the Board of Supervisors at 1010, Ukiah, California at or before the time fixed for public hearing. The sufficiency of the proceedings shall be in writing and shall clearly set forth the objection to which the objection is made. Written protests may be withdrawn at any time prior to the public hearing. Each written protest shall be sufficient to establish that the person submitting the written protest is not shown on the official list of owners of the business, the protest shall contain or be accompanied by a statement that the person submitting the written protest is the owner of the business. Any protest that does not comply with this provision shall not be counted in determining a majority.

Protests shall be removed from the owners of businesses in the unincorporated District area if the assessments proposed to be levied and protests are not successful. If the protests to less than 50%, no further proceedings to levy the assessments shall be taken for a period of one year from the date of the finding of a majority by the Board of Supervisors.

Upon receipt of a signed petition protesting the assessment and requesting the removal of the boundaries by owners of lodging businesses in an incorporated city or county, the Board shall remove the incorporated city and all lodging businesses from the District pursuant to such procedures prescribed by law, including Government Code Section 36550.

A resolution introduced by Supervisor McGourty, seconded by Supervisor Williams, and adopted by the Board of Supervisors on May 14, 2024, by the following vote:

Supervisors McGourty, Mulheren, Haschak, Gjerde and Williams

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Chair declared said Resolution adopted and SO ORDERED.

Clerk
Board


MAUREEN MULHEREN, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

For: BY: DARCIE ANTLE

SECTION 6 – DATE, TIME, AND PLACE OF PUBLIC HEARING

JAMES R. ROSS
Interim County Counsel

Public Hearing: Notice is hereby given that the Board of Supervisors of Mendocino County will hold a public hearing on **June 25, 2024**. The public hearing will occur at a regular meeting of the Board of Supervisors to commence at or about 9:00 A.M. or as soon thereafter as the matter may be heard. This meeting will take place in the Board of Supervisors Chambers, at **501 Low Gap Road, Ukiah, California**, and virtual attendance will be available via Zoom (pursuant to

A handwritten signature in blue ink, reading "James R. Ross", is written over a horizontal line.

Clerk of the Board

Cross

Amey
Deputy