



Mendocino County

Legislation Text

File #: 18-1252, Version: 1

To: Board of Supervisors

From: Planning and Building Services

Meeting Date: January 23, 2018

Department Contact: Adrienne Thompson

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Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Approval of Appointment of Mr. Marcus Magdaleno as an Inland Representative to Fill a Vacant Seat on the Business Improvement District (BID) Advisory Board

Recommended Action/Motion:

Approve the appointment of Mr. Marcus Magdaleno as an Inland Representative to fill a vacant seat on the Business Improvement District (BID) Advisory Board.

Previous Board/Board Committee Actions:

In May 2015, the Board of Supervisors approved Ordinance #4336 modifying the regulations associated with the Mendocino County Lodging Business Improvement District. On May 16, 2017 the Board of Supervisors signed Resolution No. 17-066 adopting Ordinance No. 4336 amending Chapter 5.140, and on June 19, 2017, the Board approved the 2017-2018 BID Annual Report.

Summary of Request:

With the establishment of the Business Improvement District (BID), County Code required the creation of a BID Advisory Board. A primary purpose of the Advisory Board is to produce an annual report, as required by the Business and Improvement Area Law of 1989. At a minimum, the annual report specifies the improvements and activities that are to be provided, along with an estimate of the cost, and specifies any surplus or deficit revenues to be carried over from the previous fiscal year. It may also propose changes to the BID. The annual report must be brought to the Board of Supervisors (Board) for approval, which constitutes the first step in renewing the BID for the coming year. It is notable that although this document is called a "report," it is most easily thought of as a "plan"; the primary purpose is looking forward to the next fiscal year. With regard to the makeup of the BID Advisory Board, Section 5.140.210 of the County code states the *"Members of the advisory board shall be selected and appointed by the Mendocino County Board of Supervisors from a list of nominees prepared by the Board of Directors of the Mendocino County Lodging Association (MCLA)."* This section further stipulates that two seats are to represent the coastal region, two seats are to represent the inland region, and one seat is to represent the MCLA. There are no other stipulated requirements to serve. In the past, to assist the Board in selecting among multiple nominees for appointment to the Advisory Board, the following criteria was used to provide a quantifiable recommendation for appointees that will ensure continued diversity of representation:

- (1) Any member of the Advisory Board should be a community member in good standing. For the purposes of this analysis, community members in good standing represent lodging businesses that are current on all payments of Transient Occupancy Tax (TOT) and BID assessment funds to the County. Additionally, community members in good standing do not control or represent lodging units, which are operated illegally; this includes units for which TOT or BID assessment funds are not collected.
- (2) Encourage representation on the Advisory Board by properties that are not already represented on other boards that make direct recommendations or determinations related to the expenditure and/or use of BID funds. The Advisory Board seat prescribed in the Ordinance to represent MCLA represents a primary exception to this criterion.
- (3) Pursue balance between small properties (ten or fewer rooms) and large properties (eleven or more rooms).
- (4) Seek to distribute appointments geographically in the County and by Supervisorial Districts.

The sole nominee for appointment is Mr. Marcus Magdaleno. Mr. Marcus Magdaleno is not currently on any other Boards related to the BID. Mr. Magdaleno is a lodging operator (1 hotel) located in Supervisorial District 5 and would represent the Inland Region.

Alternative Action/Motion:

Provide further direction to staff.

Supplemental Information Available Online at: N/A

Fiscal Impact:

Source of Funding: N/A

Current F/Y Cost: N/A

Budgeted in Current F/Y: N/A

Annual Recurring Cost: N/A

Supervisorial District: All

Vote Requirement: Majority

Agreement/Resolution/Ordinance Approved by County Counsel: N/A

CEO Liaison: Janelle Rau, Deputy CEO

CEO Review: Yes

CEO Comments:



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Executed By: Nadia Tipton

Final Status: **Approved**

Date: January 30, 2018

Executed Item No.: N/A

Note to Department:

Executed Documents Returned to

Department: Originals _____ Copies

_____ Hand Delivered _____ Interoffice

Mail _____ Executed Agreement Sent to

Auditor? Y/N