

CITY OF HUNTINGTON BEACH  
PUBLIC NOTICE  
PUBLIC HEARING FOR THE HOTEL/MOTEL  
BUSINESS IMPROVEMENT DISTRICT RENEWAL

NOTICE IS HEREBY GIVEN THAT the City Council will hold its Public Hearing on the 2012-2013 renewal of the Huntington Beach Hotel/Motel Business Improvement District at its meeting scheduled on September 17, 2012 at 6:00 PM or soon thereafter at the Huntington Beach Civic Center, 2000 Main Street, Council Chambers as required by the Parking and Business Improvement Area Law of 1989 as approved by City Council in Resolution No 2012-58 as re-printed below:

RESOLUTION NO. 2012-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH  
DECLARING THE CITY'S INTENTION TO LEVY AN ANNUAL ASSESSMENT  
FOR FISCAL YEAR 2012-2013 AND MODIFY THE BOUNDARIES WITHIN THE  
HUNTINGTONBEACH HOTEL/MOTEL BUSINESS IMPROVEMENT DISTRICT

WHEREAS, the California Legislature, in adopting the Parking and Business Improvement Area Law of 1989 (Streets and Highways Code §36500 et seq.) found that cities are authorized to levy assessments on businesses in order to promote economic revitalization and tourism, create jobs, attract new businesses and prevent erosion of business districts; and

On August 20, 2002, the City Council formed a business improvement area, known as the Huntington Beach Hotel/Motel Business Improvement District (the "District"), by the passage of Ordinance No. 3569.

Since the creation of the District, the City of Huntington Beach annexed the previously unincorporated area of the County of Orange known as Sunset Beach.

Chapter 4 of Streets and Highways Code §36500 allows cities to modify the boundaries of previously established Assessment Districts. The District has requested that the City of Huntington Beach modify the District boundaries to include the newly annexed area of Sunset Beach.

The California Legislature further found that cities are authorized to levy assessments on businesses which benefit from those improvements and activities; and

The District's Advisory Board has prepared and filed with the City Clerk an "Annual Report/Operating Budget 2012-2013 Fiscal Year to Date" and "Proposed Budget for Fiscal Year 2012-2013" (collectively, "Annual Report"); and

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

**SECTION 1.** The City Council hereby approves the Annual Report filed by the Advisory Board in the City Clerk's office attached hereto as **Exhibit A** and incorporated herein by this reference, which includes a proposed budget for Fiscal Year 2012-2013 and a description of the improvements and activities to be provided for Fiscal Year 2012-2013.

SECTION 2. To levy and collect assessments within the District area for Fiscal Year 2012-2013 in the amount of 2% on hotel and motel overnight room stays in hotels and motels listed in **Exhibit B** attached hereto and incorporated herein by this reference.

SECTION 3. The type or types of improvements and activities proposed to be funded by the levy of assessments on businesses within the business improvement area are specified in **Exhibit A**, attached hereto and incorporated herein by this reference.

SECTION 4. The boundaries of Huntington Beach Hotel Motel Business Improvement District are modified to include Sunset Beach, as specified in **Exhibit A**, attached hereto and incorporated herein by this reference.

SECTION 5. New hotel and motel businesses commencing operations after the effective date of this resolution levying the assessment will not be exempt from the levy of assessment as provided in **Exhibit B**.

SECTION 6. A public hearing shall be held before the City Council on September 17, 2012, at 6:00 p.m., or as soon thereafter as this matter may be heard, in the Council Chambers of the City Hall, 2000 Main Street, Huntington Beach, California, at which time the Council will hear all interested persons for or against proposed modification of the District boundaries. Protests may be made orally or in writing; but, if written, shall be filed with the City Clerk at or before the time fixed for the hearing and contain sufficient documentation to verify business ownership and validate the particular protest. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made. The City Council may waive any irregularity in the form or content of any written protest, and at the public hearing, may correct minor defects in the proceedings. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing set forth above. If written protests are received by the owners of businesses within the District, which will pay 50% or more of the assessment proposed to be levied, no further proceedings to modify the boundaries shall be taken for a period of one year from the date of the finding of a majority protest by the City Council.

SECTION 7. The City Clerk is hereby directed to provide notice of the public hearing by causing this resolution of intention to be published once in a newspaper of general circulation at least seven days before the public hearing.

SECTION 8. Further information regarding the proposed business improvement district may be obtained at the Huntington Beach City Hall, 2000 Main Street, Huntington Beach, California 92648; telephone (714) 536-5542; or from the Huntington Beach Conference and Visitors' Bureau, 301 Main Street, Suite 208, Huntington Beach, CA 92648, (714) 969-3492.

SECTION 9. The City Clerk shall mail a complete copy of this resolution of intention by first-class mail to each business owner in this area within seven days after the Council's adoption of this resolution.

SECTION 10. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 20th day of August, 2012.

A copy of the Annual Report (Exhibit A) and a list of Hotels/Motels (Exhibit B) are available in the City Clerk's office at:

Huntington Beach Civic Center

2<sup>nd</sup> Floor, 2000 Main Street

Huntington Beach, CA 92648

or can be obtained by calling

Kellee Fritzal, Deputy Director of Economic Development at (714) 374-1519

