

**RESOLUTION NO. 2020-008**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
DECLARING ITS INTENTION TO RENEW THE ELK GROVE TOURISM MARKETING  
DISTRICT AND FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A  
PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF**

**WHEREAS**, the City Council of the City of Elk Grove created the Elk Grove Tourism Marketing District (“EGTMD”) on February 11, 2015, by Resolution No. 2015-027; and

**WHEREAS**, the EGTMD was created for a five-year term which ends on March, 30, 2020; and

**WHEREAS**, the Property and Business Improvement Law of 1994, Streets and Highways Code sections 36600 et seq., authorizes the City Council to renew business improvement districts for the purposes of promoting tourism; and

**WHEREAS**, Visit Elk Grove, the current Owners’ Association for the EGTMD, lodging business owners, and the City of Elk Grove have met to consider the renewal of the EGTMD; and

**WHEREAS**, Visit Elk Grove, with the consent and approval of the City of Elk Grove, has drafted a Management District Plan (the “Plan”) which sets forth the proposed boundary of the renewed EGTMD, a service plan, budget, and a proposed means of governance; and

**WHEREAS**, the EGTMD includes lodging businesses in the City of Elk Grove and a portion of unincorporated Sacramento County; and

**WHEREAS**, consent to include lodging businesses in a portion of unincorporated Sacramento County will be requested from Sacramento County; and

**WHEREAS**, lodging businesses who will pay more than fifty percent of the assessment under the EGTMD have petitioned the City Council to renew the EGTMD.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Elk Grove that:

- 1) The recitals set forth herein are true and correct.
- 2) The City Council finds that lodging businesses that will pay more than fifty percent (50%) of the assessment proposed in the Plan have signed and submitted petitions in support of the renewal of the EGTMD. The City Council accepts the petitions and adopts this Resolution of Intention to renew the EGTMD and to levy an assessment on certain lodging businesses within the EGTMD boundaries in accordance with the Property and Business Improvement District Law of 1994.

- 3) The City Council finds that the Plan satisfies all requirements of Streets and Highways Code section 36622.
- 4) The City Council declares its intention to renew the EGTM and to levy and collect assessments on lodging businesses within the EGTM boundaries pursuant to the Property and Business Improvement District Law of 1994 and the Plan.
- 5) The EGTM shall include all lodging businesses located within the boundaries of the City of Elk Grove and a portion of unincorporated Sacramento County, as shown in the map attached as Exhibit A.
- 6) The annual assessment rate shall be three percent (3%) of gross short-term (stays less than thirty (30) days) room rental revenue for lodging businesses in the City of Elk Grove and one percent (1%) for lodging businesses in the portion of unincorporated Sacramento County. Based on the benefit received, assessments will not be collected on: stays of more than thirty (30) consecutive days; and stays of persons in the performance of official duties as an employee of City, County, State, and Federal government entities and foreign government diplomats if documentation of an exemption certificate is submitted and retained and payment is made directly to the hotel for rentals or by a government-sponsored corporate charge card.
- 7) The assessments levied for the EGTM shall be applied toward sales and marketing programs to market assessed lodging businesses in the EGTM as visitor, meeting, and event destinations, or for related capital improvements, as described in the Plan. Funds remaining at the end of any year may be used in subsequent years in which EGTM assessments are levied as long as they are used consistent with the requirements of this resolution and the Plan.
- 8) The renewed EGTM will have a seven (7) year term, beginning April 1, 2020, through March 31, 2027.
- 9) Bonds shall not be issued.
- 10) The time and place for the public meeting to hear testimony on renewing the EGTM and levying assessments are set for February 12, 2020 at 6:00 PM, or as soon thereafter as the matter may be heard, at the Council Chambers located at 8400 Laguna Palms Way, Elk Grove, CA 95758.
- 11) The time and place for the public hearing to renew the EGTM and the levy of assessments are set for February 26, 2020 at 6:00 PM, or as soon thereafter as the matter may be heard, at the Council Chambers located at 8400 Laguna Palms Way, Elk Grove, CA 95758.

- 12) The City Clerk is directed to provide no less than forty-five (45) days written notice to the lodging businesses subject to assessment of the date and time of the meeting and hearing, and to provide that notice as required by Streets and Highways Code section 36623.
- 13) At the public meeting and hearing the testimony of all interested persons for or against the renewal of the EGTMd may be received. If at the conclusion of the public hearing, there are of record written protests by the owners of the lodging businesses within the EGTMd that will pay more than fifty percent (50%) of the estimated total assessment of the entire EGTMd, no further proceedings to renew the EGTMd shall occur for a period of one (1) year.
- 14) The complete Plan is on file with the City Clerk and may be reviewed upon request.
- 15) This resolution shall take effect immediately upon its adoption by the City Council.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 8<sup>th</sup> day of January 2020



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STEVE LY, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



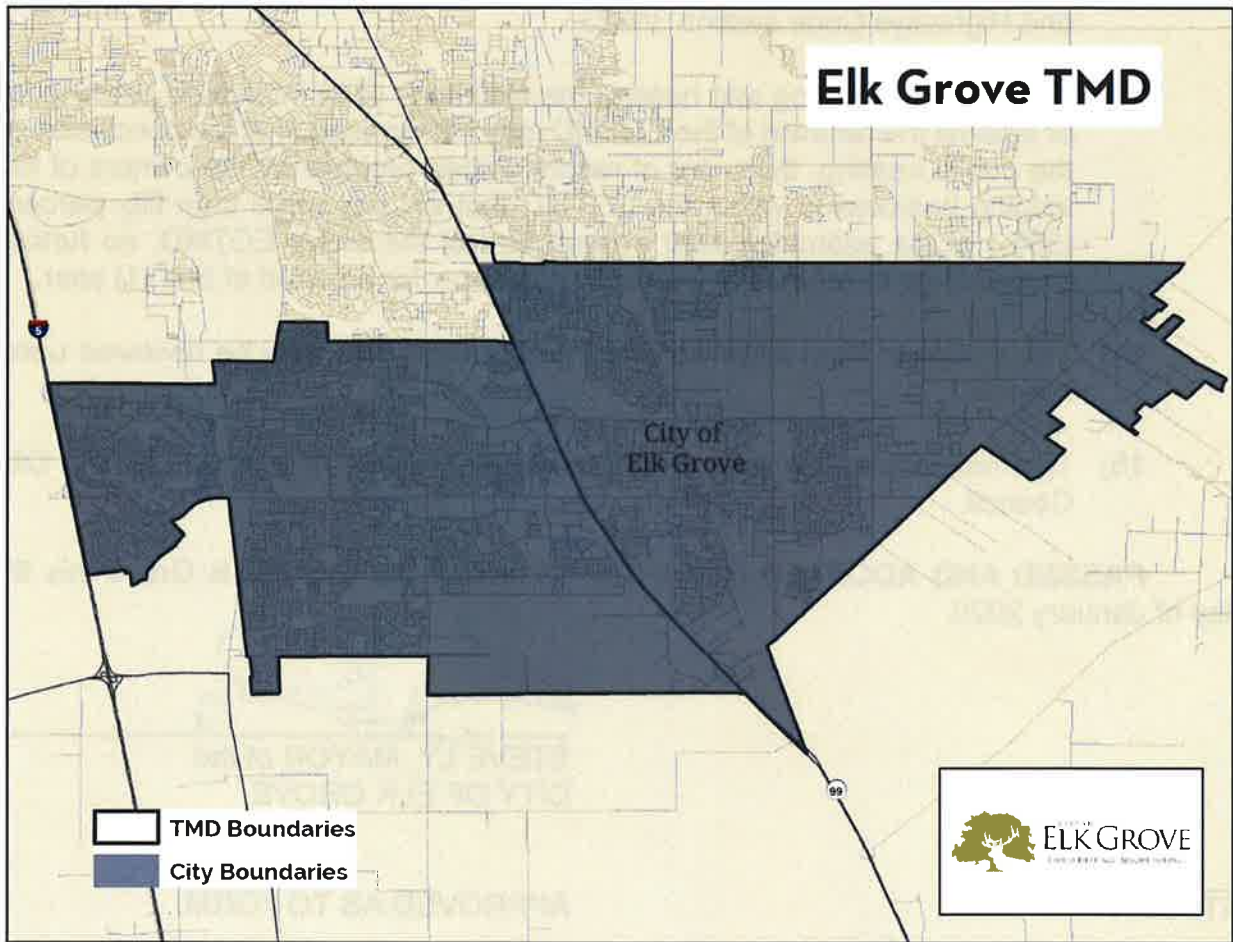
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JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



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JONATHAN P. HOBBS,  
CITY ATTORNEY

EXHIBIT A  
District Boundaries



**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2020-008**

**STATE OF CALIFORNIA            )**  
**COUNTY OF SACRAMENTO    )**     **ss**  
**CITY OF ELK GROVE         )**

***I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 8, 2020 by the following vote:***

**AYES:            COUNCILMEMBERS:     *Ly, Detrick, Hume, Nguyen, Suen***

**NOES:           COUNCILMEMBERS:     None**

**ABSTAIN:       COUNCILMEMBERS:     None**

**ABSENT:        COUNCILMEMBERS:     None**



***Jason Lindgren, City Clerk  
City of Elk Grove, California***