

# 2013

San Luis Obispo County  
Business Improvement  
District (CBID)  
Local Fund Governance  
Procedure Manual

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## **Section I. CBID General Information**

The San Luis Obispo County Tourism Business Improvement District (SLO CBID or SLOTBID) Advisory Board is focused on our primary mission “to promote the economic well being of its constituents including hotels, motels, bed & breakfasts, and vacation rentals” by driving a positive increase in occupancy rates across all lodging types that pay transient occupancy tax (TOT) within the SLO CBID region, while placing particular emphasis on programs that positively impact the slower lodging periods and/or expand the impact of the higher occupancy times.

### **Background**

In the spring of 2009, the Board of Supervisors, upon the recommendation of the lodging businesses in the unincorporated areas of San Luis Obispo County, approved the formation of a business improvement district (BID) for specific portions of unincorporated areas of the County (map attached). As a result, beginning July 1, 2009, all lodging businesses (defined as hotels, motels, bed and breakfasts, and vacation rentals), within the designated area, were assessed 2% of the paid rent charged per occupied room night. This 2% is being collected by the San Luis Obispo County Tax Collector and held in a fund designated exclusively for the promotion of tourism within the boundaries of the SLO CBID.

The BID ordinance included the creation of a seven (7) person Advisory Board from lodging owners, and/or their designees, from within the boundaries of the SLO CBID. The SLO CBID Advisory Board was appointed by the Board of Supervisors on June 9, 2009. The ordinance requires that half of the funding be directed at programs that will benefit the SLO CBID region as a whole and the remaining half (less expenses) of the funds be divided, proportionately, among the local areas that comprise the SLO CBID region.

These funds must, by law, be used to promote tourism to the benefit of those local areas exclusively. Any and all SLO CBID programs must be approved by the CBID Advisory Board and/or the Board of Supervisors before they can begin.



The Local Areas of the CBID include Ragged Point, San Simeon, Cambria, Cayucos, Los Osos/Baywood Park, unincorporated Morro Bay, Avila Beach, Oceano, Nipomo, Arroyo Grande unincorporated and San Luis Obispo unincorporated.

### **Access to Information**

The SLO CBID has created a members portal [www.WineCoastCountry.com/members](http://www.WineCoastCountry.com/members) where you can view past and current Advisory Board agendas, board minutes, Year End Reports and additional resources.

## **Our Role**

The SLO CBID Advisory Board, along with the CBID administrator and County Liaison, are committed to providing support to the 10 local fund areas, and their 7 local fund boards.

The SLO CBID was the first in the United States to create the local fund structure whereby 1% of the assessment monies come back in to the community (less expenses) that created it. These unincorporated areas have never had monies available to market and promote their region, thus the impact and importance of your service on the board and the committees is crucial in making the greatest impact.

The SLO CBID Board, the CBID administrator and the CBID County Liaison are focused on providing the following:

- Guidance on governance and adherence to County policies, including conflict of interest concerns
- Guidance on Brown Act and Robert's Rules of Order
- Gain support for the CBID and maintain a low protest percentage for annual CBID Ordinance Renewal
- Process completed applications in preparation to submission to the County
- Provide guidance and support to local fund board members and administrators
- Communicate CBID plans and progress
- Communicate opportunities (marketing, events, assets)

## **Support to Local Funds**

The SLO CBID Advisory Board has contracted with an Administrator that provides administration and marketing for the entire CBID region.

In addition to serving the CBID Board, the Administrator and the County Liaison also provide support to each local fund board:

- Attend local board meetings (7 total)
- Attend CTB Marketing Committee meeting (1 per month)
- Direct reporting of their administrative person to CBID CAO for training & ongoing support
- Direct connection with local fund marketing chair for guidance and support
- Direct connection to organizations requesting local funds
- Direct connection for all local fund board members
- Serve as administrative support during transition of local fund contracted staff
- Oversee/Supervise local fund monthly financials

## **Mission**

The mission of the San Luis Obispo County Tourism Business Improvement District (CBID) is to promote the economic well being of our constituents (motels, hotels, bed & breakfasts, and vacation rentals).

## **Vision**

To develop and implement a countywide tourism effort with the CBID taking a lead role with a focus on quality of purpose and a common goal — that all area stakeholders see their competition as those outside San Luis Obispo County and together we improve countywide occupancy levels.

## **Core Values**

### **Strength of Economics**

We will work with our constituents and our communities to forge long-term partnerships that foster strength and stability and provide economic benefit.

### **Life Quality**

We will ensure an ongoing quality of life with responsible stewardship of human, financial, and natural resources, with our eye on the sustainability of our purpose and our partnerships.

### **Openness & Transparency**

We embrace an open process that encourages and values public participation and supports complete transparency in our work by communicating effectively with all interested and affected individuals and organizations.

### **Collaboration**

We are committed to work as a team beyond organizational and geographic boundaries to achieve superior results by forming corporate and community alliances, not just marketing partnerships.

### **Be Accountable & Accessible**

We will hold ourselves to the highest standards to responsibly manage public funds in our charge with good governance and management, while being accountable to our goals, each other and fiscally to all constituents.

### **Innovate & Lead**

We are professionals, and as such we will exemplify leadership focused on our strength of purpose and direction, and strive to provide the highest impact for our constituents through innovative ideas and creative executions.

### **Demand Integrity & Mutual Respect**

In all our actions as the CBID Board and as individuals representing the CBID, we will be governed by high ethical standards and integrity, both financially and professionally, with honesty and mutual respect as our guide in every activity between ourselves and all our partners.

## **Ordinance Renewal Process**

The SLO CBID is governed by the Parking and Business Improvement Area Law of 1989 and is not subject to Prop 218 voting requirements. The SLO CBID ordinance is required to be renewed annually.

Below is an example outline and an Sequence of Events document (approximate date/timing provided for illustration purposes) published by the County that outlines the steps taken for the SLO CBID Ordinance Renewal process.

Example outline: On April 17th the Board will consider the resolution of intention to continue the levying of assessment on lodging businesses within the County's business improvement district in FY 2012-13. The resolution sets May 22, 2012 at 9:00 a.m. as the date of the public hearing for the Board to receive protest votes. Lodging business will receive a copy of the executed resolution and notice of proposed assessment in the mail after they are approved on the 17th. The goal is to have them out by the end of that week (April 20). State law provides for a protest vote only and they must be received by the County Clerk no later than the end of the hearing on May 22, 2012. If written protests are received from the owners of businesses in the District that pay 50% or more of the assessments levied, the collection of assessment would stop beginning July 1, 2012.

### **SAN LUIS OBISPO COUNTY TOURISM BID**

#### **Exhibit A**

#### **Sequence of Events**

FORMATION OF 1989 ACT  
TOURISM BUSINESS IMPROVEMENT DISTRICT

<b>Action</b>	<b>Jurisdiction</b>	<b>Meeting/Notice</b>	<b>Date</b>
<b>Resolution of Intention</b> and Ordering Notice of Public Hearing to be mailed	County of San Luis Obispo	Board of Supervisors Meeting (can be a Consent item)	mid April
<b>Mail Notice</b> of Public Meeting	County of San Luis Obispo	After Adoption of Resolution of Intention	late April
<b>Public Meeting</b>	County of San Luis Obispo	Board of Supervisors Meeting (Agenda item to allow public testimony)  *** No Less than 10 Days After the Notice is mailed	mid to late May
<b>Tourism Assessment Collection Continues</b>	Tourism BID Boundaries		July 1

## **CBID Advisory Board**

The San Luis Obispo County Tourism Business Improvement District Ordinance Section 3.09.100 outlines for specific details of the CBID Advisory Board.

A CBID Advisory Board comprised of up to seven (7) members, with a minimum of five (5) members, and was created to carry out the functions of an advisory board under Section 36530 of the law. Members must be an owner and/or designated appointee of a hotel, motel, bed and breakfast or vacation home rental within the CBID and will be appointed by the Board of Supervisors. The CBID Advisory Board should have balanced representation from the various geographical areas of the District/CBID region and the various types of lodging businesses within the District/CBID region.

All persons appointed to the CBID Advisory Board must be nominated by a process established by the Board of Supervisors. All nominees and members must be operators of a lodging business within the District/CBID region, or employed by the operator of such a lodging business. The initial members of the CBID Advisory Board shall serve staggered terms, with half of the members serving a two-year term, and the remaining members serving a four-year term. The length of the term for each individual member of the initial CBID Advisory Board shall be chosen by lot at the first meeting of the CBID Advisory Board. Thereafter, all members subsequently appointed to the CBID Advisory Board shall serve for four-year terms.

Members of the CBID Advisory Board shall serve at the pleasure of the Board of Supervisors and may be removed by the Board of Supervisors at any time. If the members no longer represent the lodging establishment for which they were selected to the CBID Advisory Board, their seat will be vacated and a new member will be appointed representing the same jurisdiction in the CBID region.

The CBID Advisory Board shall review the implementation of the ordinance, the implementation of programs and activities funded through this ordinance, and advise the Board of Supervisors on the amount of the CBID area's assessments and on the services, programs, and activities to be funded by the assessments, and shall perform such other duties as required by the law, including preparing the Annual Report required by Section 36533 of the law.

A current roster of the CBID Advisory Board can be found on members' site [www.WineCoastCountry.com/members](http://www.WineCoastCountry.com/members).



## **II. The Steps to forming your Local Fund Board**

**and**

## **III. Obtaining Board of Supervisor Approval for Board Appointments**

The interest in forming your Local Fund Board should be created at the local level, where key community leaders can be identified. It is important to select those who will serve the mission of your board – to increase overnight stays through the use of the local fund assessment monies. Keep in mind that 2/3 of the board must be made up of current constituents (lodging property owners or their designated representative).

Once the interested board members have been identified, they must obtain Board of Supervisor (BOS) approval to make their board appointment official. This must occur before the first local fund board meeting can be called.

Following are the steps to forming your local fund board. Both the Designated Representative form (pages 18) and the Board Appointment form (pages 19-20) can be found in the Forms section of this manual, and are also available on [www.WineCoastCountry.com/members](http://www.WineCoastCountry.com/members).

Following is a checklist of items you should be aware of:

1. Identify Local Area Advisory Board members (contingent upon BOS approval of each proposed board member)
  - a. Remember 3 minimum & 7 maximum
  - b. 2/3 must be current constituents (non-owners must have a signed designated representative form)
  - c. Consider "Non-lodging" representation
  - d. Select a Chair or Co-Chairs
  - e. Identify who will provide administrative support (agenda & minutes)
2. Submit Advisory Board nominees on the Board Appointment Form to the CBID Administrator for BOS approval
3. Schedule your Initial Board Meeting following BOS approval
  - a. The CBID Administrator will attend
  - b. Announce Board to the constituency
  - c. Announce first meeting details to constituency
4. Initial Meeting preparation
  - a. Create Agenda (format provided in the Forms section)
  - b. Publish Agenda to Board
  - c. Post Agenda in a public place 5 working days prior to meeting date
  - d. CBID Administrator to provide email distribution list for all constituents
5. Administrative Considerations
  - a. Finalize the By Laws (section VII page 13) and post on the members site
  - b. Publish a Board Roster and post on the members
  - c. Confirm your Administrator

## **IV. Protocol**

**The Brown Act** (Govt. Code §§ 54950-54960.5) is required protocol for all local fund boards. The entire act, along with a summary brochure can be found on [www.WineCoastCountry.com/members](http://www.WineCoastCountry.com/members) under the heading "Get Involved in Your Local Fund Area."

All local fund board members are required to attend Brown Act training provided by the County of SLO.

The basics of the Brown Act state that meetings of public bodies must be "open and public, actions may not be secret, and action taken in violation of open meetings laws may be voided." (§§ 54953(a), 54953(c), 54960.1(d)). Keep in mind that a "meeting" is any gathering of a majority of the members of a covered board to hear, discuss, or deliberate on matters within the agency's or board's jurisdiction. (§ 54952.2(a), and that no vote or action is required for the gathering to be a meeting.

**Robert's Rules of Order** is the standard for facilitating discussions and group decision-making. A copy of the rules is available on [www.WineCoastCountry.com/members](http://www.WineCoastCountry.com/members). Although they may seem long and involved, having an agreed upon set of rules makes meetings run easier. Robert's Rules will help your local fund board have better meetings, and provides a process that encourages fairness and participation.

**Ethics Training** for cities, counties and special districts in California are required by law (AB 1234, Chapter 700, Stats. of 2005), and thus all CBID Advisory Board members complete this training every 2 years. Although this training is not currently required of the local fund board members, the SLO CBID Core Value "Demands Integrity and Mutual Respect", which we ask of all who are connected to this effort:

In all our actions as the CBID Board and as individuals representing the CBID, we will be governed by high ethical standards and integrity, both financially and professionally, with honesty and mutual respect as our guide in every activity between ourselves and all our partners.

**County Gift Policy** must be followed by all local fund board members and a copy of this policy is included in the Forms section of this manual (page 20).

## **V. Public Transparency**

Another Core Value of the SLO CBID is Openness & Transparency, which states:

We embrace an open process that encourages and values public participation and supports complete transparency in our work by communicating effectively with all interested and affected individuals and organizations.

Following are some key points to keep in mind:

- Public posting of all agendas 72 hours prior to the board meeting
- Provide a Public Comment item on your agenda to encourage public input on those items not on your agenda
- Meetings are open to the public so please provide a comfortable space that can accommodate additional attendance
- Meeting minutes are posted monthly and are easily accessible on the members site
- Committee Reports are encouraged in order to maintain an open dialog
- No action can be taken on an item unless it is listed on the agenda

## **VI. Local Fund Policy**

### **SAN LUIS OBISPO COUNTY BUSINESS IMPROVEMENT DISTRICT**

#### **LOCAL AREA FUND POLICY**

created: 9-7-10

- 1) The primary goal of the San Luis Obispo County Tourism Business Improvement District (CBID) is to increase occupancy and room nights across all lodging types (motel, hotels, bed and breakfasts, vacation rentals) that pay the business improvement assessment (BID) along with transient occupancy tax (TOT) within the SLOCTBID region while placing particular emphasis on programs that positively impact the slower lodging periods (shoulder seasons) and/or expand the impact of the higher occupancy times.
- 2) The boundaries of the San Luis Obispo County Tourism Business Improvement District (CBID) shall be all properties in the unincorporated boundaries of the County of San Luis Obispo located within the North Coast, Estero, San Luis Bay Coastal, and South County Coastal planning areas set forth in the Land Use Element – Circulation Element of the San Luis Obispo County General Plan and within the San Luis Bay Inland, South County Inland, Los Padres, Huasna-Lopez and San Luis Obispo planning areas as set forth in Title 22, Chapters 22.106, 22.112, 22.100, 22.96, and 22.108 respectively.

The Local Areas of the CBID have been designated as:

- Avila Beach
  - Arroyo Grande unincorporated/San Luis Obispo unincorporated
  - Cambria
  - Cayucos
  - Los Osos/Baywood Park/Morro Bay Unincorporated
  - Nipomo/Oceano
  - San Simeon/Ragged Point
- 3) Lodging business within the Local Areas of the CBID shall form a “Local Area Advisory Board”. The Local Area Advisory Board shall be made up of a minimum of three (3) but not more than seven (7) members, 2/3 of which shall be lodging owners and/or appointed representatives of lodging owners from within the Local Area as designated above. Each individual region of the Local Area must be represented on the Local Area Advisory Board. It is at the discretion of the Local Area Advisory Board to appoint “non-lodging” members.  
  
Lodging owners not in compliance with the County’s transient occupancy tax ordinance and/or the ordinance establishing the CBID are not eligible to serve as a Local Area Advisory Board member.
  - 4) Projects/programs and/or events of the Local Area shall effectively promote tourism in a way that optimizes the scenic qualities, geography, history, recreation, attractions and ambiance of the Local Area of the CBID. Event funding will be provided to support the marketing and promotion of the event, and shall not be used for overhead expenses.

- 5) Each lodging business (interested party) within the Local Area must complete an application in order to be considered for local area funds. One (1) copy of the application, including a project/program and/or event scope of work, budget and invoice (if applicable) and a letter of support from the Local Area Advisory Board, should be submitted to the CBID. Applications will be reviewed and funded based upon the project/program and/or event's alignment with the overall CBID goals and objectives.
- 6) Request for funding for projects/programs and/or events with specific dates must be submitted to the CBID, at a minimum, 30 days in advance of the date of the event in order to allow time for processing of the application and subsequent paperwork. Funding requests in excess of \$4,999 should be submitted 60 days in advance. Please keep in mind that CBID Advisory Board meetings are the 4th Wednesday of each month so submit your paperwork accordingly.
- 7) Funding requests in the amount of \$4,999 or less will be reviewed by a sub-committee of the CBID Advisory Board consisting of the Chair, Vice-Chair and CBID Administrator. Any amount over \$4,999 will be reviewed and approved at the next available CBID Advisory Board meeting.
- 8) Once a funding level is determined, an agreement specifying the terms and conditions for funding of the project/program and/or event will be sent to each agency or organization for signature. At a minimum, two (2) signatures will be required.

After a signed agreement is returned by agency or organization, County Counsel will review and sign the agreement as to form and legal effect. Final approval and processing of the agreement will be done according to the following guidelines:

1) For funding amounts of \$49,999 or less:

- a) Signature by the County Administrative Officer, or designee, on behalf of the County;

2) For funding amounts of over \$49,999:

- b) Placement on the Board of Supervisors; agenda for Board approval.

Following approval of the agreement by either the County Administrative Officer, (or designee), or by the Board of Supervisors, monies to fund the project/program and/or event will be issued in accordance with County accounting procedures in the timeliest manner possible.

## **VII. Local Fund By Laws**

Each local fund will develop By Laws for their board. The County provides the By Law structure, which can be found in the Forms section (pages 22 - 27).

The following are specific items within the By Laws that should be determined by the Local Fund Board:

- i. Define Advisory Board terms, based on staggered terms
- ii. Define acceptable excused and unexcused absences
- iii. Define whether a majority (50%+1) or 2/3 vote can remove a member
- iv. Define the board officers and their terms
- v. Define the regularly scheduled board meeting date
- vi. Define whether a majority (50%+1) or 2/3 cancels a meeting
- vii. Define whether a majority (50%+1) or 2/3 determines a quorum

## **VIII. Local Fund Application Process**

One of the main responsibilities of the local fund boards are to partner with individuals and organizations to fund events, projects and tourism infrastructure that will support our mission. Funds should be identified by the Local Area Fund to support events and projects that are directly related to an increase in lodging (increased overnight stays and increased length of stay) within the CBID regions.

As a public entity, each local fund board must adhere to certain standards as requests for funding are considered. Throughout the application approval process, the local fund board works in conjunction with the SLO CBID board, the County and SLO CBID administrator, as the CBID Advisory Board will review the local fund board application requests as a final step prior to funding being released by the County.

Criteria for Application Consideration:

- Your project or event must bring an increase to occupancy and room nights in the local hotels, motels, beds and breakfasts, and vacation rentals.
- Regional and/or national tourism appeal
- Increased visibility of our destination brand
- Potential for growth and sustainability
- Takes place within a CBID region
- Generates interest in the off-season (mid September through end of June)

The complete Local Fund Guidelines and Application can be found in the Forms section (pages 28 - 31).

Also refer to the Local Fund Policy (pages 11 and 12) for an outline of the approval process for different funding levels.

## **IX. Successful Local Fund Board Meetings**

We encourage each local fund board to follow Robert's Rules of Order (see page 10) and also set some ground rules so each member is fully aware of what is to be expected. Keep in mind that Brown Act protocol must be followed, which is outlined in section IV on page 10.

To reiterate, the basics of the Brown Act state that meetings of public bodies must be "open and public, actions may not be secret, and action taken in violation of open meetings laws may be voided." (§§ 54953(a), 54953(c), 54960.1(d)). Keep in mind that a "meeting" is any gathering of a majority of the members of a covered board to hear, discuss, or deliberate on matters within the agency's or board's jurisdiction. (§ 54952.2(a), and that no vote or action is required for the gathering to be a meeting.

Robert's Rules of Order is the standard for facilitating discussions and group decision-making.

Following are the ground rules set for the CBID Advisory Board meetings:

- Chair & Vice Chair (or co-chair) will conduct all meetings
- Ground rules confirmed: no texting, no talking, no cell phones
- One person speaks at a time and must be acknowledged by the Chair or Vice Chair
- Goal will be to reduce meetings to 2 hours
- Appoint a spokesperson from each committee to make the report and outline any recommendations
- Read and review your board packet (sent 7 working days prior the Board meeting) thoroughly and email the Chair and/or Vice Chair with any questions
- [www.WineCoastCountry.com/members](http://www.WineCoastCountry.com/members) has the agenda and past minutes
- Contractors will be invited to meetings and will be on the agenda as a presentations (as needed)
- Focus will be on ideas, brainstorming, discussion (versus reporting)

As you know, the local fund board meetings are public. The public will be given time to provide input during Public Comment, however, it is recommended that your board discuss a policy on the public's participation during other discussion topics during a board meeting. Public input is important and comments for all participants must be thoughtfully managed to maintain order throughout every board meeting.

## **X. Focus of Each Local Fund**

The SLO CBID Advisory board asks that each local fund board accept the overall CBID mission:

The mission of the San Luis Obispo County Tourism Business Improvement District (CBID) is to promote the economic well being of our constituents (motels, hotels, Bed & Breakfasts and vacation rentals).

In turn, we encourage each local fund area to create its own vision, defined as an aspirational description of what an organization would like to achieve or accomplish. Following are the vision statements created by each local fund board. Many areas have incorporated their vision on their monthly agenda to focus each member on what the board is working to achieve.

### **San Simeon Tourism Alliance**

To lead the way in promoting San Simeon as a premier leisure destination while protecting and developing our natural and cultural heritage.

### **Cambria Tourism Board**

It is the vision of the CTB to create opportunities to increase lodging opportunities for those that will have an appreciation and care for our Cambria community, culture, environment, and history.

### **Visitor Alliance of Cayucos**

To promote and enhance the lodgings and businesses of Cayucos for the sustainable social and financial betterment of the community as a whole.

### **Los Osos/Baywood Park/unincorporated Morro Bay**

Establish Los Osos/Baywood Park as a memorable California destination for visitors seeking natural beauty, abundant outdoor activities and an "off the beaten track" experience.

### **Avila Beach**

To create and maintain strategic marketing, special events, and other outreach projects to improve occupancy levels within Avila Beach and work with other surrounding areas to co-promote overnight destinations on the Central Coast.

### **Oceano/Nipomo**

To promote and enhance Oceano and Nipomo as a tourist destination focusing on its great climate, unique location, its history and natural resources in order to benefit lodging businesses and the communities as a whole.

The local fund board is encouraged to create collaborations with local organizations that will increase overnight stays, which can include supporting current events to increase out of area draw, creating new events, encouraging community and tourism infrastructure projects.

Furthermore, the SLO CBID embraces the idea of ongoing Stewardship & Sustainability (a CBID core value) and encourages each local area to consider supporting programs that grow the community's emphasis around culture and heritage, which are a draw to locals and tourists alike.

## **XI. Administrative Requirements**

Each local fund board will need to identify a local fund administrator, who will contract with the County on behalf of the local fund board to provide administrative support services.

This is an important role as the members who serve the board are volunteers, and the fund administrator provides all support services needed for board meetings, committee meetings, local fund applications and any legwork needed to complete a project successfully. Additionally, due to Brown Act requirements, the local fund administrator is the key point of communication with the Board, its individual members, committee members and the public at large. An example Scope of Work document is included in the Forms section (pages 32 - 33).

Once an administrator has been confirmed, the CBID Administrator will meet with them to provide insight on process and procedures. The CBID continues to support the efforts at the local fund level, and the CBID Administrator will continue to be a resource for the local administrator and the local fund board.

Initially, the administrator must set up the communication needs of the board, including a P.O Box, a specific email URL, a constituent distribution list and a board roster. Keep in mind that the PO Box and email URL are expensed through the local fund board, thus they belong to the board. We encourage you to communicate any registration or log on information to the CBID Administrator in case there is a change in local administration personnel.

## **XII. Financial Reporting**

The County manages all financial administration for the SLO CBID and provides monthly financials, which are audited annually by the Tax Collector's office.

The CBID requires each local board to maintain their own budget, and specify budget categories for their top 3 – 4 objectives. The CBID recommends that a specific board member is appointed as the Treasurer to oversee the budget management and provide monthly reporting of this budget to the board.

On a quarterly basis, the County also provides Transient Occupancy Tax figures that provide a snap shot of the Year over Year comparison by local fund area.



### **XIII. Forms**

This section provides specific forms and documents used by the local fund area. Most of these forms are also available on [www.WineCoastCountry.com/members](http://www.WineCoastCountry.com/members), or can be requested by emailing [admin@SLOcountyBID.com](mailto:admin@SLOcountyBID.com). The documents included are:

- Designated Representative Form
- Board Appointment Form
- County Gift Policy
- Funding Guidelines and Application
- Example of a Local Administrator Scope of Work
- Example of Local Board Agenda example

### **XIV. Resources**

The SLO CBID is here to help navigate through the details, so please do not hesitate to contact us:

San Luis Obispo County Tourism Business Improvement District  
P.O. Box 1875 | San Luis Obispo, CA 93406  
Phone: 805.547.CBID (2243)  
Fax: 805.547.2248  
Administrator email: [admin@SLOcountyBID.com](mailto:admin@SLOcountyBID.com)  
Members Site: [www.WineCoastCountry.com/members](http://www.WineCoastCountry.com/members)  
Website: [www.WineCoastCountry.com](http://www.WineCoastCountry.com)  
Consumer email: [info@WineCoastCountry.com](mailto:info@WineCoastCountry.com)

SAN LUIS OBISPO COUNTY TOURISM BUSINESS IMPROVEMENT DISTRICT  
LOCAL FUNDING AREA  
REPRESENTATION FORM  
FOR \_\_\_\_\_

BE IT KNOWN, that the undersigned, is a constituent of the San Luis Obispo Tourism Business Improvement District (“CBID”) by virtue of owning/operating the below listed Lodging property(ies) (“Lodging”). Lodging is defined in San Luis Obispo County Ordinance 3.09.020.

BE IT FURTHER KNOWN, that the undersigned Constituent has Lodging located in the \_\_\_\_\_ Local Funding Area (“Local Funding Area”) as defined by the CBID.

By placing their signature below, the undersigned Constituent appoints the below listed Representative as its representative to act in its place and vote in any manner with respect to the Local Funding Area, including but not limiting to the election of the directors for the Local Funding Area Board, as if Constituent was physically present at any meeting in which such voting takes place.

“Constituent”

\_\_\_\_\_  
Printed Name /Title (if necessary)

\_\_\_\_\_  
Signature

“Representative”

\_\_\_\_\_  
Printed Name

Constituent’s Lodging Property(ies) (list by address)


**COUNTY OF SAN LUIS OBISPO  
APPLICATION FOR APPOINTMENT  
TO A BOARD, COMMISSION, COMMITTEE**

Date \_\_\_\_\_

Applying For: \_\_\_\_\_  
(NAME OF BOARD, COMMISSION, COMMITTEE)

Name: \_\_\_\_\_  
Last First Middle Initial

Address: \_\_\_\_\_  
Number Street City Zip Code

Home Phone \_\_\_\_\_ Business Phone \_\_\_\_\_

Supervisory District \_\_\_\_\_ Years resided in the county? \_\_\_\_\_

Present Occupation/Employer: \_\_\_\_\_

If retired, past occupation/employer: \_\_\_\_\_

Education: \_\_\_\_\_

List any school courses, volunteer activities, special skills, training, certificates, licenses or work experience that you feel relate to your qualifications. If you like, you may attach a separate sheet for this purpose or to state your qualifications.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Previous service on county or city advisory bodies or an elected office (names/dates):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(OVER)

Membership in Organizations: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please explain why you would like to serve (attach a separate sheet if necessary):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If appointed, are you willing to participate in the majority of meetings each year and, if necessary, in numerous related meetings or subcommittees? \_\_\_\_ YES \_\_\_\_ NO

Should you be appointed, are you willing, if necessary for that particular body, to file a statement of disclosure as a public official under the standards set forth by the Fair Political Practice Commission? \_\_\_\_ YES \_\_\_\_ NO

.....

OFFICE USE ONLY

Date called/interviewed \_\_\_\_\_ Recommended for appointment? \_\_\_\_ YES \_\_\_\_ NO

Appointee prefers not to have address or phone number(s) published? \_\_\_\_ YES \_\_\_\_ NO

Additional Comments: \_\_\_\_\_

\_\_\_\_\_

PG 55

## SAN LUIS OBISPO COUNTY

### POLICY ON COUNTY STAFF RECEIVING GIFTS AND GRATUITIES

This policy is established to ensure that all County employees are able to perform the responsibilities of their jobs with professionalism and objectivity, and without influence or interference from outside sources. This policy is also intended to avoid the appearance of a conflict of interest when County employees are exercising their statutory authority provided under State law and County ordinances.

It is the County's policy that its employees not accept gifts or gratuities from organizations (and their employees) or individuals conducting business with the County. This policy is not intended to prohibit personal gifts from fellow co-workers, family and close friends, and which are unrelated to County business. (for example, this policy would not prohibit co-workers from exchanging gifts for holidays and birthdays.) It also does not prohibit acceptance of gifts of a nominal value, such as a cup of coffee from a client; pens, mugs or t-shirts given by vendors at trade shows, conferences, demos, etc.

The following list is not intended to be exhaustive of all possible examples of prohibited gifts from individuals and organizations conducting business with the County:

1. Money, tickets for banquets, dances, entertainment, sporting events, lottery tickets, as well as discounts not available to the public.
2. New or used materials, equipment or goods.
3. Liquor, wines, or other alcoholic beverages.
4. Meals, except for bona fide County business meetings over a mealtime.
5. Transportation, trips or tours (except ride sharing in connection with County business).
6. Clothing or jewelry items.
7. Foodstuffs or non-alcoholic beverages, such as candy, turkeys, pastries, cheeses, sodas, punch, etc., (unless presented at the office and offered to all employees).\*

This policy does not prohibit acceptance of lodging, meals and/or transportation in connection with participation as a panel member or speaker at conferences, training sessions, and workshops. This policy also does not prohibit County employees from accepting winnings from a lottery held at a conference, training session and/or workshop.

If you are offered a gift you feel does not constitute a gratuity, it is your responsibility to immediately report it to the head of your department. Only by their confirmation will this policy be waived.

\* In no case shall any gift be accepted with a value of \$100.00 or more.

This policy is intended to establish a minimum standard of conduct related to acceptance of gifts and gratuities. Each Department Head has the prerogative to establish a more restrictive policy if deemed necessary.

5/3/05  
B-5  
4

**BY LAWS OF THE**  
**SAN LUIS OBISPO COUNTY TOURISM BUSINESS IMPROVEMENT DISTRICT**  
**LOCAL AREA (FUND) ADVISORY BOARD**

**Local Fund Advisory Board Area:** \_\_\_\_\_

**Created as of:** \_\_\_\_\_

**NOTE:** Highlighted areas should reflect the specifics of your Local Fund board should determine.

**ARTICLE I – GENERAL INFORMATION**

**Section 1: Goal of the San Luis Obispo County Tourism Business Improvement District (CBID)**

The primary goal of the San Luis Obispo County Tourism Business Improvement District (CBID) is to increase occupancy and room nights across all lodging types (motel, hotels, bed and breakfast, vacation rentals) that pay the business improvement assessment (BID) along with transient occupancy tax (TOT) within the SLOCTBID region while placing particular emphasis on programs that positively impact the slower lodging periods (shoulder seasons) and/or expand the impact of the higher occupancy times.

**Section 2: Boundaries of the CBID**

The boundaries of the CBID are all properties in the unincorporated boundaries of the County of San Luis Obispo located within the North Coast, Estero, San Luis Bay Coastal, and South County Coastal planning areas set forth in the Land Use Element – Circulation Element of the San Luis Obispo County General Plan and within the San Luis Bay Inland, South County Inland, Los Padres, Huasna-Lopez and San Luis Obispo planning areas as set forth in Title 22, Chapters 22.106, 22.112, 22.100, 22.96, and 22.108 respectively.

**Section 3: Purpose of Local Area**

The ordinance establishing the San Luis Obispo County Tourism Business Improvement District (CBID) was originally approved by the Board in May 2009 and subsequently renewed in May of 2010. The ordinance (Section 3.09.050) provides for an assessment on all lodging businesses (hotels, motels, bed and breakfasts, vacation rentals), existing and future, within the boundaries of the CBID based upon 2% of the paid rent charged by the operator per occupied room per night for all transient occupancies. Fifty percent (50%) of the assessment is to be used for marketing and promoting the entire CBID area; the other 50% is to be used to promote tourism in the Local Area from where the funds are collected (Section 3.09.080).

#### **Section 4: Boundaries of the Local Area**

The Local Areas of the CBID have been designated by the CBID Advisory Board as:

- Avila Beach
- Arroyo Grande unincorporated/San Luis Obispo unincorporated
- Cambria
- Cayucos
- Los Osos/Baywood Park/Morro Bay Unincorporated
- Nipomo/Oceano
- San Simeon/Ragged Point

#### **ARTICLE II – THE LOCAL AREA (FUND) ADVISORY BOARD (aka: Local Fund Advisory Board)**

##### **Section 1: Board Members**

Lodging business within the Local Areas of the CBID shall form a “Local Fund Advisory Board”.

- a. The Local Fund Advisory Board shall be made up of a minimum of three (3) but not more than seven (7) members, 2/3 of which shall be lodging owners and/or appointed representatives of lodging owners from within the Local Area as designated above. Each individual region of the Local Area must be represented on the Local Fund Advisory Board. It is at the discretion of the Local Fund Advisory Board to appoint “non-lodging” members.
- b. Local Fund Advisory Board members shall be appointed by the Board of Supervisors based upon recommendation of the CBID Advisory Board as required establishing the CBID;
- c. The initial members of the Local Fund Advisory Board shall serve staggered terms, with half of the initial Advisory Board members serving a **one-year term**, and the remaining members serving a **two-year term**. The length of the term for each individual member of the initial Local Fund Advisory Board shall be chosen by lot at the first meeting of the Local Fund Advisory Board. Thereafter, all members subsequently appointed to the Local Fund Advisory Board shall serve **for two-year terms**.
- d. Members of the Local Fund Advisory Board shall serve at the pleasure of the Board of Supervisors and may be removed by the Board of Supervisors at any time;
- e. If the members no longer represent the lodging establishment for which they were selected to the Local Fund Advisory Board or are found not to be in compliance with the County’s transient occupancy tax ordinance or the ordinance establishing the CBID, their seat will be vacated and a new member will be appointed representing the same jurisdiction in the Local Area.

##### **Section 2: Functions and Duties**

The functions and duties of the Local Fund Advisory Board is to promote projects/programs and/or events that effectively promote tourism in a way that optimizes the scenic qualities, geography, history, recreation, attractions and ambiance of the Local Area.

### **Section 3: Termination of Membership**

Membership on the Local Fund Advisory Board shall be terminated in the event that:

- a. The member is not, or shall no longer be, an owner, or designee employed by, of a hotel, motel, bed and breakfast or vacation home rental within the Local Area;
- b. A member is found to be in non-compliance with the County's transient occupancy tax ordinance and/or the ordinance establishing the CBID.
- c. Absences:
  - Unexcused: if a member is absent without the consent of the Local Fund Advisory board from three (3) meetings, whether regular or special, within twelve (12) consecutive calendar months, such absence shall result in the termination of the membership of the absence member.
  - An absence shall be excused if, prior to the meeting from which said member will be absent, said member notifies the Chair/Co-Chair of his/her intent to be absent and the reasons therefore, provided, however, that a member shall be entitled to 25% of all Board meetings can be excused absences within twelve (12) consecutive calendar months.
  - At each meeting, after the roll has been called, the Chair/Co-Chair shall report to the Local Fund Advisory Board the name of any member who has so notified him/her of his/her intent to be absent and the reason for such absence.
- d. The Local Fund Advisory Board, by an affirmative vote of the majority, may recommend removal of a member;
- e. Resignation:
  - Any Local Fund Advisory Board member may resign at any time by giving written notice to the Chair, who shall forward such notice to the CBID Advisory Board and County. Any such resignation will take effect upon receipt by the Chair/Co-Chair or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effect.
  - Vacancies will be filled according to Section 4 of these By Laws.

### **Section 4: Member Re-appointments and/or Filling of Vacancies**

All re-appointments of members and/or appointments in the event of a vacancy on the Local Fund Advisory Board shall follow the Maddy Act provisions, the CBID ordinance and any other process established by the Board of Supervisors.

### **Section 5: Remuneration**

Local Fund Advisory Board members shall serve without pay except for reimbursement for expenses associated with travel outside of San Luis Obispo County on Local Area Advisory Board business, subject to the prior approval of the Local Area Advisory Board.



## **ARTICLE III – OFFICERS**

### **Section 1: Officers**

- a. The officers of the Local Fund Advisory Board shall be a Chair, Co-Chair/Vice-Chair, and Secretary;
- b. No Local Fund Advisory Board member shall serve more than two (2) consecutive two (2) year terms as Chair, Co-Chair/Vice-Chair or Secretary;
- c. Any Local Fund Advisory Board member who is appointed to fill a vacant seat as Chair, Co-Chair/Vice-Chair or Secretary mid-term shall not be precluded from thereafter serving as Chair, Co-Chair/Vice-Chair or Secretary for two (2) consecutive one-year terms, so long as the initial, partial term is less than six (6) months;
- d. Upon the majority vote of the Local Fund Advisory Board present at a regular or special meeting, any officer may be removed from office, and a successor elected.

### **Section 2: Election**

- a. The Chair, Co-Chair/Vice-Chair and Secretary shall be elected from among the members of the Local Fund Advisory Board annually;
- b. The regular term of appointment for the officers shall be two (2) years;
- c. Officers of the Local Area shall hold office until their successors are elected and in office. Any such officer shall not be prohibited from succeeding him/herself.
- d. Vacancies: should any of the offices of Chair, Co-Chair/Vice-Chair or Secretary become vacant, the Local Area shall elect a successor from among the members of the Local Fund Advisory Board at the next regular or special meeting, and the office shall be held for the unexpired term of said office.

### **Section 3: Chair**

- a. The Chair or Co-Chairs shall preside at all meetings of the Local Fund Advisory Board meetings;
- b. The Chair or Co-Chairs, in consultation with the Vice-Chair and Secretary, will prepare and post all meeting agendas, recommendations and information at such meetings as reasonable and proper for the conduct of business affairs and policies of the Local Fund Advisory Board;
- c. The Chair or Co-Chairs may sign documents necessary to carry out the business of the Local Fund Advisory Board;
- d. The Chair or Co-Chairs will act as liaison between the CBID Advisory Board and the County.

#### **Section 4: Vice Chair (the Co-Chair will serve as if applicable)**

- a. The Vice-Chair shall preside at all meetings of the Local Fund Advisory Board meetings in the absence or incapacity of the Chair;
- b. The Vice-Chair will assist the Chair and Secretary in the preparation and posting of all meeting agendas, recommendations and information at such meetings as reasonable and proper for the conduct of business affairs and policies of the Local Fund Advisory Board;
- c. The Vice-Chair may sign documents necessary to carry out the business of the Local Fund Advisory Board in the absence or incapacity of the Chair;
- d. The Vice-Chair will act as liaison between the CBID Advisory Board and the County in the absence or incapacity of the Chair.
- e. In the event of death, resignation, or removal of the Chair, the Vice-Chair shall assume the Chair's duties until such time as the Local Fund Advisory Board shall elect a new Chair.

#### **Section 5: Secretary**

- a. The Secretary shall preside at all meetings of the Local Fund Advisory Board meetings in the absence or incapacity of the Chair and Co-Chair/Vice-Chair;
- b. The Secretary will assist the Chair and Co-Chair/Vice-Chair in the preparation and posting of all meeting agendas, recommendations and information at such meetings as reasonable and proper for the conduct of business affairs and policies of the Local Fund Advisory Board;
- c. The Secretary may sign documents necessary to carry out the business of the Local Fund Advisory Board in the absence or incapacity of the Chair and Co-Chair/Vice-Chair;
- d. The Secretary will act as liaison between the CBID Advisory Board and the County in the absence or incapacity of the Chair and Co-Chair/Vice-Chair;
- e. The Secretary shall prepare and distribute minutes for each regular or special meeting for the Local Fund Advisory Board's approval at the next regular or special meeting of the Local Fund Advisory Board.
- f. In the event of death, resignation, or removal of the Chair and Co-Chair/Vice-Chair, the Secretary shall assume the Chair and Vice-Chair's duties until such time as the Local Fund Advisory Board shall elect a new Chair and Co-Chair/Vice-Chair.

#### **Section 6: Additional Duties**

The officers of the Local Fund Advisory Board shall perform such other duties and functions as may from time to time be required by the Local Area, these by-laws, or other rules and regulations, or which duties and functions are incidental to the office held by such officers.

## **ARTICLE IV – MEETINGS**

- a. The Local Fund Advisory Board shall meet on 1<sup>st</sup> Monday of each month, at a location accessible to the public, unless otherwise designated;
- b. A notice or agenda of each regular and special meeting shall be posted according to the provisions of the Brown Act (Government Code Section 54954.2); distribution of notices or agendas may occur electronically to Local Fund Advisory Board members;
- c. Minutes of each regular and special meeting of the Local Fund Advisory Board shall be prepared by the Advisory Board's Secretary and made available at the next regular or special meeting of the Local Fund Advisory Board; minutes shall be distributed to the CBID Advisory Board and the County via the CBID Administrator.
- d. Meetings may be canceled upon the majority vote of the Local Fund Advisory Board. A notice of cancellation shall be posted according to the provisions of the Brown Act;
- e. A quorum shall be considered to be a majority of members present of the Local Fund Advisory Board;
- f. Right of the Public to Appear and Speak: at every regular meeting, members of the public shall have an opportunity to address the Local Fund Advisory Board on matters within the Local Fund Advisory Board's jurisdiction. Public input and comment on matters on the agenda, as well as public input and comment on matters not otherwise on the agenda, shall be made during the time set aside for public comment. The Local Fund Advisory Board Chair may direct public input and comment on a specific matter to a time that a matter comes up on the agenda. The Chair/Co-Chairs of the Local Fund Advisory Board may limit the total amount of time allocated for public discussion on particular issues and/or the time allocated for each individual speaker;
- g. Non-Agenda Items: matters brought before the Local Fund Advisory Board at a regular meeting which were not placed on the agenda of the meeting shall not be acted upon by the Local Fund Advisory Board at that meeting unless action on such matters is permissible pursuant to the Brown Act (Government Code Section 54950 et seq.). Those non-agenda items brought before the Local Fund Advisory Board that the Advisory Board determines will require Advisory Board consideration and action shall be placed on the agenda for a future meeting.
- h. All meetings to be Open and Public: All meetings of the Local Fund Advisory Board shall be open and public to the extent required by law. All persons shall be permitted to attend except as otherwise provided by law.

# San Luis Obispo County Tourism Business Improvement District (CBID)

## Local Area Fund Application Guidelines & Instructions

We thank you for considering making a request from the local fund board for support for your organization's project or event. We are happy to receive your application for review. We are excited to partner with individuals and organizations seeking to create events and/or projects that will bring lodging to our area, which is the primary mission of our Board.

One of the purposes of the County BID (CBID) Local Area Fund is to support events and projects that are directly related to an increase in lodging (increased overnight stays and increased length of stay) within the CBID regions. The CBID regions are organized into the following Local Areas:

San Simeon	Los Osos/Baywood/Unincorporated Morro Bay
Cambria	Nipomo/Oceano
Cayucos	Arroyo Grande Unincorporated/San Luis Obispo Unincorp.
Avila Beach	

As a public entity, we must adhere to certain standards as we consider requests for funding and we are here to help you. As we work through the application approval process, we work in conjunction with the SLO County Tourism Business District (CBID). They review the local fund board application requests as a final step in the process. As such there are certain time frames that must be met for the most timely approval process.

### Criteria for Application Consideration:

- Your project or event must bring an increase to occupancy and room nights in the local hotels, motels, beds and breakfast and vacation rentals.
  - Please provide details on how your project or event will meet our goal of putting "heads in beds."
  - You will need to set up a way to measure if the goal you set was attained and provide that means of measurement with your application.
- Regional and/or national tourism appeal
- Increased visibility of our destination brand
- Potential for growth and sustainability
- Takes place within a CBID region
- Generates interest in the off-season (mid September through end of June)

All paperwork must be filled out completely prior to submission and must be accompanied by supporting documents that will establish alignment with our goals. Please include a budget and show how these funds will be spent

### After the Event:

- At the close of your event, you will be required to provide measurable data that shows that your event or project did support our mission of bringing more overnight visitors to the area.
- 

**If you meet these criteria, please advance to the  
submission guidelines and instruction page.**

# San Luis Obispo County Tourism Business Improvement District (CBID)

## Local Area Fund Application Guidelines & Instructions

### Submission Guidelines:

The fund application must be submitted a minimum of 60 days prior to your deadline. An original signature is required, and must be signed by an Executive of the requesting organization.

If the request exceeds \$4,999, the CBID Advisory Board must also review the application request, and you are encouraged to submit these requests 90 days in advance. This timeframe should allow your organization ample time to include the local fund brand in all promotional materials.

A PDF of the application is available by logging on to [www.WineCoastCountry.com/members](http://www.WineCoastCountry.com/members) or via email as a word document by contacting the local fund administrator or a local fund board member.

Three sets (3) of the completed application and support materials should be provided 10 working days prior to the Local Area Fund Board meeting. Some local fund areas require their local fund committee to preview your request, so please check with the local board for details.

### Application Instructions:

**Project Title:** Give your project or event a title that includes some explanation of its purpose and your organization name (example: Cambria Bike Club – Bike Tour of the Central Coast)

**Timeline:** A minimum of 2 months is required to complete the application process (see guidelines above). Give us the time frame you have for your project to be completed as long as it meets or exceeds the 2-3 month approval time frame.

**Amount of funding requested:**

List the amount you are requesting to fulfill the portion of your project/event for which you are applying.

**Overall Project Budget:**

If your project is a multi-phased project, what amount will you be requesting assistance for the full project and what is the time frame of that request (example: \$12,000 for a full 12 month budget).

1. Organization Information:

Requesting Local Area: Name of Area from regions listed on first page

Submitted by: Person filling out the application

Organization receiving funds: List your organization name here

Mailing Address: List your organization mailing address

Contact Person: Who will be the contact person for this project, please provide their email and phone #

2. Fund Allocation Description:

Here is where you will state the reason why you are requesting funds from the Local Area Board. Provide details of your project, its scope of work, and attach any supporting documents. Please state how you believe your project/event will benefit the local lodging businesses.

3. Out of County areas your project will effect and/or your event will draw from:

List any communities outside San Luis Obispo County that will be reached to create a draw to our local community and/or County. How do you plan to reach these people and how will local lodging properties be presented.

4. Contribution to CBID tourism goals:

Provide and explanation, with supporting documentation (if available) of how your project/event will contribute to CBID and Local Area Fund tourism goals.

5. Lodging Participation:

List ways you will involve the local lodging community in the development of your project/event.

**The Application Form is provided on the next page.**

Be sure to include all budgets and other supporting materials at time of submission of this application.

If you have questions, please contact a local fund board or the local fund administrator.

**Thank you again for your interest in our Local Fund Area.**

# San Luis Obispo County Tourism Business Improvement District (CBID)

## Local Area Fund Application

Project Title: \_\_\_\_\_

Timeline: \_\_\_\_\_

Amount of funding requested: \_\_\_\_\_ Overall Project budget: \_\_\_\_\_

### 1. Organization Information:

Requesting Local Area: \_\_\_\_\_

Submitted by: \_\_\_\_\_ Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

Organization receiving funds: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_

### 2. Fund Allocation Description:

### 3. Out of County areas your project will effect and/or your event will draw from:

### 4. Contribution to CBID and Local Area Fund Board tourism goals:

### 5. Lodging Participation:

### APPLICANT'S STATEMENT

I have reviewed the foregoing application submitted by \_\_\_\_\_ proposing a contractual project to the San Luis Obispo County Tourism Business Improvement District (CBID). I understand that the contract which the CBID will enter into with the organization requires that the organization be responsible for any damage claims or other liabilities arising out of the performance of the contract. Applicant is able to provide proof of insurance to the CBID, with the CBID named as an additional insured on the policy for the project. Additionally, the applicant understands that he/she is entering into a contract with the CBID for a specific program/project and/or event and the CBID is not making a charitable gift to the applicant. I have reviewed this application on behalf of the organization named herein-above. I am informed and believe that the applicant and/or organization can and will carry out the program/project and/or event as described.

I declare under penalty of perjury that the foregoing is true and correct. Executed at,  
\_\_\_\_\_, California, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

By (Signature): \_\_\_\_\_ Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Attached (please list the materials provided):

## **EXAMPLE - MANAGING ASSISTANT**

### **FOR THE**

### **CAMBRIA TOURISM BOARD (CTB)**

#### **Scope of Work**

The overall role of the CTB Managing Assistant (MA) is to organize and to administer the strategies of the CTB Co-Chair/s and CTB Members.

Primarily the CTB Managing Assistant (MA) is to manage the efforts of the CTB and provide all of the necessary administrative support to the CTB and its members in all capacities for services including and not limited to;

#### **SCOPE OF WORK:**

- Cambria Tourism Board Meetings:
  - Confirm and communicate the time and location of CTB meetings
  - Prepare and post meeting agenda in accordance with the Brown Act requirements
  - Attend all Cambria Tourism Board meetings
  - Insure that the meeting room is properly set to conduct CTB meetings
  - Provide copies of the agenda and agenda items for CTB members
  - Record and provide detailed meeting minutes for review and approval of CTB Co-Chair/s
  - Set up agenda, as directed by the CTB Co-chair/s
  - Take action on items as directed by CTB Co-chair/s
  - Develop and distribute minutes of all Cambria Tourism Board meetings
- Sub-Committee Meetings:
  - Confirm and communicate the time and location of Sub-Committee meetings Send notices to all Sub-committee members
  - Attend all Sub-Committee meetings
  - Record and provide meeting minutes for review and approval of Sub-committee Chair/s
  - Take action on items as directed by the Sub-Committee Chair/s.
  - Prepare Sub-Committee report for Cambria Tourism Board Meetings
- Grant Requests
  - Accept grant requests from interested parties
  - Distribute grant request forms as needed
  - Review and update CTB Co-Chairs of any grant interest
  - Review incoming forms for presentation to the Cambria Tourism Board
  - Keep record of the progress of grant requests
  - Update applicant of application progress
  - Compile a summarized report each month on the grant requests.
- Communication & Processing
  - Communicate with CTB Co-Chair/s all activities to assist and provide feedback to ensure CTB actions are consistent with strategic goals and direction;
  - Work in conjunction with the CBID CAO to ensure that CTB items are not redundant of the CBID activities and efforts
  - Maintain integrity & honesty both personally and for the CTB in all dealings
  - Apply business principals and acumen to all decisions in order to achieve strong & measureable results



- Communicate effectively with and between Cambria Tourism Board, CTB members, community leaders, and related tourism marketing entities to maintain strong internal and external relationships
  - Formulate and implement decisions on behalf of the CTB Board and Sub-Committees to ensure weekly progress
  - Assist the Board in the selection, retention and management of the professional services vendors who compromise our cohesive, energetic and talented team
  - Development and management of timeline and deliverables
- As directed assist with the execution of the Marketing Plan
  - As directed represent the Cambria Tourism Board and its members by attending events, related professional associations and marketing functions.
  - Collaborate with local events to maximize the opportunity for our constituents and identify sponsorship opportunities were appropriate.
  - Develop and implement a constituent communication tool so that all members are informed of the CTB's progress and activities on their behalf
    - Create and maintain an accurate member inventory to include individual property contact information, property type and unit count

#### **TERM and COMPENSATION:**

The term of the contract is XXX with a renewal of XXX with the approval of the Cambria Tourism Board.  
Effective date:

The Cambria Tourism Board agrees to compensate at the rate of \$xx.xx per hour for the above services for up to a maximum of xx hours per week. The Cambria Tourism Board can approve additional hours if needed.  
Amount not to exceed: \$xxxx

Mileage allowance of: Will be/will not allow Current County reimbursement rate

Office Supply allowance of: Will be/will not be reimbursed, upon receipt review and approval, for standard office supplies, including printer ink and paper.

Cell phone allowance of: Will/will not be reimbursed.

#### **THE MANAGING ASSISTANT:**

As with any contracted position, there will be no reimbursement for rent, utilities, or required insurance.

Acknowledges that He/She have the office tools/equipment to meet the requirement of the Scope of Work of the CTB Managing Assistant.

Agrees to invoice the Cambria Tourism Board on a monthly basis, detailing the hours and services provided.

Either party can terminate this contract with a 45-day notice.

**Visitor Alliance of Cayucos (VAC)**  
(Cayucos Local Fund Advisory Board)

**Meeting Agenda**

Monday, January 7, 2013  
5:30 p.m. – Cayucos Library

- 1. Call To Order**
- 2. Public Comment** *(Please limit to 3 minutes)*
- 3. Consent Items**
  - a. Approval of Minutes of 12/3/12 Meeting
- 4. Presentation** *(Please limit to 10 minutes)*
  - a. Wendy Laumer, Cayucos Wastebusters
  - b. Cayucos Sea Glass Festival
- 5. CBID Update** (Cheryl Cuming)
- 6. Financials** (Mike Hargett)
- 7. Committee Reports/Chamber Liaison Update**
  - a. Marketing/Events (Steve, Jay, Grace, Brendan)
  - b. Beautification/Outreach (Cindy, Toni, Mike)
  - c. STP Liaison (Stuart Selkirk)
- 8. Action/Discussion Items**
  - a. Chamber Liaison
  - b. Discussion and Vote for Approval – Waste Buster’s Program
  - c. Discussion and Vote for Approval – Cayucos Sea Glass Festival
  - d. Bylaws Review – Consecutive Terms
  - e. Brown Act Training Reminder
- 9. Future Agenda Items/New Business:**
- 10. Closing Comments**
- 11. Next Visitor Alliance of Cayucos Meeting**

Date:	Monday, February 4, 2013
Time:	5:30 p.m.
Location:	Cayucos Library
- 12. Adjournment**

*“To promote and enhance the lodgings and businesses of Cayucos for the sustainable social and financial betterment of the community as a whole.”*

## APPENDIX

### BY LAWS OF THE SAN LUIS OBISPO COUNTY TOURISM BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD (SLOCTBID)

#### **ARTICLE I – GENERAL INFORMATION**

##### **Section 1: Purpose of the San Luis Obispo County Tourism Business Improvement District**

The San Luis Obispo County Tourism Business Improvement District (SLOCTBID) was formed, under the Parking and Business Improvement Area Law of 1989, to defray the costs of services, activities and programs promoting tourism which will benefit the operators of lodging businesses in the District through the promotion of scenic, recreational, cultural and other attractions in the District as a tourist destination. The Board of Supervisors adopted Title 3 Chapter 3.06 of the County Code (“SLOCTBID Ordinance”) to form and implement the SLOCTBID. The County Advisory Board was formed to assist the SLOCTBID to achieve its purpose and to comply with SLOCTBID Ordinance.

##### **Section 2: Boundaries**

The boundaries of the SLOCTBID shall be all properties in the unincorporated boundaries of the County of San Luis Obispo located within the North Coast, Estero, San Luis Bay Coastal, and South County Coastal planning areas set forth in the Land Use Element – Circulation Element of the San Luis Obispo County General Plan and within the San Luis Bay Inland, South County Inland, Los Padres, Huasna-Lopez and San Luis Obispo planning areas as set forth in Title 22, Chapters 22.106, 22.112, 22.100, 22.96, and 22.108 respectively.

##### **Section 3: Conflict of Interest and Code of Ethics**

- a. Members of the SLOCTBID Advisory Board shall not use their membership on the SLOCTBID Advisory Board to influence government decisions in which they have a financial interest or where they have an organizational responsibility or personal relationship that would present conflict of interest.
- b. Members shall be required to file Form 700 – State of Economic Interest annually.

#### **Section 4: Remuneration**

SLOCTBID Advisory Board members shall serve without pay except for reimbursement for expenses associated with travel outside of San Luis Obispo County on SLOCTBID business, subject to the prior approval of the SLOCTBID Advisory Board.

#### **Section 5: Amendments**

These by laws may be amended by the Board of Supervisors, upon recommendations by a majority of the SLOCTBID Advisory Board.

### **ARTICLE II – THE COUNTY ADVISORY BOARD**

#### **Section 1: Board Members**

- f. The SLOCTBID Advisory Board shall consist of up seven (7) members, with a minimum five (5). Board members shall be an owner, or designee employed by, of a hotel, motel, bed and breakfast or vacation home rental within the SLOCTBID;
- g. Board members shall be appointed by the Board of Supervisors. The Board of Supervisors shall consider recommendations from the County Advisory Board for subsequent appointments to the County Advisory Board;
- h. The initial members of the County Advisory Board shall serve staggered terms, with half of the initial Advisory Board members serving a two-year term, and the remaining members serving a four-year term. The length of the term for each individual member of the initial County Advisory Board shall be chosen by lot at the first meeting of the County Advisory Board. Thereafter, all members subsequently appointed to the County Advisory Board shall serve for four-year terms;
- i. Members of the County Advisory Board shall serve at the pleasure of the Board of Supervisors and may be removed by the Board of Supervisors at any time;
- j. If the members no longer represent the lodging establishment for which they were selected to the County Advisory Board, their seat will be vacated and a new member will be appointed representing the same jurisdiction in the SLOCTBID District.

#### **Section 2: Functions and Duties**

The functions and duties of the SLOCTBID Advisory Board shall include, but not limited to, the following:

- a. Review the implementation of the SLOCTBID Ordinance adopted by the Board of Supervisors;
- b. Review the implementation of programs and activities funded through the SLOCTBID ordinance,
- c. Advise the Board of Supervisors on the amount of the SLOCTBID's area's assessments and on the services, programs, and activities to be funded by the Assessments,

- d. Plan and oversee a comprehensive program to promote:
  - general promotion of tourism within the SLOCTBID
  - marketing of the SLOCTBID for conferences, groups, and film business
  - marketing of the SLOCTBID to the travel industry in order to benefit the local lodging industry within the SLOCTBID
- e. Develop a sustainability and stewardship program which allows for the promotion of the SLOCTBID's cultural, environmental, recreational and historical assets which benefits local tourism and the lodging industry within the SLOCTBID;
- f. Shall be responsible for submitting to the County, within sixty days (60) of the close of the County's fiscal year, an annual report on the use of the tourism assessment, as required by Section 36533 of the law;
- g. Shall perform such other duties as required by law

### **Section 3: Termination of Membership**

Membership on the SLOCTBID shall be terminated in the event that:

- f. The member is not, or shall no longer be, an owner, or designee employed by, of a hotel, motel, bed and breakfast or vacation home rental within the SLOCTBID;
- g. Absences:
  - Unexcused: if a member is absent without the consent of the SLOCTBID Advisory board from three (3) meetings, whether regular or special, within six (6) consecutive calendar months, such absence shall result in the termination of the membership of the absence member.
  - An absence shall be excused if, prior to the meeting from which said member will be absent, said member notifies the Chair of his/her intent to be absent and the reasons therefore, provided, however, that a member shall be entitled to only two (2) excused absences within twelve (12) consecutive calendar months.
  - At each meeting, after the roll has been called, the Chair shall report to the SLOCTBID Advisory Board the name of any member who has so notified him/her of his/her intent to be absent and the reason for such absence
- h. The SLOCTBID Advisory Board, by an affirmative vote of the majority, may recommend removal of a member;
- i. Resignation:
  - Any SLOCTBID Advisory Board member may resign at any time by giving written notice to the Chair, who shall forward such notice to the SLOCTBID Advisory Board and County. Any such resignation will take effect upon receipt by the Chair or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effect.
  - Vacancies will be filled according to Section 4 of these By Laws.

#### **Section 4: Member Re-appointments and/or Filling of Vacancies**

All re-appointments of members and/or appointments in the event of a vacancy on the SLOCTBID Advisory Board shall follow the Maddy Act provisions, the SLOCOTBID ordinance and any other process established by the Board of Supervisors.

### **ARTICLE III – OFFICERS**

#### **Section 1: Officers**

- g. The officers of the SLOCTBID Advisory Board shall be a Chair, Vice-Chair, and Secretary;
- h. No SLOCTBID Advisory Board member shall serve more than two (2) consecutive one-year terms as Chair, Vice-Chair or Secretary;
- i. Any SLOCTBID Advisory Board member who is appointed to fill a vacant seat as Chair, Vice-Chair or Secretary mid-term shall not be precluded from thereafter serving as Chair, Vice-Chair or Secretary for two (2) consecutive one-year terms, so long as the initial, partial term is less than six (6) months;
- j. Upon the majority vote of the SLOCTBID Advisory Board present at a regular or special meeting, any officer may be removed from office, and a successor elected.

#### **Section 2: Election**

- e. The Chair, Vice-Chair and Secretary shall be elected from among the members of the SLOCTBID Advisory Board annually;
- f. The regular term of appointment for the officers shall be one (1) year;
- g. Officers of the SLOCTBID shall hold office until their successors are elected and in office. Any such officer shall not be prohibited from succeeding him/herself.
- h. Vacancies: should any of the offices of Chair, Vice-Chair or Secretary become vacant, the SLOCTBID shall elect a successor from among the members of the SLOCTBID Advisory Board at the next regular or special meeting, and the office shall be held for the unexpired term of said office.

#### **Section 3: Chair**

- e. The Chair shall preside at all meetings of the SLOCTBID Advisory Board meetings;
- f. The Chair, in consultation with the Vice-Chair and Secretary, will prepare and post all meeting agendas, recommendations and information at such meetings as reasonable and proper for the conduct of business affairs and policies of the SLOCTBID Advisory Board;

- g. The Chair may sign documents necessary to carry out the business of the SLOCTBID Advisory Board;
- h. The Chair will act as liaison between the SLOCTBID Advisory Board and the County and the designated County marketing contractor.

### **Section 3: Vice Chair**

- f. The Vice-Chair shall preside at all meetings of the SLOCTBID Advisory Board meetings in the absence or incapacity of the Chair;
- g. The Vice-Chair will assist the Chair and Secretary in the preparation and posting of all meeting agendas, recommendations and information at such meetings as reasonable and proper for the conduct of business affairs and policies of the SLOCTBID Advisory Board;
- h. The Vice-Chair may sign documents necessary to carry out the business of the SLOCTBID Advisory Board in the absence or incapacity of the Chair;
- i. The Vice-Chair will act as liaison between the SLOCTBID Advisory Board and the County and the designated County marketing contractor in the absence or incapacity of the Chair.
- j. In the event of death, resignation, or removal of the Chair, the Vice-Chair shall assume the Chair's duties until such time as the SLOCTBID Advisory Board shall elect a new Chair.

### **Section 4: Secretary**

- e. The Secretary shall preside at all meetings of the SLOCTBID Advisory Board meetings in the absence or incapacity of the Chair and Vice-Chair;
- f. The Secretary will assist the Chair and Vice-Chair in the preparation and posting of all meeting agendas, recommendations and information at such meetings as reasonable and proper for the conduct of business affairs and policies of the SLOCTBID Advisory Board;
- g. The Secretary may sign documents necessary to carry out the business of the SLOCTBID Advisory Board in the absence or incapacity of the Chair and Vice-Chair;
- h. The Secretary will act as liaison between the SLOCTBID Advisory Board and the County and the designated County marketing contractor in the absence or incapacity of the Chair and Vice-Chair;
- k. The Secretary shall prepare and distribute minutes for each regular or special meeting for the SLOCTBID Advisory Board's approval at the next regular or special meeting of the SLOCTBID Advisory Board.
- l. In the event of death, resignation, or removal of the Chair and Vice-Chair, the Secretary shall assume the Chair and Vice-Chair's duties until such time as the SLOCTBID Advisory Board shall elect a new Chair and Vice-Chair.

## **Section 5: Additional Duties**

The officers of the SLOCTBID Advisory Board shall perform such other duties and functions as may from time to time be required by the SLOCTBID, these by-laws, or other rules and regulations, or which duties and functions are incidental to the office held by such officers.

## **ARTICLE IV – MEETINGS**

- i. The SLOCTBID Advisory Board shall meet on the 4<sup>th</sup> Wednesday of each month, at a location accessible to the public, unless otherwise designated;
- j. A notice or agenda of each regular and special meeting shall be posted according to the provisions of the Brown Act (Government Code Section 54954.2); distribution of notices or agendas may occur electronically to SLOCTBID Advisory Board members;
- k. Minutes of each regular and special meeting of the SLOCTBID Advisory Board shall be prepared by the Advisory Board's Secretary and made available at the next regular or special meeting of the SLOCTBID Advisory Board;
- l. Meetings may be canceled upon the majority vote of the SLOCTBID Advisory Board. A notice of cancellation shall be posted according to the provisions of the Brown Act;
- m. A quorum shall be considered to be a majority of members present of the SLOCTBID Advisory Board;
- n. Right of the Public to Appear and Speak: at every regular meeting, members of the public shall have an opportunity to address the SLOCTBID Advisory Board on matters within the SLOCTBID Advisory Board's jurisdiction. Public input and comment on matters on the agenda, as well as public input and comment on matters not otherwise on the agenda, shall be made during the time set aside for public comment. The SLOCTBID Advisory Board Chair may direct public input and comment on a specific matter to a time that a matter comes up on the agenda. The Chair of the SLOCTBID Advisory Board may limit the total amount of time allocated for public discussion on particular issues and/or the time allocated for each individual speaker;
- o. Non-Agenda Items: matters brought before the SLOCTBID Advisory Board at a regular meeting which were not placed on the agenda of the meeting shall not be acted upon by the SLOCTBID Advisory Board at that meeting unless action on such matters is permissible pursuant to the Brown Act (Government Code Section 54950 et seq.). Those non-agenda items brought before the SLOCTBID Advisory Board that the Advisory Board determines will require Advisory Board consideration and action shall be placed on the agenda for a future meeting.
- p. All meetings to be Open and Public: All meetings of the SLOCTBID Advisory Board shall be open and public to the extent required by law. All persons shall be permitted to attend except as otherwise provided by law.

Final Approved by SLOCTBID: August 26, 2009



ORDINANCE NO.

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN LUIS OBISPO  
ESTABLISHING THE SAN LUIS OBISPO COUNTY TOURISM BUSINESS IMPROVEMENT DISTRICT  
(SLOCTBID), FIXING THE BOUNDARIES THEREOF, PROVIDING FOR THE LEVY OF A BUSINESS  
ASSESSMENT TO BE PAID BY LODGING BUSINESSES IN SUCH DISTRICT**

The Board of Supervisors of the County of San Luis Obispo does ordain as follows:

Section 1. (a) On February 3, 2009, the Board of Supervisors of the County of San Luis Obispo adopted Resolution No. 2009-38 entitled, "A Resolution of the Board of Supervisors of the County of San Luis Obispo Declaring Its Intention to Establish the San Luis Obispo County Tourism Business Improvement District (SLOCTBID), Declaring Its Intention to Levy an Assessment on Lodging Businesses within such District for beginning Fiscal Year 2008-09, and Fixing the Time and Place of a Public Meeting and a Public Hearing Thereon and Giving Notice Thereof".

(b) Said Resolution No. 2009-38 was published and copies thereof were duly mailed and posted, all as provided by said law and said Resolution No. 2009-38.

(c) Pursuant to said Resolution No. 2009-38, a public meeting concerning the formation of said District was held before the Board of Supervisors of the County of San Luis Obispo on **March 3, 2009** at 9:00 a.m. in the Board Chambers of the County of San Luis Obispo.

(d) Pursuant to said Resolution No. 2009-38, a public hearing concerning the formation of said District was held before the Board of Supervisors of the County of San Luis Obispo on **April 7, 2009** at 9:00 a.m. in the Board Chambers of the County of San Luis Obispo. The April 7, 2009 public hearing was continued to May 5, 2009.

(e) All written and oral protests made or filed were duly heard, evidence for and against the proposed action was received, and a full, fair and complete hearing was granted and held.

(f) The Board of Supervisors determined that there was no majority protest within the meaning of Section 36525 of the Streets and Highways Code. A majority protest is defined as written protests received from owners of lodging businesses in the proposed area which would pay fifty percent (50%) or more of the assessments proposed to be levied. Protests are weighted based on the assessment proposed to be levied on each lodging business. For purposes of the initial formation of the District, the proposed assessment to be levied was calculated based on the assessment rate multiplied by the most recent available data for the lodging businesses' rental revenue.

(g) Following such hearing, the Board of Supervisors hereby finds that the lodging businesses lying within the District herein created, in the opinion of the Board, will be benefited by the expenditures of funds raised by the assessment or charges proposed to be levied hereunder.

(h) Pursuant to said law, the San Luis Obispo County Tourism Business Improvement District (SLOCTBID) is hereby established in those portions of the unincorporated area of County of San Luis Obispo as herein set forth and that all lodging businesses in the District established by this ordinance shall be subject to any amendments made hereafter to said law or to other applicable laws.

Section 2: The County Code is hereby amended by enacting, adopting and adding thereto Chapter 3.09 in Title 3. Chapter 3.09 is hereby added to the County Code to read as follows:

#### Title 3, Chapter 3.09

### **SAN LUIS OBISPO COUNTY TOURISM BUSINESS IMPROVEMENT DISTRICT**

3.09.010. **TITLE**. This ordinance shall be known as the "San Luis Obispo County Tourism Business Improvement District Ordinance of the County of San Luis Obispo."

#### 3.09.020. **DEFINITIONS**.

(1) "County Advisory Board" shall mean the County Advisory Board appointed by the San Luis Obispo County Board of Supervisors, pursuant to this chapter.

(2) "District" shall mean the San Luis Obispo County Tourism Business

Improvement District or SLOCTBID created by this chapter and as delineated in Section 3.09.040.

(3) "Lodging" shall mean any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, motel, bed and breakfast, or vacation home and pays Transient Occupancy Tax. For purposes of this ordinance the definition of "lodging" shall not include RV Parks.

(4) "Law" shall mean the Parking and Business Improvement Area Law of

1989, California Streets and Highways Code Sections 36500 to 36551, as amended.

(5) "San Luis Obispo County Tourism Business Improvement District" or

"SLOCTBID" means the District created by this chapter as a business improvement District pursuant to the Parking and Business Improvement Area Law of 1989.

(6) "Local Advisory Board" shall mean the Local Advisory Board(s) appointed by a City Council in the case of an incorporated city or the County Board of Supervisors in the case of the unincorporated are pursuant to this chapter.

(7) "County Contractor" means a business or a California non-profit corporation. The contractor shall have significant expertise in tourism promotion.

(8) "Operator" means the person who is the proprietor of the lodging

business, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee or any other capacity. Where the operator performs his functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this chapter and shall have the same duties and liabilities as his principal. Compliance with the provisions of this chapter by either the principal of the managing agent shall, however, be considered to be compliance by both.

(9) "Transient" means any person who exercises occupancy or who is

entitled to occupancy, by reason of concession, permit, right of access, license, or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days.

3.09.030. AUTHORIZED USES. This ordinance is made and enacted pursuant to the provisions of the Parking and Business Improvement Area Law of 1989 (Sections 36500, et. seq., of the Streets and Highways Code) (the “law”). The purpose of forming the District as a business improvement area under the Parking and Business Improvement Area Law of 1989 is to provide revenue to defray the costs of services, activities and programs promoting tourism which will benefit the operators of lodging businesses in the District through the promotion of scenic, recreational, cultural and other attractions in the District as a tourist destination. It is the intent of this chapter to provide a supplemental source of funding for the promotion of tourism in the District and it is not intended to supplant any other existing sources of revenues which may be used by the County of San Luis Obispo for the promotion of tourism. The specific services, activities and programs to be provided by the District are as follows:

A. The general promotion of tourism within the District is to include costs as specified in the business plan to be adopted annually;

B. The marketing of conference, group, and film business that benefits local tourism and the local lodging industry within the District;

C. The marketing of the District to the travel industry in order to benefit local tourism and the local lodging industry within the District;

D. A Sustainability and Stewardship fund allowing for the promotion, creation, and protection of our area’s cultural, environmental, recreational, historical and infrastructure assets involved in the promotion of tourism within the District;

E. Administrative costs associated with implementing the above tasks related to the contracting services.

3.09.040. BOUNDARIES. The boundaries of the SLOCTBID shall be all properties in the unincorporated boundaries of the County of San Luis Obispo located within the North Coast, Estero, San Luis Bay Coastal, and South County Coastal planning areas set forth in the Land Use Element – Circulation Element of the San Luis Obispo County General Plan and within the San Luis Bay Inland, South County Inland, Los Padres, Huasna-Lopez and San Luis Obispo planning areas as set forth in Title 22, Chapters 22.106, 22.112, 22.100, 22.96, and 22.108 respectively.

3.09.050. LEVY OF ASSESSMENT AND EXEMPTIONS. The SLOCTBID shall

include all lodging businesses located within the SLOCTBID boundaries. The assessment shall be levied on all lodging businesses, existing and future, within the boundaries of the SLOCTBID based upon two percent (2%) of the paid rent charged by the operator per occupied room per night for all transient occupancies. The assessment shall be collected in monthly installments or such other installments as determined by the collecting agency, based on two percent (2%) of the rent charged by the operator per occupied room per night in revenues for the previous month. New lodging businesses within the boundaries shall not be exempt from the levy of assessment authorized by Section 36531 of the law. Assessments pursuant to the SLOCTBID shall not be included in gross room rental revenue for purpose of determining the amount of the transient occupancy tax. The value of extended stays of more than thirty (30) consecutive calendar days shall be exempt from the levy of assessment. Any other exclusion shall be based on benefit and the policies and ordinances of the collecting agency.

3.09.060. ANNUAL REVIEW OF ASSESSMENT. All of the assessments imposed pursuant to this chapter shall be reviewed by the Board of Supervisors annually, based upon the annual report prepared by the County Advisory Board appointed pursuant to this chapter and Sections 36530 and 36533 of the law. After approval of the annual report the Board of Supervisors shall follow the hearing process as outlined in Section 36534 of the law. At the public hearing the Board of Supervisors shall hear and consider all protests. If written protests are received from lodging-businesses in the District paying fifty percent (50%) percent or more of the annual assessment, no further proceedings to continue the levy of assessments shall take place. The protests shall be weighted based upon the annual assessment for the prior year by each lodging business.

3.09.070. IMPOSITION OF ASSESSMENT. The Board of Supervisors hereby levies and imposes and orders the collection of an additional assessment to be imposed upon lodging businesses in the District described above, which shall be calculated pursuant to Section 3.09.050 above. Such levy shall begin on July 1, 2009.

3.09.080. USE OF REVENUE. The activities to be provided by the SLOCTBID will be funded by the levy of the assessments. The revenue from the levy of assessments within the SLOCTBID shall not be used to provide improvements or activities outside the SLOCTBID or for any purpose other than the purposes specified in this ordinance. Fifty percent (50%) of the proceeds of the lodging business assessment shall be spent for marketing and visitor programs to promote the SLOCTBID. The other fifty percent (50%) of the proceeds of the lodging businesses assessment ("the Local 50%") is intended to be used to promote tourism in the Local Area in which the funds are collected. For those areas within the unincorporated area of the County that create a Local Advisory Board, the County shall disburse the Local 50% portion of the revenue collected within that area of the unincorporated area to the designated County Contractor. The County Advisory Board shall make recommendations to the County Board of Supervisors as to the boundaries of the Local Areas within the unincorporated area of the County. All funds shall be expended consistent with the purposes of this ordinance.

Funds remaining at the end of any SLOCTBID term may be used in subsequent years in which SLOCTBID assessments are levied as long as they are used consistent with the requirements of this Section. The Board of Supervisors of the County of San Luis Obispo shall consider recommendations made by the County Advisory Board created by Section 3.09.100 of this ordinance as to the use of assessment revenue. The designated County Contractor shall consider the recommendations made by the Local Advisory Board as to the use of the Local 50% portion of the revenue collected in the unincorporated area(s). Each local lead tourism promotion entity shall consider recommendations made by its Local Advisory Board as to the use of assessment revenue collected in that incorporated area. The Local Advisory Boards described above shall be comprised of representatives of businesses paying SLOCTBID assessment within its jurisdiction or boundary.

3.09.090. DELINQUENCY, PENALTY AND INTEREST. Any lodging business that fails to remit any assessment imposed by this ordinance within the time required shall pay a penalty in accordance with the policies and ordinances of the collecting agency. Collecting agencies shall be responsible for collecting delinquencies to the extent that the agencies' TOT collections are delinquent. Any penalty and interest fees collected from a lodging business due to delinquency shall go to the agency that collected the delinquent assessments.

3.09.100. COUNTY ADVISORY BOARD. A County Advisory Board comprised of up to seven (7) members, with a minimum of five (5) members, is hereby created to carry out the functions of an advisory board under Section 36530 of the law. Members must be an owner and/or designated appointee of a hotel, motel, bed and breakfast or vacation home rental within the SLOCTBID and will be appointed by the Board of Supervisors. The County Advisory Board should have balanced representation from the various geographical areas of the District and the various types of lodging businesses within the District. The Board of Supervisors shall consider recommendations from the existing SLOCTBID Steering Committee for initial appointments. The Board of Supervisors shall consider recommendations from the County Advisory Board for subsequent appointments to the County Advisory Board. All persons appointed to the County Advisory Board must be nominated by a process established by the Board of Supervisors. All nominees and members must be operators of a lodging business within the District, or employed by the operator of such a lodging business. The initial members of the County Advisory Board shall serve staggered terms, with half of the members serving a two-year term, and the remaining members serving a four-year term. The length of the term for each individual member of the initial County Advisory Board shall be chosen by lot at the first meeting of the County Advisory Board. Thereafter, all members subsequently appointed to the County Advisory Board shall serve for four-year terms. Members of the County Advisory Board shall serve at the pleasure of the Board of Supervisors and may be removed by the Board of Supervisors at any time. If the members no longer represent the lodging establishment for which they were selected to the County Advisory Board, their seat will be vacated and a new member will be appointed representing the same jurisdiction in the SLOCTBID District. The County Advisory Board shall review the implementation of this ordinance, the implementation of programs and activities funded through this ordinance, and advise the Board of Supervisors on the amount of the SLOCTBID's area's assessments and on the services, programs, and activities to be funded by the Assessments, and shall perform such other duties as required by the law, including preparing the Annual Report required by Section 36533 of the law.

3.09.110. ANNUAL REPORTING. The Annual Report, as required by Section 36533 of the law, shall be submitted to the County by the County Advisory Board within sixty days of the close of the County's fiscal year, beginning in Fiscal Year 2009-10. For those incorporated cities that create a Local Advisory Board, that city shall determine annual reporting requirements of the City's designated local lead tourism promotion entity, as determined by Section 36533 of the law. For those areas within the unincorporated area of the County that create a Local Advisory Board, an Annual Report shall be submitted, as required by Section 36533 of the law, by the County Advisory Board within thirty days of the close of the County's fiscal year beginning Fiscal Year 2009-10.

Furthermore the Board of Supervisors shall require that the contract with the designated County Contractor include the requirement that the County Contractor assist the County Advisory Board with the preparation of the Annual Report that details the SLOCTBID's and unincorporated Local Areas' activities for the current contract year and recommendations for the upcoming contract year. This report shall include such effectiveness measures as recommended by the County Advisory Board and incorporated by the County in its contract with the County Contractor.

Funds collected from the SLOCTBID assessment may be used to provide the County Contractor staff and other support to the County Advisory Board in execution of its duties. The Board of Supervisors shall ensure that the County Advisory Board has timely access to all public information regarding collection, disbursement, and uses of the funds collected under the terms of this ordinance.

3.09.120. COLLECTION, ENFORCEMENT AND ADMINISTRATIVE FEES. Each City and County may retain actual collection costs not to exceed two percent (2%) of the assessments collected from operators of lodging businesses within their jurisdiction as an administrative fee to defer the administrative costs incurred for the operation of the District. The County for the unincorporated area shall be responsible for the collection and enforcement of assessments from lodging businesses within their jurisdictional boundaries. The County for the unincorporated area shall keep any additional collection fees, penalty fees, and interest collected associated with collections or actions due to nonpayment of assessments. Assessments will be collected in monthly installments or such other installments as determined by the collecting agency. The San Luis Obispo County Tax Collector for the unincorporated area shall transfer all assessments, less the aforementioned initial administrative fee, to the selected County Contractor within thirty (30) days following collection of the assessment by the applicable city and the county.

3.09.130. DESIGNATED CONTRACTOR. The initial contractor will be selected in compliance with approval County contracting procedures. A contract will be enter into with the designated contractor for the expenditure of such funds by the designated contractor for the services, activities and programs authorized for the District. The County Advisory Board may recommend termination of the contract for non-performance at any time during the contract. If such a recommendation is made the County will either terminate the contract or

inform the County Advisory Board of the reasons for its decision to not follow the County Advisory Board's recommendation.

3.09.140. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases hereof be declared invalid or unconstitutional.

3.09.150. MODIFICATION OR DISESTABLISHMENT. The County, by ordinance, may modify the provisions of this chapter and may disestablish the District or parts of the District, after adopting a resolution of intention to such effect. Such resolution shall describe the proposed change or changes, or indicate that it is proposed to disestablish the area, and shall state the time and place of a hearing to be held by the Board of Supervisors to consider the proposed action. If the operators of lodging which pay fifty percent (50%) or more of the assessments in the District file a petition with the Clerk of the Board requesting the Board of Supervisors to adopt a resolution of intention to modify or disestablish the District, the Board of Supervisors shall adopt such resolution and act upon it as required by law. Signatures on such petition shall be those of a duly authorized representative of the operators of a lodging business in the District.

In the event the resolution proposes to modify any of the provisions of this chapter, including changes in the existing assessments or in the existing boundaries of the District, such proceedings shall terminate if protest is made by the operators of lodging businesses which pay fifty percent (50%) or more of the assessments in the District, or in the District as it is proposed to be enlarged.

In the event the resolution proposes disestablishment of the District, the Board of Supervisors shall disestablish the District; unless at such hearing, protest against disestablishment is made by the operators of lodging businesses paying fifty percent (50%) or more of the assessments in the District.

If at anytime a City that has given consent to the formation of the District decides to withdraw said consent, the County shall no longer operate the District within that City. Said withdrawal shall be in the form of a resolution of the City Council of the withdrawing City. The levy shall terminate within the City's boundaries at the time of the next annual renewal. The District would be renewed as modified without the City that has withdrawn its consent.



3.09.160. EFFECTIVE DATE. The Clerk of the Board shall certify to the passage of this ordinance by the Board of Supervisors and cause it to be posted in three conspicuous places in the County of San Luis Obispo, and it shall take effect on July 1, 2009.

Introduced and first read at a public hearing of the Board of Supervisors on the \_\_\_\_\_ th day of \_\_\_\_\_, \_\_\_\_\_, and thereafter

PASSED AND ADOPTED at a public meeting before the Board of Supervisors on the \_\_\_\_\_ th day of \_\_\_\_\_, \_\_\_\_\_,

By the following vote, to wit:

Ayes: Supervisors:

Noes: Supervisors:

Absent: Supervisors:

ATTEST

Clerk of the Board of Supervisors and Ex-Officio of the Board of Supervisors, County of San Luis Obispo,

State of California

By: \_\_\_\_\_

APPROVED AS TO FORM AND LEGAL EFFECT

WARREN R. JENSEN

County Counsel

By: \_\_\_\_\_

County Counsel

Date: \_\_\_\_\_