

Mammoth Lakes Town Council Agenda Action Sheet

Title: Public Hearing on Resolution to Modify the 2018-23 Mammoth Lakes Tourism Business Improvement District Management Plan.

Council Meeting Date: 4/19/2023

Prepared by: Daniel C. Holler, Town Manager

Recommended Motion: Hold a final public hearing to modify the existing Mammoth Lakes Tourism Business Improvement District (MLTBID) Management District Plan (MDP) and declare results of majority protest proceedings; and adopt the proposed Resolution

BACKGROUND:

The MLTBID is a benefit assessment district that helps to fund sales, marketing, media relations and communications programs, and air service subsidy marketing programs for Mammoth Lakes tourism businesses paying the assessment. This approach has been used successfully in other destination areas throughout the state to increase tourism and commerce at assessed businesses. The MLTBID currently includes all tourism businesses located within the boundaries of the Town of Mammoth Lakes. As used herein, the term “tourism business(es)” includes all tourism businesses: lodging businesses, restaurants, retail businesses, and ski resorts.

The Property and Business Improvement District Law of 1994, Streets and Highways Code §36600 et seq., allows for the Owners’ Association to request that the Town modify the MDP. The MLTBID Owners’ Association, Mammoth Lakes Tourism, has provided a written request to the Town Council to modify the authorized expenditures to be funded with the revenue derived from the levy of the assessments, as shown in the modified MDP. The modification affects only retail and restaurant businesses that collect sales tax. The modification changes the remittance requirements of the 1.5% assessment levied providing for the remittance of 1.38% to the Town and the retention of .12% to pay required sales tax on the assessment. Reserve funds may also be used to assist businesses in addressing or paying state required sales tax on previous transactions. A copy of the Resolution to Modify the MDP is provided as Attachment A. A copy of the request letter and the MDP are included herein as Attachment B, respectively. Mammoth Lakes Tourism requested this change to the MDP to be consistent with the authorized expenditures proposed for the upcoming renewal of the MLTBID.

MLTBID MODIFICATION PROCESS

April 5, 2023 RESOLUTION OF INTENTION (COMPLETED)

Upon the written request by the MLTBID Owners’ Association, Mammoth Lakes Tourism, the Town Council may adopt a resolution of intention which states the proposed modification to the MLTBID. Mammoth Lakes Tourism provided a written request for the proposed modification to the Town Council dated March 29, 2023. Receipt of this written request allows the Town Council to initiate proceedings for MLTBID MDP modification at the April 5, 2023 meeting. A copy of the request to the Council to modify the MDP and the resolution of intention is provided as Attachment C.

April 7, 2023 NOTICE (COMPLETED)

The Property and Business Improvement District Law of 1994 requires the Town to publish the Resolution of Intention in a newspaper of general circulation in the Town at least seven (7) days before the public hearing and mail a complete copy of the Resolution of Intention to each tourism business owner affected by the proposed modification at least ten (10) days before the public hearing.

April 19, 2023 PUBLIC HEARING & RESOLUTION OF MODIFICATION

The Town Council shall hold a public hearing on the proposed MLTBID MDP modifications. If the Town Council, following the public hearing, decides to modify the MLTBID, the Town Council shall adopt a Resolution of Modification.

Staff are recommending the adoption of the proposed resolution pending comments and any protests received as part of the public hearing.

ATTACHMENTS:

A – Modification Request Letter

B – Modified MDP

C – Resolution Modifying the Mammoth Lakes Tourism Business Improvement District Management District Plan

D – Adopted Resolution of Intention to Modify

E – TBID Modification Letter 4-7-23