

**RESOLUTION NO. 2023 - \_\_\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
MAMMOTH LAKES, STATE OF CALIFORNIA, DECLARING ITS  
INTENTION TO RENEW THE MAMMOTH LAKES TOURISM  
BUSINESS IMPROVEMENT DISTRICT (MLTBID) AND FIXING THE  
TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING  
THEREON AND GIVING NOTICE THEREOF**

**WHEREAS**, the Town of Mammoth Lakes created the MLTBID in 2013 for a five (5) year term by Resolution No. 13-61; and

**WHEREAS**, the MLTBID was subsequently renewed for another five (5) year term by Resolution No. 18-37 which ends on August 31, 2023; and

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

**WHEREAS**, Mammoth Lakes Tourism, tourism business owners, and representatives from the Town of Mammoth Lakes have met to consider the renewal of the MLTBID; and

**WHEREAS**, Mammoth Lakes Tourism has drafted a Management District Plan (Plan) which sets forth the proposed boundary of the MLTBID (Exhibit A), a service plan and budget, and a proposed means of governance; and

**WHEREAS**, tourism businesses who will pay more than fifty percent (50%) of the assessment under the MLTBID have petitioned the Town Council to renew the MLTBID.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL THAT:**

1. The recitals set forth herein are true and correct.
2. The Town Council finds that tourism businesses that will pay more than fifty percent (50%) of the assessment proposed in the Plan have signed and submitted petitions in support of the renewal of the MLTBID. The Town Council accepts the petitions and adopts this Resolution of Intention to renew the MLTBID and to levy an assessment on certain tourism businesses within the MLTBID boundaries in accordance with the Property and Business Improvement District Law of 1994.
3. The Town Council finds that the Plan satisfies all requirements of Streets and Highways Code § 36622.
4. The Town Council declares its intention to renew the MLTBID and to levy and collect assessments on tourism businesses within the MLTBID boundaries pursuant to the Property and Business Improvement District Law of 1994.
5. The MLTBID shall include all tourism businesses, existing and in the future, located within the boundaries of the Town of Mammoth Lakes, as shown on the map included herein. As

used herein, the term “tourism business(es)” includes all tourism businesses: lodging businesses, restaurants, retail businesses, golf courses, and ski resorts.

6. The name of the district shall be Mammoth Lakes Tourism Business Improvement District (MLTBID).
7. Based on the benefits received, the assessment rate will be tiered as indicated in the table below. The assessment is levied upon and is a direct obligation of the assessed tourism business; however, the assessed tourism business may, at its discretion, pass the assessment on to patrons. The amount of assessment, if passed on to each patron, shall be disclosed in advance and separately stated from the amount of consideration charged and any other applicable taxes, and each patron shall receive a receipt for payment from the business. Further detail on benefits can be found in Section IV of the Management District Plan.

Businesses situated within other businesses, such as restaurants located within a hotel or ski resort, will be assessed at the rate for that business type and not at the rate of the other business they are situated in. Certain revenues and businesses will not be assessed as described in Section IV of the Management District Plan. Assessment rates are:

<b>Business Type</b>	<b>Annual Assessment Rate</b>
Lodging	1% of gross short-term room rental revenue
Ski Resorts and Golf Courses	2.5% of daily and multi-day tickets and bulk ticket packs for winter and summer activities, ski school and golf green fees and lessons
Retail – Tier 1	1.5% of gross revenue, including equipment and vehicle rentals
Retail – Tier 2*	\$500 per year
Retail – Tier 3*	\$50 per year
Restaurant – Tier 1	1.5% of gross revenue
Restaurant – Tier 2*	\$500 per year
Restaurant – Tier 3*	\$50 per year

\*Only applicable upon submission and approval of an appeal

8. The assessments levied for the MLTBID shall be applied toward sales, marketing, media relations and communications programs, and air service marketing and subsidy programs to increase tourism and market assessed tourism businesses in Mammoth Lakes as tourist, meeting, and event destinations and infrastructure, as described in the Plan. Funds remaining at the end of any year may be used in subsequent years in which MLTBID assessments are levied as long as they are used consistent with the requirements of this resolution and the Plan.
9. The renewed MLTBID will have a ten (10) year life, beginning September 1, 2023 through August 31, 2033, unless renewed pursuant to Streets and Highways Code § 36660.
10. Bonds shall not be issued.
11. The time and place for the public meeting to hear testimony on establishing the MLTBID and levying assessments are set for May 17, 2023, at 4:00 PM, or as soon thereafter as the matter may be heard, at the Council Chambers located at 437 Old Mammoth Road, Suite

Z, Mammoth Lakes, CA 93546. Following the public meeting, the Town Council shall move to introduce and conduct the first reading of the Ordinance to renew the MLTBID and continue the levy of assessments.

12. The time and place for the public hearing to establish the MLTBID and the levy of assessments are set for June 14, 2023, at 4:00 PM, or as soon thereafter as the matter may be heard, at the Council Chambers located at 437 Old Mammoth Road, Suite Z, Mammoth Lakes, CA 93546. The Town Clerk is directed to provide written notice to the tourism businesses subject to assessment of the date and time of the meeting and hearing, and to provide that notice as required by Streets and Highways Code § 36623, no later than April 29, 2023.
13. At the public meeting and hearing, the testimony of all interested persons for or against the renewal of the MLTBID may be received. If at the conclusion of the public hearing, there are of record written protests by the owners of the tourism businesses within the renewed MLTBID that will pay more than fifty percent (50%) of the estimated total assessment of the entire MLTBID, no further proceedings to renew the MLTBID shall occur for a period of one (1) year.
14. Following a successful public hearing, at the same Town Council meeting on June 14, 2023, held at the Council Chambers located at 437 Old Mammoth Road, Suite Z, Mammoth Lakes, CA 93546, the Town Council may conduct a second reading of the Ordinance to renew the MLTBID and to continue the levy of assessments. At the conclusion of the second reading of the Ordinance, the Town Council may adopt the Ordinance, renewing the MLTBID and levying the assessments.
14. The complete Plan is on file with the Town Clerk and may be reviewed upon request.
15. This resolution shall take effect immediately upon its adoption by the Town Council.

APPROVED AND ADOPTED THIS 26th day of April 2023.

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JOHN WENTWORTH,

Mayor  
ATTEST:

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JAMIE GRAY, Town Clerk

### EXHIBIT A District Boundaries

