ITEM NO. 12

STAFF REPORT

CITY OF OCEANSIDE

DATE: January 8, 2014

TO: Honorable Mayor and City Councilmembers

FROM: Economic Development

SUBJECT: **PUBLIC MEETING TO HEAR PUBLIC TESTIMONY REGARDING THE RENEWAL OF THE OCEANSIDE TOURISM MARKETING DISTRICT PER CALIFORNIA GOVERNMENT CODE SECTION 54954.6**

SYNOPSIS

Staff recommends that the City Council hear public testimony regarding the renewal of the Oceanside Tourism Marketing District per California Government Code Section 54954.6.

BACKGROUND

The Oceanside Tourism Marketing District (OTMD) is a special benefits district permitted under California law (Property and Business Improvement District Law of 1994, Streets and Highways code Section 36600 et seq.) in order to provide funding for a collective marketing effort to benefit tourism. To renew the district, the lodging businesses within the City would pay 84 percent of the proposed assessment, have petitioned the City to renew the district. That greatly exceeds the required 50 percent. The total proposed annual assessment would be 1.5 percent of the lodging businesses' gross revenue.

The City Council approved Resolution Number 13-R0734-1 (Attachment A) at the November 20, 2013, meeting, which is the Resolution of Intention to renew the Oceanside Tourism Marketing District. State law requires that a public meeting be held to allow the public an opportunity to provide comments prior to the public hearing planned for February 19, 2014, to finalize the district.

In the proposed OTMD renewal, all Oceanside hotels and vacation rentals subject to TOT would pay 1.5 percent of their gross revenue into the OTMD. The payments would be made to the City of Oceanside at the same time and in the same manner as the TOT is paid. The City would pass through the 1.5 percent to the Visit Oceanside (VO) organization. The City will receive a 1.6 percent fee based upon the total amount of OTMD revenue received. The VO will continue to manage the Oceanside Welcome Center, and plan and execute the Management District Plan (MDP), which is effectively the sales and marketing plan. VO is required to submit an annual report to the City.

The OTMD would be valid for ten years effective April 1, 2015 through March 31, 2025, unless renewed prior to the expiration date. The current OTMD is effective until March 31, 2015. Once per year beginning on the anniversary of the formation of the OTMD, there is a thirty-day period in which lodging businesses paying more than 50 percent of the assessment may submit protests to the City Clerk to terminate the district.

ANALYSIS

A certified mailing was completed on November 25, 2013, (Attachment B) to every lodging business listed in the Management District Plan (Attachment C). The mailing included: a notice of the public meeting and hearing dates concerning the renewal of the OTMD; a description of the assessment on lodging businesses and who would be assessed (Attachment C, Appendix 2); and a copy of the executed Resolution of Intention. Additionally, the notice was posted in the City kiosk, at the California Welcome Center, at MainStreet Oceanside, and at the Oceanside Chamber of Commerce on December 5, 2013.

The lodging business owners have an opportunity in the 91-day period from November 20, 2013, to February 19, 2014, to protest the formation of the District. This is forty-six days longer than the minimum legal requirement of 45 days. The protest must be in writing to be counted, and presented to the City Clerk on or before the February 19, 2014, public hearing date. If there is a majority written protest, the OTMD will not be renewed. If there is no majority written protest, the City Council may adopt a resolution renewing the OTMD at the public hearing on February 19, 2014.

FISCAL IMPACT

The VO's revenue projection for the OTMD, based upon fiscal year 2012-13 TOT revenues of $4.2 million, is approximately $630,000. The hoteliers and vacation rentals that are subject to the City's TOT ordinance would pay 1.5 percent to the City at the same time and in the same manner as the TOT is paid. The City will receive 1.6 percent or approximately $10,080 for administering the pass through. The OTMD annual assessment projection excludes revenue from domestic or international governmental employees on government business, which is the same as the current TOT regulations.

INSURANCE REQUIREMENTS

Does not apply.

COMMISSION OR COMMITTEE REPORT

The Economic Development Commission reviewed the proposal at its December 10, 2013 meeting and unanimously recommended approval with two Commissioners abstaining.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council hear public testimony regarding the renewal of the Oceanside Tourism Marketing District per California Government Code Section 54954.6.

PREPARED BY:

Tracey Bohlen
Economic Development Manager

SUBMITTED BY:

Steven R. Jepsen
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

James R. Riley, Financial Services Director

Attachments:

A. Resolution Number 10-R0067-1
B. Notice of the public meeting and hearing dates concerning the renewal of the TMD
C. Management District Plan

RESOLUTION NO. 13-R0734-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE DECLARING ITS INTENTION TO RENEW THE OCEANSIDE TOURISM MARKETING DISTRICT (OTMD) AND FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF

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

WHEREAS, **at the request of** lodging business owners, the City of Oceanside formed the Oceanside Tourism Marketing District (OTMD) with Resolution 10-R0235-1. The OTMD will expire on March 31, 2015;

WHEREAS, the Visit Oceanside Board and lodging businesses have requested to renew the OTMD for a ten-year period beginning on April 1, 2015;

WHEREAS, Visit Oceanside has drafted a Management District Plan for the renewal which sets forth the boundary of the OTMD, a service plan and budget, and a proposed means of governance; and

WHEREAS, a majority of the lodging business owners subject to assessment under the OTMD have petitioned the City Council to renew the OTMD.

NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

1. The recitals set forth herein are true and correct.

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

3. The City Council finds that the Management District Plan satisfies all requirements of Streets and Highways Code §36622.

4. The City Council declares its intention to renew the OTMD and to levy and collect assessments on lodging businesses within the OTMD boundaries pursuant to the Property and Business Improvement District Law of 1994.

5. The boundaries of the OTMD shall be the boundaries of the City of Oceanside, as shown on the attached map, incorporated herein as Exhibit A.

6. The name of the district shall be the Oceanside Tourism Marketing District (OTMD).

7. Annual assessment rates are 1.5% of room rental revenue on lodging businesses. Based on the benefit received, assessments will not be collected on domestic or international government employees on government business. For stays longer than thirty (30) days there shall be no assessment for the thirty-first (31st) day or any day thereafter. Stays by owners of vacation rentals in their own vacation rentals shall not be subject to assessment.

8. The assessments levied for the OTMD shall be applied toward sales promotion and marketing programs provided directly to payors. Programs will market Oceanside lodging businesses as tourist, meeting and event destinations, and provide a specific benefit directly to the assessed lodging businesses by increasing room night sales. OTMD programs will not be provided to those not charged. Funds remaining at the end of any year may be used in subsequent years in which OTMD assessments are levied as long as they are used consistent with the requirements of this resolution and the Management District Plan.

9. The OTMD will have a ten (10) year term unless renewed pursuant to Streets and Highways Code §36660.

10. Bonds will not be issued.

11. The time and place for the public meeting to hear public comment regarding the renewal

of the OTMD and the levy of assessments is set for January 8, 2014, at 4:00 p.m., or as soon thereafter as the matter may be heard, at the Council Chambers located at 300 North Coast Highway, Oceanside, CA 92054.

12. The time and place for the public hearing to establish the OTMD and the levy of assessments is set for February 19, 2014, at 5:00 p.m., or as soon thereafter as the matter may be heard, at the Council Chambers located at 300 North Coast Highway, Oceanside, CA 92054. The City Clerk is directed to provide written notice to the lodging businesses subject to assessment of the date and time of the hearing and to provide that notice as required by Streets and Highways Code §36623.

13. At the public hearing the testimony of all interested persons for or against the renewal of the OTMD may be received. If at the conclusion of the public hearing, there are of record written protests by the owners of the lodging businesses within the proposed OTMD that will pay fifty percent (50%) or more of the estimated total assessment of the entire OTMD, no further proceedings to renew the OTMD shall occur.

14. The complete Management District Plan is on file with the City Clerk and may be reviewed upon request.

15. This resolution shall take effect immediately upon its adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this 20th day of November, 2013, by the following vote:

AYES: WOOD, FELIEN, FELLER, KERN, SANCHEZ

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

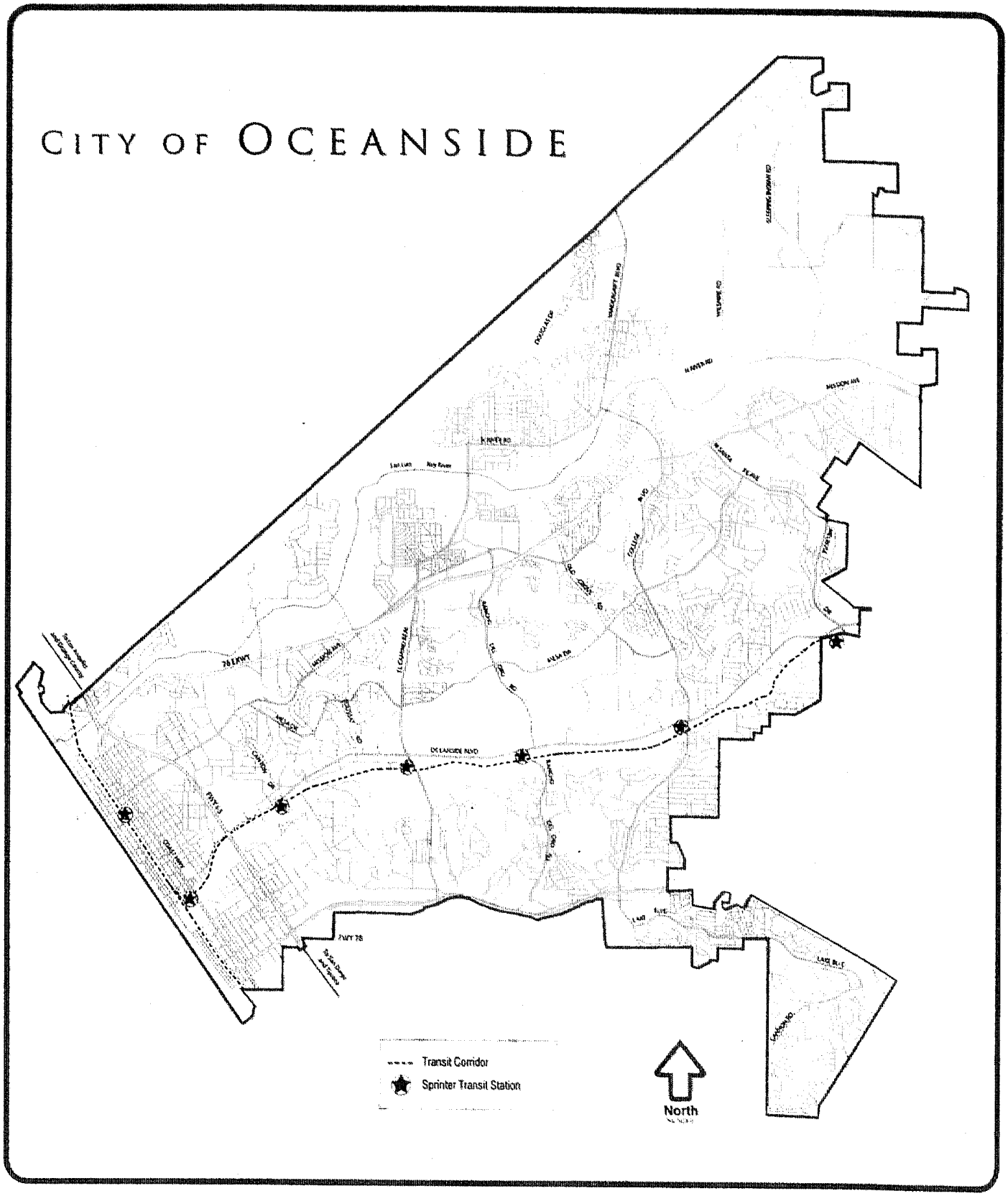
City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

Resolution No. 13-R0734-1



ATTACHMENT B

CITY OF OCEANSIDE

DEPARTMENT OF THE CITY CLERK
ZACK BECK

NOTICE OF PUBLIC MEETING AND PUBLIC HEARING CONCERNING THE RENEWAL OF THE OCEANSIDE TOURISM MARKETING DISTRICT AND TO LEVY AN ASSESSMENT ON CERTAIN LODGING BUSINESSES WITHIN THE DISTRICT

NOTICE IS HEREBY GIVEN that on November 20, 2013, the City Council (the "Council ") of the City of Oceanside (the "City ") adopted a Resolution of Intention to renew the Oceanside Tourism Marketing District (the "OTMD") and to levy an assessment on certain lodging businesses within the OTMD as set forth in the attached Resolution of Intention.

NOTICE IS HEREBY FURTHER GIVEN that at 4:00 p.m. on January 8, 2014, at the City of Oceanside Council Chambers located at 300 North Coast Highway, Oceanside, CA 92054, a public meeting shall be held pursuant to Government Code section 54954.6 to allow public testimony regarding the renewal of the OTMD and the levy of assessments therein as set forth in the enclosed Resolution of Intention and pursuant to Government Code section 54954.6.

NOTICE IS HEREBY FURTHER GIVEN that at 5:00 p.m. on February 19, 2014, at the City of Oceanside Council Chambers located at 300 North Coast Highway, Oceanside, CA 92054, has been set as the time and place for a public hearing at which time the City Council proposes to renew the OTMD and to levy the proposed assessment as set forth in the Resolution of Intention.

Boundaries: The proposed OTMD includes all lodging businesses located within the boundaries of the City of Oceanside.

Assessment: The annual assessment rate is one and a half percent (1.5%) of gross short-term room rental revenue. Based on the benefit received, assessments will not be collected on stays of more than thirty (30) consecutive days or on stays by domestic or international government employees on government business. Stays by owners of vacation rentals in their own vacation rentals shall not be subject to assessment.

Budget: The total OTMD annual budget for the initial year of its ten-year operation is anticipated to be approximately $600,000.00. This budget is expected to fluctuate as room sales do, but is not expected to significantly change over the OTMD's term.

Purpose: The OTMD is designed to provide a specific benefit directly to payors by increasing room night sales. Marketing and sales promotions will increase overnight tourism and market payors as tourist, meeting and event destinations, thereby increasing room night sales.

CITY HALL NORTH • 300 NORTH COAST HIGHWAY • OCEANSIDE, CA 92054-2885 • (760) 435-3000 • FAX (760) 967-3922
E-MAIL: zbeck@ci.oceanside.ca.us

Collection: The proposed OTMD will have a ten-year life. The OTMD assessment will be implemented beginning April 1, 2015 through March 31, 2025. Once per year beginning on the anniversary of the formation of the district there is a 30-day period in which owners paying more than 50% of the assessment may protest and initiate a City Council hearing on district termination.

Protest: Any owner of a lodging business within the proposed OTMD that will be subject to the assessment may protest the renewal of the OTMD. If written protests are received from the owners of lodging businesses in the proposed OTMD who represent 50 percent (50%) or more of the estimated annual assessments to be levied, the OTMD shall not be renewed and the assessment shall not be imposed.

You may mail a written protest to:

Office of the City Clerk
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

You may also appear at the public hearing and submit a written protest at that time.

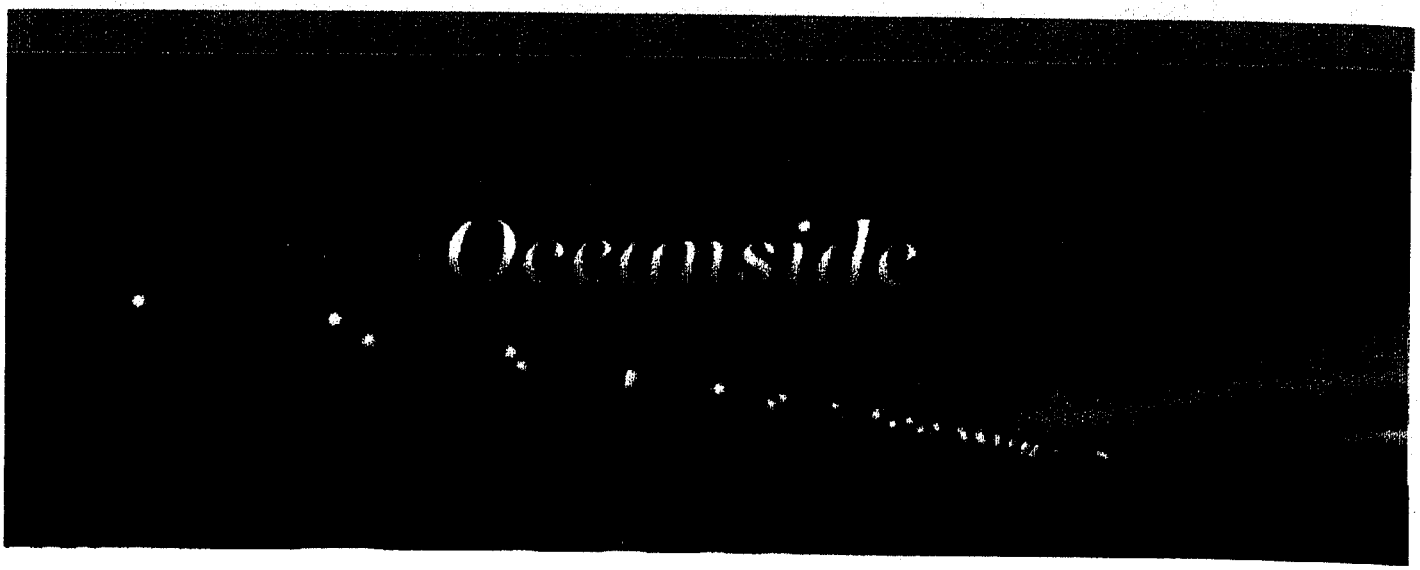
Information: Should you desire additional information about this proposed OTMD or assessment contact:

Leslee Gaul
Visit Oceanside
928 North Coast Highway
Oceanside, CA 92054
(760) 721-1101
leslee@visitoceanside.com

Dated: November 21, 2013

Zuel Bal
City Clerk

ATTACHMENT C



Management District Plan

Oceanside Tourism Marketing District

Prepared pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq.

2015 - 2025

OCEANSIDE TOURISM MARKETING DISTRICT MANAGEMENT DISTRICT PLAN

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Prepared By
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I. OVERVIEW

Developed by Visit Oceanside (VO), the Oceanside Tourism Marketing District (OTMD) is an assessment district proposed to provide special and specific benefits to payors, by funding marketing and sales promotion efforts for assessed businesses. This approach has been used successfully in other destination areas throughout the country to provide the benefit of additional room night sales directly to payors.

Location: The proposed OTMD includes all lodging businesses located within the boundaries of the City of Oceanside. As used herein, "lodging business" means 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, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodginghouse, rooming house, apartment home, dormitory, public or private club, mobile home or house trailer at a fixed location or other similar structure or portion thereof.

Services: The OTMD is designed to provide special and specific benefits directly to payors by increasing room night sales. Marketing and sales promotions will increase overnight tourism and market payors as tourist, meeting and event destinations, thereby increasing room night sales.

Budget: The total OTMD annual budget for the initial year of its ten-year operation is anticipated to be approximately $600,000. This budget is expected to fluctuate as room sales do, but is not expected to significantly change over the OTMD's term.

Cost: The annual assessment rate is 1.5% of gross short-term (thirty consecutive calendar days or less) room rental revenue. Based on the benefit received, assessments will not be collected on domestic or international government employees on government business. For stays longer than thirty (30) days there shall be no assessment for the thirty-first (31st) day or any day thereafter. Stays by owners of vacation rentals in their own vacation rentals shall not be subject to assessment.

Duration: The proposed OTMD will have a ten-year life. The OTMD assessment will be implemented beginning April 1, 2015 through March 31, 2025. Once per year beginning on the anniversary of the formation of the district there is a 30-day period in which owners paying more than 50% of the assessment may protest and initiate a City Council hearing on district termination per Streets and Highways Code section 36670.

Management: Visit Oceanside will serve as the OTMD's Owners' Association. The Owners' Association is charged with managing funds and implementing programs in accordance with this Plan, and must provide annual reports to the City Council.

II. SUCCESSES

The OTMD was formed at the request of lodging businesses in March 2010. Since then, the OTMD has successfully provided around $500,000 each year to support those businesses through visitor attraction programs.

Since the OTMD's creation, lodging businesses have seen an uptick in both occupancy and average daily rates. According to travel research firm Dean Runyan and Associates, in 2008, total taxable room sales were valued at $30.2M. In 2012, that number had grown by $8M, to total $38.2M.

A primary component of the OTMD effort has been funding the California Welcome Center in Oceanside. A visitor profile was conducted in 2012 to measure the Welcome Center's effectiveness; a previous, identical study conducted in 2009 provided a basis for comparison and evaluation.

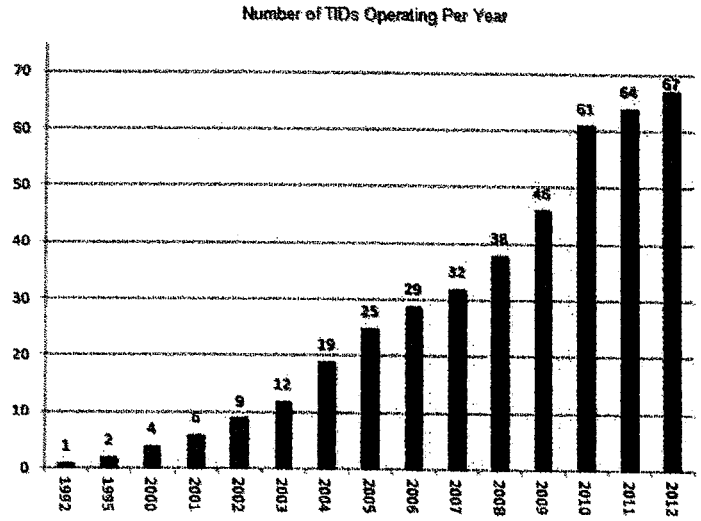
Although the visitor profile only includes visitors who stopped at the Welcome Center, it yielded many positive results indicative of growth in overnight visitation. The visitor profile credits Visit Oceanside's transition to an independent marketing organization, with an improved ability to employ targeted and effective marketing strategies, as one of the reasons for this success.

- Total annual expenditures on lodging grew from $5.812M in 2009 to $15.928M in 2012, an increase of 274%.
- In 2012, 82,842 visitors were directly influenced to stay overnight in Oceanside due to materials mailed from or received on-site at the Welcome Center. This is a 27% increase over the 66,270 similar visitors in 2009.
- Trips to Oceanside increased in length from an average of 3.4 days in 2009 to 4.7 days in 2012, a 38% growth.

In order to continue and build further upon these successes, lodging businesses now desire to renew the OTMD for an additional ten-year term.

III. BACKGROUND

TMDs are an evolution of the traditional Business Improvement District. The first TID was formed in West Hollywood, California in 1992. Since then, eighty California destinations have followed suit. In recent years, other states have begun adopting the California model – Washington, Montana, and Texas have adopted TMD laws. Several other states are in the process of adopting their own legislation. And, some cities, like Portland, Oregon, have utilized their charter powers to create TMDs without a state law.



California's TMDs collectively raise over $150 million for local destination marketing. With competitors raising their budgets, and increasing rivalry for visitor dollars, it is important that the Oceanside lodging businesses continue their investment in stable, lodging-specific marketing programs.

TMDs utilize the efficiencies of private sector operation in the market-based promotion of tourism districts. TMDs allow lodging business owners to organize their efforts to increase room night sales. Lodging business owners within the TMD pay an assessment and those funds are used to provide services that increase room night sales.

In California, TMDs are formed pursuant to the Property and Improvement District Law of 1994. This law allows for the creation of a special benefit assessment district to raise funds within a specific geographic area. *The key difference between TMDs and other special benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the district.*

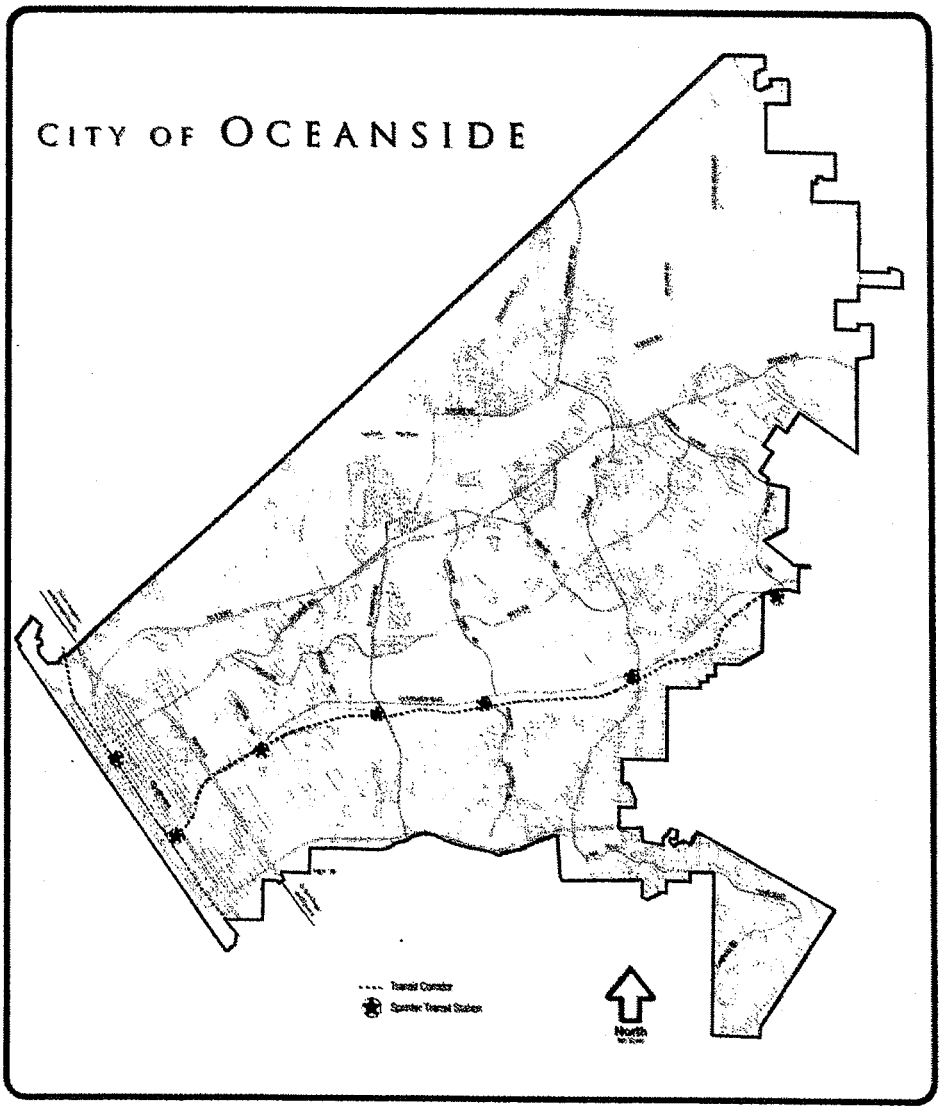
There are many benefits to TMD:

- Funds must be spent on services and improvements that provide a specific and special benefit only to those who pay;
- Funds cannot be diverted to general government programs;
- They are customized to fit the needs of payors in each destination;
- They allow for a wide range of services;
- They are ***designed, created and governed by those who will pay*** the assessment; and
- They provide a stable funding source for tourism promotion.

IV. BOUNDARY

The OTMD will include all lodging businesses, existing and in the future, available for public occupancy within the boundaries of the City of Oceanside.

The boundary, as shown in the map below, currently includes 515 lodging businesses. A complete listing of lodging businesses within the proposed OTMD can be found in Appendix 2.



V. BUDGET AND SERVICES

A. Annual Service Plan

Assessment funds will be spent to provide specific benefits conferred or privileges granted directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the City of conferring the benefits or grating the privileges. The privileges and services provided with the OTMD funds are sales, marketing, advertising, and promotional programs available only to assessed businesses.

A service plan budget has been developed to deliver services that benefit businesses throughout the District. A detailed annual budget will be developed and approved by the Owners' Association. The table below illustrates the initial annual budget allocations.

Category	Percent of Budget	Dollar Amount
Sales and Marketing	73.4%	$440,400
Administration	20%	$120,000
City Collection Costs	1.6%	$9,600
Contingency/Renewal	5%	$30,000
Total Annual Budget	**100%**	**$600,000**

Although actual revenues will fluctuate due to market conditions, the proportional allocations of the budget shall remain the same. However, the City and the VO board shall have the authority to adjust budget allocations between the categories by no more than fifteen percent (15%) per year. A description of the proposed improvements and activities for the initial year of operation is below. The same activities are proposed for subsequent years. In the event of a legal challenge against the OTMD assessment, the assessment proceeds may be used for defense of the assessment.

Sales and Marketing

A sales and marketing program will promote assessed businesses as tourist, meeting, and event destinations. The sales and marketing program will have a central theme of promoting Oceanside as a desirable place to visit overnight. The program will have the goal of increasing overnight visitation and room night sales at assessed businesses, and may include the following activities:

- Internet marketing efforts to increase awareness and optimize internet presence;
- Print ads in magazines and newspapers targeted at potential visitors;
- Television ads targeted at potential visitors;
- Radio ads targeted at potential visitors;
- Operation of a visitors center;
- Public relations;
- Attendance of trade shows;
- Sales blitzes;
- Familiarization tours;
- Preparation and production of collateral promotional materials such as brochures, flyers and maps;
- Attendance of professional industry conferences and affiliation events;

- Lead generation activities designed to attract tourists and group events to Oceanside;
- Director of Sales and General Manager meetings to plan and coordinate tourism promotion efforts;
- Education of hospitality staff on service and safety (related to alcohol and food) designed to create a visitor experience that will bring repeat visits; and
- Education of lodging business management and the owners' association on marketing strategies best suited to meet Oceanside's needs.

Administration and Operations
The administrative and operations portion of the budget shall be utilized for administrative staffing costs, office costs, and other general administrative costs such as insurance, legal, and accounting fees.

City Administration Fee
The City of Oceanside shall be paid a fee equal to 1.6% of the amount of assessment collected to cover its costs of collection and administration.

Contingency/Renewal
A prudent portion of the budget will be set aside in a contingency fund, to be used for unforeseeable costs in carrying out the sales and marketing programs. If at the expiration of the district there are contingency funds remaining, and business owners wish to renew the district, the remaining contingency funds may be used for renewal costs.

B. Determination of Specific Benefit

State law requires that assessment funds be expended on specific benefits conferred directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the City of conferring the benefits. The services in this Management District Plan are designed to provide targeted benefits directly to assessed lodging businesses. These services are tailored not to serve the general public, but rather to serve the specific lodging businesses within the District, e.g., the proposed activities are specifically targeted to increase room night sales for assessed lodging businesses within the boundaries of the District, and are narrowly tailored. OTMD funds will be used exclusively to provide the specific benefit of increased room night sales directly to the assessees. For example, non-assessed businesses will not be featured in OTMD programs and will not receive sales leads from them. The activities paid for from assessment revenues are business services constituting and providing specific benefits to the assessed businesses.

Further, the assessment may be utilized to provide specific government services directly to the payors that are not provided to those not charged, and which do not exceed the reasonable costs to the City of providing the services. The amount of the assessment is no more than necessary to cover the reasonable costs of the proposed activities, and the manner in which the costs are allocated to a business owner bear a fair share or reasonable relationship to the businesses' benefits received from the proposed activities.

District services will be implemented carefully to ensure they do not exceed the reasonable cost of such services. Funds will be managed by the Owners' Association, and reports submitted on an annual basis to the City. Only assessed businesses will be featured in marketing materials, receive sales leads generated from district-funded activities, be featured in advertising campaigns, and

benefit from other district-funded services. Non-assessed businesses will not receive these, nor any other, district-funded services and benefits.

C. Assessment

The annual assessment rate is 1.5% of gross short-term (thirty consecutive calendar days or less) room rental revenue. Based on the benefit received, assessments will not be collected on domestic or international government employees on government business. For stays longer than thirty (30) days there shall be no assessment for the thirty-first (31st) day or any day thereafter. Stays by owners of vacation rentals in their own vacation rentals shall not be subject to assessment.

The term "gross revenue" as used herein includes the following: (1) Any charge for a room, whether the guest uses the room or not; (2) Any charge for additional guests in a room; and (3) Any fee for guaranteeing the availability of a room, whether or not that room is occupied. Gross revenue shall not include any federal, state or local taxes collected, including but not limited to transient occupancy taxes. Any other charges shall be considered gross revenue only in accordance with the local transient occupancy tax.

The amount of assessment, if passed on to each transient, shall be disclosed in advance and separately stated from the amount of rent charged and any other applicable taxes, and each transient shall receive a receipt for payment from the business. The assessment shall not be considered revenue for any purposes, including calculation of transient occupancy taxes.

Bonds will not be issued.

D. Penalties and Interest

1. Original delinquency. Any business which fails to remit any assessment within the time required shall pay a penalty of ten (10) percent of the amount of the assessment in addition to the amount of the assessment.

2. Continued delinquency. Any business which fails to remit any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent shall pay a second delinquency penalty of ten (10) percent of the amount of the assessment in addition to the amount of the assessment and the ten (10) percent penalty first imposed.

3. Fraud. If the city determines that the nonpayment of any remittance is due to fraud, a penalty of twenty-five (25) percent of the amount of the assessment shall be added thereto in addition to the penalties stated in subparagraphs (1) and (2) of this section.

4. Interest. In addition to the penalties imposed, any business which fails to remit any assessment shall pay interest at the rate of one-half (0.5) percent per month or fraction thereof on the amount of the assessment, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

5. Penalties merged with assessment. Every penalty imposed and such interest as accrues under the provisions of this section shall become a part of the assessment required to be paid.

E. Time and Manner for Collecting Assessments

The OTMD assessment will be implemented beginning April 1, 2015 and will continue for ten years through March 31, 2025. The City of Oceanside will be responsible for collecting the assessment on a quarterly basis (including any delinquencies, penalties and interest) from each lodging business located in the boundaries of the OTMD. Assessments shall be collected monthly at the same time as, but in a separate remittance from, transient occupancy tax. The City shall take all reasonable efforts to collect the assessments from each lodging business. The City of Oceanside shall forward the assessments to the Visit Oceanside Corporation (VO) which will have the responsibility of managing the TMD programs as provided in this Management District Plan.

The time and manner for collecting the OTMD assessments shall be in accordance with the City of Oceanside's transient occupancy tax collection procedures. The OTMD assessment shall be collected in the same form and manner as the TOT. Procedures for collection of the OTMD assessment is subject to any changes the City may make in TOT collection procedures.

F. Annual Budget

The total five year improvement and service plan budget is projected at approximately $600,000 annually, or $6,000,000 through 2025. This amount may fluctuate as sales and revenue increase at assessed businesses.

VI. GOVERNANCE

A. Owners' Association

The City Council, through adoption of this Management District Plan, has the right, pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the OTMD as defined in Streets and Highways Code §36614.5. The City Council has determined that VO will serve as the Owner's Association for the OTMD.

VO's day-to-day operations will be managed by the President/CEO. The President/CEO will report to VO's Board of Directors, which will have ultimate responsibility for VO's operations. The Board will operate according to established Bylaws and this Plan to set policy, manage funds, and execute the VO mission.

The Board of Directors will have between thirteen and seventeen members. The Board will be structured to ensure hotel representatives always have a majority presence; remaining seats will be filled by representatives of Oceanside businesses with an interest in tourism promotion.

VO Board members shall be selected and vacancies shall be filled in accordance with the provisions of the VO Bylaws.

B. Brown Act and California Public Records Act Compliance

An owners' association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. The Owner's Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association is considered a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the VO board and certain committees must be held in compliance with the public notice and other requirements of the Brown Act. The Owner's Association is also subject to the record keeping and disclosure requirements of the California Public Records Act.

C. Annual Report

The VO shall present an annual report at the end of each year of operation to the City Council pursuant to Streets and Highways Code §36650 (see Appendix 1).

APPENDIX 1 – LAW

Property And Business Improvement District Law of 1994

Cal Sts & Hy Code § 36600 (2013)

*** This document is current through the 2013 Supplement ***
(All 2012 legislation, 2012 Governor's Reorg. Plan No. 2 and all
propositions approved by the electorate at the June and November 2012 elections)

§ 36600. Citation of part

This part shall be known and may be cited as the "Property and Business Improvement District Law of 1994."

§ 36601. Legislative findings and declarations

The Legislature finds and declares all of the following:

(a) Businesses located and operating within the business districts of this state's communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.

(b) It is in the public interest to promote the economic revitalization and physical maintenance of the business districts of its cities in order to create jobs, attract new businesses, and prevent the erosion of the business districts.

(c) It is of particular local benefit to allow cities to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that benefits from those improvements.

(d) Assessments levied for the purpose of providing improvements and promoting activities that benefit real property or businesses are not taxes for the general benefit of a city, but are assessments for the improvements and activities which confer special benefits upon the real property or businesses for which the improvements and activities are provided.

§ 36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within a business improvement area. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

§ 36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

§ 36603.5. Part prevails over conflicting provisions

Any provision in this part that conflicts with any other provision of law shall prevail over the other provision of law.

§ 36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

§ 36605. [Section repealed 2001.]

§ 36606. "Assessment"

"Assessment" means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and promoting activities which will benefit the properties or businesses located within a property and business improvement district.

§ 36607. "Business"

"Business" means all types of businesses and includes financial institutions and professions.

§ 36608. "City"

"City" means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with *Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code*, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

§ 36609. "City council"

"City council" means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

§ 36610. 'Improvement"

"Improvement" means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

(a) Parking facilities.

(b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.

(c) Trash receptacles and public restrooms.

(d) Lighting and heating facilities.

(e) Decorations.

(f) Parks.

(g) Fountains.

(h) Planting areas.

(i) Closing, opening, widening, or narrowing of existing streets.

(j) Facilities or equipment, or both, to enhance security of persons and property within the area.

(k) Ramps, sidewalks, plazas, and pedestrian malls.

(l) Rehabilitation or removal of existing structures.

§ 36611. "Property and business improvement district"; "District"

"Property and business improvement district," or "district," means a property and business improvement district established pursuant to this part.

§ 36612. "Property"

"Property" means real property situated within a district.

§ 36613. "Activities"

"Activities" means, but is not limited to, all of the following:

(a) Promotion of public events which benefit businesses or real property in the district.

(b) Furnishing of music in any public place within the district.

(c) Promotion of tourism within the district.

(d) Marketing and economic development, including retail retention and recruitment.

(e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.

(f) Activities which benefit businesses and real property located in the district.

§ 36614. "Management district plan"; "Plan"

"Management district plan" or "plan" means a proposal as defined in Section 36622.

§ 36614.5. "Owners' association"

. "Owners' association" means a private nonprofit entity that is under contract with a city to administer or implement activities and improvements specified in the management district plan. An owners' association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners' association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners' association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with *Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code*), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Chapter 3.5 (commencing with *Section 6250) of Division 7 of Title 1 of the Government Code*), for all documents relating to activities of the district.

§ 36615. "Property owner"; "Business owner"; "Owner"

"Property owner" means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. "Business owner"

means any person recognized by the city as the owner of the business. "Owner" means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

§ 36616. "Tenant"

"Tenant" means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

§ 36617. Alternate method of financing certain improvements and activities; Effect on other provisions

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

§ 36620. Establishment of property and business improvement district

A property and business improvement district may be established as provided in this chapter.

§ 36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

§ 36621. Initiation of proceedings; Petition of property or business owners in proposed district

(a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.

(b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:

(1) A map showing the boundaries of the district.

(2) Information specifying where the complete management district plan can be obtained.

(3) Information specifying that the complete management district plan shall be furnished upon request.

(c) The resolution of intention described in subdivision (a) shall contain all of the following:

(1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.

(2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

§ 36622. Contents of management district plan

The management district plan shall contain all of the following:

(a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.

(b) The name of the proposed district.

(c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected lands and businesses included. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.

(d) The improvements and activities proposed for each year of operation of the district and the maximum cost thereof. If the improvements and activities proposed for each year of operation are the same, a description of the first year's proposed improvements and activities and a statement that the same improvements and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.

(e) The total annual amount proposed to be expended for improvements, maintenance and operations, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.

(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against his or her property or business. The plan also shall state whether bonds will be issued to finance improvements.

(g) The time and manner of collecting the assessments.

(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.

(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof, including operation and maintenance. The plan may provide that all or any class or category of real property which is exempt by law from real property taxation may nevertheless be included within the boundaries of the district but shall not be subject to assessment on real property.

(l) Any other item or matter required to be incorporated therein by the city council.

§ 36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with *Section 53753 of the Government Code.*

(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with *Section 54954.6 of the Government Code*, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of businesses in the proposed district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest

and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

§ 36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements or activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

§ 36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish the proposed property and business improvement district, the city council shall adopt a resolution of formation that shall contain all of the following:

(1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement about whether bonds will be issued, and a description of the exterior boundaries of the proposed district. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.

(2) The number, date of adoption, and title of the resolution of intention.

(3) The time and place where the public hearing was held concerning the establishment of the district.

(4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.

(5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.

(6) A statement that the improvements and activities to be provided in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements and activities funded by the assessments proposed to be levied.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

§ 36626. Resolution establishing district

If the city council, following the public hearing, desires to establish the proposed property and business improvement district, and the city council has not made changes pursuant to Section 36624, or has made changes that do not substantially change the proposed assessment, the city council shall adopt a resolution establishing the district. The resolution shall contain all of the information specified in paragraphs (1) to (8), inclusive, of subdivision (b) of Section 36625, but need not contain information about the preliminary resolution if none has been adopted.

§ 36626.5. [Section repealed 1999.]

§ 36626.6. [Section repealed 1999.]

§ 36626.7. [Section repealed 1999.]

§ 36627. Notice and assessment diagram

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625 or Section 36626, the clerk of the city shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

§ 36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

§ 36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements and activities.

§ 36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

§ 36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and a new district established pursuant to this part.

§ 36631. Time and manner of collection of assessments; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part shall be charged interest and penalties.

§ 36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

(a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.

(b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.

(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

§ 36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in any action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36626. Any appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

§ 36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

§ 36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

§ 36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention; Modification of improvements and activities by adoption of resolution after public hearing

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public meetings and public hearings pursuant to this section shall comply with both of the following:

(1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public meeting.

(2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public meeting, to each business owner or property owner affected by the proposed modification.

(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

§ 36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

§ 36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

(a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with *Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code*). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.

(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

§ 36641. [Section repealed 2001.]

§ 36642. [Section repealed 2001.]

§ 36643. [Section repealed 2001.]

§ 36650. Report by owners' association; Approval or modification by city council

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.

(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

(1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.

(2) The improvements and activities to be provided for that fiscal year.

(3) An estimate of the cost of providing the improvements and the activities for that fiscal year.

(4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.

(5) The amount of any surplus or deficit revenues to be carried over from a previous fiscal year.

(6) The amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

§ 36651. Designation of owners' association to provide improvements and activities

The management district plan may, but is not required to, state that an owners' association will provide the improvements or activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

§ 36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

(a) Any district previously established whose term has expired, may be renewed by following the procedures for establishment as provided in this chapter.

(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior

district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.

(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

§ 36670. Circumstances permitting disestablishment of district; Procedure

(a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:

(1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.

(2) During the operation of the district, there shall be a 30-day period each year in which assessees may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the area who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.

(b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

§ 36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district

(a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – ASSESSED BUSINESSES

Business Name	Street Address
1123-1125 SOUTH PACIFIC, LLC	1123-1125 SOUTH PACIFIC
1435 S PACIFICF MAIN	1435 S PACIFIC ST
1733 PACIFIC, LLC	1733 S PACIFIC ST
823 SOUTH PACIFIC, LLC	823 S PACIFIC ST
825 SOUTH PACIFIC, LLC	825 S PACIFIC ST
908 MIRAMAR PL	908 MIRA MAR PL
ACEE FAMILY TRUST	999 N PACIFIC ST UNIT D210
AFINE PACIFIC GROUP, LLC	999 N PACIFIC ST UNIT G310
ALANA & GARY PROTER	602 N PACIFIC ST UNIT D
ALESSANDRA RAMIREZ	999 N PACIFIC ST UNIT G8
ALEXANDRA R MCINTOSH	805 WISCONSIN AVE
ALICE TROY	1837 S PACIFIC ST
ALLEN KUTCHUK	1445 S PACIFIC ST UNIT K
AMY & BRADFORD MCLEAN	999 N PACIFIC ST UNIT C303
ANH QUACH	999 N PACIFIC ST UNIT G19
ANNETTE ANTLE	999 N PACIFIC ST UNIT C106
ANTHONY & DIANE RODRIGUEZ	999 N PACIFIC ST UNIT A305
ANTHONY & MARY ANNE REVIER	999 N PACIFIC ST UNIT E211
ANTHONY MARELLA	910 S PACIFIC ST APT 2
AQUAMARINE VILLAS TIMESHARE OWNERS	711 S MYERS ST
ARDYTH KENNEDY	999 N PACIFIC ST UNIT D27
ART JOHNSON	1215 S PACIFIC ST
ARTHUR BEUTLER	999 N PACIFIC ST UNIT F106
ARTHUR DA COSTA	1205 S PACIFIC ST # B
ASHOK & SHEILA KHANIJOW	621 N PACIFIC ST UNIT 101
AST HOLDINGS LLC	999 N PACIFIC ST UNIT G302
AUDREY SMITH	1711 S PACIFIC ST
BARBARA CURTIS	999 N PACIFIC ST UNIT C310
BARBARA KELLY	999 N PACIFIC ST UNIT A209
BARBARA MCLAIN	999 N PACIFIC ST UNIT F213
BEA MOGAVERO	999 N PACIFIC ST UNIT A217
BEA MOGAVERO	999 N PACIFIC ST UNIT A219
BEA MOGAVERO	999 N PACIFIC ST UNIT B320
BEACH CITY, LLC	835 S PACIFIC ST
BEACHFRONT PARTNERS, LLC	1027 - 1029 S PACIFIC ST
BEACHWOOD MOTEL	210 SURFRIDER WAY
BEST WESTERN OCEANSIDE INN	1680 OCEANSIDE BLVD
BETH GROVES	999 N PACIFIC ST UNIT D104
BETTER VACATION RENTALS	999 N PACIFIC ST UNIT C304
BETTY WALTER	803 S PACIFIC ST APT 2
BILL WIDENER	1215 S PACIFIC ST
BLUE WHALE TIMESHARES	904 N THE STRAND

Business Name	Street Address
BOB CALL	705 N PACIFIC ST
BOB VAN ALSTIRE	999 N PACIFIC ST UNIT G205
BONNIE HUGHES	218 1/2 UPPER S THE STRAND
BONNIE HUGHES	218 1/2 LOWER S THE STRAND
BRENDA REYNOLDS	999 N PACIFIC ST UNIT E102
BRENDA VICKERY	999 N PACIFIC ST UNIT B123
BRENDON GELFORD	999 N PACIFIC ST UNIT A103
BRIAN LEE FORD	999 N PACIFIC ST UNIT A18
C FUSCO	910 S PACIFIC ST APT 1
CAMPA	999 N PACIFIC ST UNIT C203
CARLOS BALBONA	999 N PACIFIC ST UNIT C301
CARLOS BALBONA	999 N PACIFIC ST UNIT E19
CAROL GANOCY	999 N PACIFIC ST UNIT B309
CAROL SILVERMAN	999 N PACIFIC ST UNIT B112
CARRIE & BRAD WILHITE	1825 MAGNOLIA CT
CATHERINE STIEFEL	999 N PACIFIC ST UNIT E305
CATHY IGE	999 N PACIFIC ST UNIT F201
CATHY REISER	999 N PACIFIC ST UNIT G36
CHANDRA TOBEY	999 N PACIFIC ST UNIT A121
CHARLES & CAROL BROWN	1932 ALVARADO ST
CHARLES & MARGARET PROVO	999 N PACIFIC ST UNIT G315
CHERYL ERESUMA	999 N PACIFIC ST UNIT A304
CHRISTINE FRANZ	694 N CLEVELAND ST
CHUCK KEIPER	999 N PACIFIC ST UNIT D211
CHUCK TAYLOR & GAIL RYAN	1640 S PACIFIC ST #2
CINDY & GREG DILLION	1301 S PACIFIC ST # A
CLEO CHAPIN	704 N THE STRAND # 1
COAST INN	921 N COAST HWY
COLLEEN JOHNSTON	999 N PACIFIC ST UNIT B1
COLLEEN MERTES	608 S THE STRAND
CONNIE BARHYTE	704 N THE STRAND # 12
CORLA DAVIS	999 N PACIFIC ST UNIT G301
COURTYARD SAN DIEGO OCEANSIDE	3501 SEAGATE WAY
CRAIG CALDWELL	701 STANLEY ST
CURTIS & NANCY KELLY	999 N PACIFIC ST UNIT B305
DAN AND PAM POULLOT	999 N PACIFIC ST UNIT E210
DANIEL & TAMMY EASTERBY	999 N PACIFIC ST UNIT C103
DANIEL SANDERS, TRUSTEE	999 N PACIFIC ST UNIT D307
DANIEL ZEREBNY	999 N PACIFIC ST UNIT G7
DANIEL ZEREBNY	999 N PACIFIC ST UNIT F204
DARYL & JULIANN MCCANCE	632 S FREEMAN ST
DAVE FANDEL	1200 HARBOR DR N UNIT 17B
DAVID & CECELIA LOWRY	999 N PACIFIC ST UNIT D29
DAVID & JULIANN RODGERS	999 N PACIFIC ST UNIT E204

Business Name	Street Address
DAVID & ROSEMARY HOFELICH	999 N PACIFIC ST UNIT D33
DAVID & ROSEMARY HOFELICH	999 N PACIFIC ST UNIT A22
DAVID & SHERRY KRUSE	999 N PACIFIC ST UNIT G35
DAVID ARCHER	1919 S PACIFIC ST
DAVID DECKERT	999 N PACIFIC ST UNIT B109
DAVID GANGLOFF	999 N PACIFIC ST UNIT G111
DAVID MCCULLOUGH	999 N PACIFIC ST UNIT C200
DAVID OLSON	999 N PACIFIC ST UNIT G301
DAVID R LOWRY MD PENSION FUND TRUST INC	999 N PACIFIC ST UNIT D304
DAVID SKEEN	999 N PACIFIC ST UNIT E112
DAVID T WILLIAMS & ASSCO, LLC	999 N PACIFIC ST UNIT D112
DAVID THYFAULT	999 N PACIFIC ST UNIT E213
DAYS INN AT THE COAST	1501 CARMELO DR
DEAN & SUE MILLS	999 N PACIFIC ST UNIT C300
DEAN MCCORMICK	1437 S PACIFIC ST
DEAN MCCORMICK	1437 S PACIFIC ST
DEAN SANDRI	999 N PACIFIC ST UNIT C209
DEBORAH P ANDRE	717 N PACIFIC ST APT C
DEBORAH P ANDRE	717 N PACIFIC ST APT D
DEBORAH P ANDRE	717 N PACIFIC ST APT B
DEBORAH P ANDRE	717 N PACIFIC ST APT A
DEBORRA KADESKY	999 N PACIFIC ST UNIT D200
DEBRA MARKEY	999 N PACIFIC ST UNIT A17
DEBRA WALLS	605 N PACIFIC ST
DENNIS & LAURA MARCHESE	999 N PACIFIC ST UNIT G103
DENNIS BACHMAN	999 N PACIFIC ST UNIT E101
DIANA & WILLIAM POWELL	400 N THE STRAND UNIT 54
DIANA BOCK	999 N PACIFIC ST UNIT D107
DIANE GOEDECKE	705 N TREMONT ST
DISTEFANO & MELLMAN	999 N PACIFIC ST UNIT B113
DIXIE MICELI	704 N THE STRAND # 5
DOBSON FAMILY TRUST	999 N PACIFIC ST UNIT D212
DOLPHIN HOTEL	133 S COAST HWY
DON HOYT	1021 S PACIFIC ST
DON PEEL	901 S PACIFIC ST UNIT 304
DONALD A HOLMES	999 N PACIFIC ST UNIT G29
DONNA COLOMAN	999 N PACIFIC ST UNIT D8
DOROTHY MARTIN	999 N PACIFIC ST UNIT B300
DORYANN CHASEN	999 N PACIFIC ST UNIT D13
DOUG & DIANE FENCL	999 N PACIFIC ST UNIT E109
DOUG & FIONA PHILLIPS	999 N PACIFIC ST UNIT D25
DOUGLAS GRAHAM	999 N PACIFIC ST UNIT B224
DR RON FEATHERINGILL	999 N PACIFIC ST UNIT A24
ED & ROSE BENDAS	999 N PACIFIC ST UNIT A207

Business Name	Street Address
ED OR ROSE BENDAS	999 N PACIFIC ST UNIT C204
EDWARD BETY, MD	112 ASH ST
EDWARD BETY, MD	523 S MYERS ST
EDWARD BETY, MD	519 S MYERS ST
EDWARD GIBLIN	812 S PACIFIC ST #4
EDWIN J NEUMEYER	915 N PACIFIC ST
EDWIN J NEUMEYER	909 N PACIFIC ST
ELEANOR PATELLA	704 N THE STRAND # 16
ELIZABETH GLASS	999 N PACIFIC ST UNIT G105
ELLIE & JIM FRANSON	704 N THE STRAND # 8
EMAD BOUTROS	999 N PACIFIC ST UNIT B3
ERIC & WENDY KAISER	1140 S NEVADA ST
ERIC PLATT	807 S PACIFIC ST UNIT C
ERIC PLATT	807 S PACIFIC ST UNIT B
ERIC PLATT	807 S PACIFIC ST UNIT A
ERNEST J COLONNA	999 N PACIFIC ST UNIT G100
ERNEST J COLONNA	999 N PACIFIC ST UNIT A224
EVERGREEN HEBRON, LP	813 S PACIFIC ST
EVERGREEN HEBRON, LP	1023 S PACIFIC ST
EXTENDED STAY AMERICA #951	3190 VISTA WAY
EXTRA HOLIDAYS LLC	333 N MYERS ST
FRAN AND AL ELLSWORTH	999 N PACIFIC ST UNIT E310
FRANK & MARY KAY VRETENAR	1401 S PACIFIC ST #201
FRANK GRASSO	999 N PACIFIC ST UNIT G225
FRANK GRASSO	999 N PACIFIC ST UNIT A20
FRED KELLENBURGER	999 N PACIFIC ST UNIT G309
FRED WILSON	999 N PACIFIC ST UNIT A14
GAIL GILL	1739 S PACIFIC ST
GARY & MARILIN BREWER	704 N THE STRAND # 18
GARY BARRINGER	834 S PACIFIC ST APT B
GARY GARDENER	1315 S PACIFIC ST APT C
GARY GARDENER	1307 S PACIFIC ST APT A
GARY GARDENER	1315 S PACIFIC ST APT B
GARY GARDENER	1315 S PACIFIC ST APT A
GARY L GARDENER	1307 S PACIFIC ST APT B
GARY VAN DERFORD	999 N PACIFIC ST UNIT G121
GEOFF HOPPER	999 N PACIFIC ST UNIT B221
GEORGE & DIANE KOVACIC	999 N PACIFIC ST UNIT A101
GEORGE & DIANE KOVACIC	999 N PACIFIC ST UNIT C309
GEORGE & SUSAN HANSEN	999 N PACIFIC ST UNIT E2
GEORGE H OBERGFELL	999 N PACIFIC ST UNIT G222
GERALD & JODY MORLEY	999 N PACIFIC ST UNIT F111
GERI & NORM ROSSELL	999 N PACIFIC ST UNIT B226
GERMAC PROPERTIES LLC	602 N PACIFIC ST UNIT A

Business Name	Street Address
GIOVANNI PACHECO/DEIRDRE POCHECO	691 N TREMONT ST
GK & ROSEMARY PEARCE	999 N PACIFIC ST UNIT A215
GLENN CASTRO	727 N TREMONT ST
GLORIA & ROBERT CLAESSON	999 N PACIFIC ST UNIT D203
GLORIA ROBBINS	489 N CLEVELAND ST
GORDON BUECHS	999 N PACIFIC ST UNIT F112
GRACE LONGSON	999 N PACIFIC ST UNIT C213
GREG & CATHY GRITTERS	999 N PACIFIC ST UNIT E113
GREG & TERRI GAULT	999 N PACIFIC ST UNIT B308
GREG GILMAN	2011 S PACIFIC ST
GREGG & CYNTHIA BASFHORD	999 N PACIFIC ST UNIT E104
GREGG & CYNTHIA BASHFORD	999 N PACIFIC ST UNIT E107
GREGG & CYNTHIA BASHFORD	999 N PACIFIC ST UNIT G2
GRENVILLE NORTH	999 N PACIFIC ST UNIT B304
GWYNNE MARSTILLER	999 N PACIFIC ST UNIT F208
H MACK & G KIM HEMBREE	216 S PACIFIC ST
HARBOR INN & SUITES	1401 N COAST HWY
HELEN MCCOY	1317 S PACIFIC ST APT C
HELEN MCCOY	1317 S PACIFIC ST APT A
HILDEGARDE C SHAW	506 CANYON DR UNIT 24
HILL TOP	1607 S COAST HWY
HOLIDAY INN EXPRESS	3170 VISTA WAY
HOLIDAY INN OCEANSIDE MARINA CALIFORNIA	1401 CARMELO DR
HUGH & BARBARA PURSER	999 N PACIFIC ST UNIT G323
IDCA, INC	999 N PACIFIC ST UNIT E7
IRIS AGANIAN	999 N PACIFIC ST UNIT B200
IRVING & JEAN FORMAN	999 N PACIFIC ST UNIT E312
IRVING & JEAN FORMAN	999 N PACIFIC ST UNIT F300
IRVING & JEAN FORMAN	999 N PACIFIC ST UNIT D6
IRVING & JEAN FORMAN	999 N PACIFIC ST UNIT F310
IRVING & JEAN FORMAN	999 N PACIFIC ST UNIT F301
JABIR KASUBHAI	999 N PACIFIC ST UNIT A226
JACEK & GRAZYNA SOBZAK .	999 N PACIFIC ST UNIT A206
JACK CHEN	408 N CLEVELAND ST
JACKIE MATSON	855 HARBOR CLIFF WAY UNIT 312
JACKIE MATSON	855 HARBOR CLIFF WAY UNIT 316
JACKIE PRANTE	704 N THE STRAND # 4
JAMES & ANITA BRUSSO	1920 S PACIFIC ST # A
JAMES & JANE MACNAB DOW	999 N PACIFIC ST UNIT E206
JAMES & KERRI DESMONT TRUST	999 N PACIFIC ST UNIT D32
JAMES & LEA HENNENHOEFER	1303 S PACIFIC ST
JAMES & LOAN CRAWFORD	999 N PACIFIC ST UNIT C105
JAMES & SANDRA COUCH	999 N PACIFIC ST UNIT F113
JAMES CRAWFORD	999 N PACIFIC ST UNIT E208

Business Name	Street Address
JAMES H KLEIN	512 N DITMAR ST
JAMES MACPHERSON	1809 S PACIFIC ST
JAMES MERRIMAN	999 N PACIFIC ST UNIT B325
JAMES MURRAY	999 N PACIFIC ST UNIT C302
JAMES MURRAY	999 N PACIFIC ST UNIT F101
JAMIE WINN	209 WINDWARD WAY
JAY OTERO	999 N PACIFIC ST UNIT D205
JEANINE NEWMAN-REYNOLDS	517 S TREMONT ST
JEFF & TAMMY STRAND	1113 S PACIFIC ST
JEFF,WILLIAM,BARBARA KRAUS	1401 S PACIFIC ST #101
JEFFERY POWELL	1747 S PACIFIC ST
JEFFREY BRADLEY & CATHERINE BROWN	999 N PACIFIC ST UNIT D18
JERRIANN MATTARE	1128 TAIT ST A
JESSE LYND	1715 S TREMONT ST
JILL COBB	675 N TREMONT ST
JIM & BECKY PALSMEIER	704 N THE STRAND # 10
JIM & SUSIE WEST	999 N PACIFIC ST UNIT G116
JIM DERRINGTON	1445 S PACIFIC ST UNIT C
JOAN & JILL REISS	999 N PACIFIC ST UNIT G28
JOE & RENEE CONCIALDI	805 HARBOR CLIFF WAY UNIT 210
JOE CUSANELLI	999 N PACIFIC ST UNIT A13
JOHN & ANNE HOGAN	999 N PACIFIC ST UNIT F311
JOHN & JOANN GRAHAM	999 N PACIFIC ST UNIT D204
JOHN & JODY NAKASHIMA/DOD & MARY BATEMAN	653 N TREMONT ST
JOHN & MARGRET FOX	2176 S COAST HWY
JOHN & RONDA PAXTON	704 N THE STRAND # 23
JOHN BICKMORE	999 N PACIFIC ST UNIT G202
JOHN BRASCH	1923 S PACIFIC ST
JOHN FITZGERALD	999 N PACIFIC ST UNIT B211
JOHN HARPER	1445 S PACIFIC ST UNIT M
JOHN HOUSTON	621 N PACIFIC ST UNIT 204
JOHN HUNTER	999 N PACIFIC ST UNIT D31
JOHN MATTE	473 N CLEVELAND ST
JOHN SHERLIN	999 N PACIFIC ST UNIT G306
JOHN WARDE	1445 S PACIFIC ST UNIT B
JOREGE MARISCAL	999 N PACIFIC ST UNIT F211
JOSEPH & CHERYL SANDERS	1020 S PACIFIC ST
JOSEPH CUSANELLI	999 N PACIFIC ST UNIT D1
JOY WHIPPLE	999 N PACIFIC ST UNIT G317
JOYCE WILSON	221 S PACIFIC ST # A
JUDY DOYLE	999 N PACIFIC ST UNIT G203
JUDY KESSLER	999 N PACIFIC ST UNIT E307
JUDY PAINTER	999 N PACIFIC ST UNIT A203
JULIE MAULE	999 N PACIFIC ST UNIT D113

Business Name	Street Address
KAREN FAZZINI	999 N PACIFIC ST UNIT D106
KAREN HANSEN	999 N PACIFIC ST UNIT D12
KAREN KREMPELS	704 N THE STRAND # 14
KAREN STERNS	999 N PACIFIC ST UNIT G325
KATHERINE TRUDEAU	999 N PACIFIC ST UNIT C111
KATHRYN BLANKINSHIP	999 N PACIFIC ST UNIT E1
KATHY & DAVID BAPTISTA	999 N PACIFIC ST UNIT G218
KATIE & KEN SHULL	999 N PACIFIC ST UNIT D10
KEITH & LAURE DIETTERLE	999 N PACIFIC ST UNIT G119
KEITH & SUSAN HOROWITZ	999 N PACIFIC ST UNIT F103
KELLY, PEARCE & O'HARA	999 N PACIFIC ST UNIT F102
KEN & DEENA ALTMAN	1823 S PACIFIC ST
KEN HOWARD	999 N PACIFIC ST UNIT E308
KEN HOWARD	999 N PACIFIC ST UNIT E106
KEN MARGULIS	1443 S PACIFIC ST # B
KENNETH & DIANE WOLTERS	999 N PACIFIC ST UNIT D4
KEVIN GANTOS	999 N PACIFIC ST UNIT D103
KIM DILLON	1019 S PACIFIC ST
KIM DILLON	1007 S PACIFIC ST
KIMBERLY OWENS	1511 S PACIFIC ST
KOZMA-BUSH TRUST	999 N PACIFIC ST UNIT B223
KURT MAES	999 N PACIFIC ST UNIT D11
LA QUINTA OCEANSIDE	937 N COAST HWY
LAND'S END	308 S THE STRAND
LARRY & KRISTINE TATE	999 N PACIFIC ST UNIT A123
LARRY AND CHRISTINE RIPLEY	999 N PACIFIC ST UNIT D17
LARS & DOMINIQUE SORENSEN	999 N PACIFIC ST UNIT D23
LEE ADAMS	999 N PACIFIC ST UNIT A119
LEEDS PROPERTIES, LLC	821 S PACIFIC ST (ADDRESS IS 817-819 S
LEN FIFER	999 N PACIFIC ST UNIT B326
LENIN & ANILA ARTHANARI	405 S MYERS ST UNIT 1
LEWIS BOARD/MARIJANE SCHAFER	999 N PACIFIC ST UNIT B217
LIDIA RIDDER	999 N PACIFIC ST UNIT E207
LINDA & DOUG RESSEL	999 N PACIFIC ST UNIT F202
LISA MCKETHAN	825 HARBOR CLIFF WAY UNIT 269
LITE INVESTMENTS LLC	668 N CLEVELAND ST
LITE INVESTMENTS, LLC	407 N TREMONT ST
LORA LEE STEPHENS	2007 S PACIFIC ST
LOUANN GIGANTE	999 N PACIFIC ST UNIT G32
LOUISE CURCIO	2036 S PACIFIC ST
LYDIA COOPER	999 N PACIFIC ST UNIT A21
LYDIA FRANCIS	999 N PACIFIC ST UNIT A216
LYNNE TUFTS	312 S THE STRAND #1 & #4
MANUEL & JACKIE POWERS	999 N PACIFIC ST UNIT G305

Business Name	Street Address
MARCIA LUCAS	999 N PACIFIC ST UNIT F10
MARINA COMFORT SUITES	888 N COAST HWY
MARINA DEL MAR	1202 N PACIFIC ST
MARK & ANDREA ALTON	999 N PACIFIC ST UNIT B307
MARK & CAROL ARNESEN	999 N PACIFIC ST UNIT E17
MARK JUDSON	600 N THE STRAND UNIT 49
MARK R JUDSON	3377 GOLFERS DR
MARK STERNS	999 N PACIFIC ST UNIT G326
MARK WILSON	999 N PACIFIC ST UNIT C3
MARTIN & COLLEEN VINCENT	910 S PACIFIC ST APT 4
MARY ANN STROUD	1507 S PACIFIC ST
MARY JANE JUNGE	999 N PACIFIC ST UNIT A316
MARY JANE JUNGE	999 N PACIFIC ST UNIT A315
MARY SPITZ	1925 S MYERS ST
MATT & DARLENE WATERS	999 N PACIFIC ST UNIT A117
MATT & RHONDA RYDBERG	999 N PACIFIC ST UNIT D21
MATTSON,COLLINGS,MOFFTS, CARVER	999 N PACIFIC ST UNIT B208
MAXWELL FIELDING	152 S PACIFIC ST UNIT 1
MERRILL & DEBORAH EVERETT	999 N PACIFIC ST UNIT B220
MICHAEL & JEAN GRAFFIUS	999 N PACIFIC ST UNIT A201
MICHAEL & KATHLEEN THOMPSON	999 N PACIFIC ST UNIT C7
MICHAEL CAMPION	999 N PACIFIC ST UNIT G1
MICHAEL CAMPION	999 N PACIFIC ST UNIT E15
MICHAEL E CONTINI	999 N PACIFIC ST UNIT E3
MICHAEL J HYNEMAN	1019 COSTA PACIFICA WAY UNIT 1102
MICHAEL J HYNEMAN	999 N PACIFIC ST UNIT C109
MICHELE GUTIERREZ	999 N PACIFIC ST UNIT G219
MIKE & DIANE BURTON	405 S MYERS ST UNIT 6
MIKE & DIANE BURTON	405 S MYERS ST UNIT 2
MIKE & JACKIE WILLEN	999 N PACIFIC ST UNIT F105
MIKE & JACKIE WILLEN	999 N PACIFIC ST UNIT D109
MILLENIUM TRUST COMPANY, LLC	999 N PACIFIC ST UNIT C102
MILLIE BIRCHALL	723 N TREMONT ST
MOE & CHARLYNE PACK	312 S THE STRAND
MOHAMED NEWERA	999 N PACIFIC ST UNIT E105
MONIQUE & MIKE BOORE	999 N PACIFIC ST UNIT D101
MOTEL 6 #679	3708 PLAZA DR
MOTEL 6 OCEANSIDE #4208	909 N COAST HWY
MOTEL 9	822 N COAST HWY
MULTI RESORT OWNERSHIP PLAN, INC	711 S MYERS ST
NANCY BARNA	999 N PACIFIC ST UNIT G318
NANCY BARNA	999 N PACIFIC ST UNIT G300
NANCY BARNA	999 N PACIFIC ST UNIT G37
NCV B-205 LLC	999 N PACIFIC ST UNIT B205

Business Name	Street Address
NCVA314, LLC	999 N PACIFIC ST UNIT A314
NEEDS NAME	902 S PACIFIC ST
NEIL TORSTENBO	616 ROCKLEDGE ST
NICHOLAS & SUEANNE RORICK	110 S PACIFIC ST
OCEAN BREEZE INN	2020 S COAST HWY
OCEANSIDE BEACH VACATIONS INC	999 N PACIFIC ST UNIT G25
OCEANSIDE INN & SUITES	1820 S COAST HWY
OCEANSIDE MARINA INN	2008 HARBOR DR N
OCEANSIDE PACIFIC STREET LLC	1745 S PACIFIC ST
ONE STOP ENTERPRISES INC	607 N PACIFIC ST
PACIFIC INN (MOTEL 6)	901 N COAST HWY
PACIFIC SHORE PLATINUM	1442 CAMINO DEL MAR STE 205
PAMELA C KROCHALK	999 N PACIFIC ST UNIT F212
PAMELA C KROCHALK	999 N PACIFIC ST UNIT B213
PAMELA J BEEKMAN	999 N PACIFIC ST UNIT C202
PAMELA K HAYES	999 N PACIFIC ST UNIT B324
PARADISE BY THE SEA	999N PACIFIC ST UNIT B313
PAT CUNNINGHAM	621 N PACIFIC ST UNIT 104
PATRICIA C SMITH	999 N PACIFIC ST UNIT B322
PATRICIA HEDGES	999 N PACIFIC ST UNIT F100
PATRICIA HOPPER	706 N CLEVELAND ST A & C
PATRICK & PENNY LEONE	999 N PACIFIC ST UNIT C311
PAULINE MCGETTIGAN	416 N TREMONT ST
PCA ELECTRONICS	999 N PACIFIC ST UNIT D28
PEKKA LILELUND	3528 PASEO DE LOS AMERICANOS #121
PERRY L COLES, TRUSTEE	69 SAINT MALO BCH
PETE REEB	999 N PACIFIC ST UNIT B7
PETER & TATJANA LESZCZYNSKI	3524 PASEO DE LOS AMERICANOS UNIT 110
PETER BOYLE	999 N PACIFIC ST UNIT F205
PETER LINDSTROM	999 N PACIFIC ST UNIT D34
PHILIP & DENISE NEWEY	704 N THE STRAND # 21
PHYLLIS FISH	1135 S PACIFIC ST # A
QUALITY INN & SUITES	1403 MISSION AVE
RAFIK GIRGIS	999 N PACIFIC ST UNIT E20
RALPH BURR	999 N PACIFIC ST UNIT F209
RAMADA INN	1440 MISSION AVE
RATOWSKI FAMILY LTD	929 S PACIFIC ST
READ & COOKIE MORRIS	999 N PACIFIC ST UNIT E110
REBECCA PETCAVICH	999 N PACIFIC ST UNIT F8
REBECCA WIKENSON & JOY WYCLIFFE	499 N CLEVELAND ST
RENE ANDERSON	999 N PACIFIC ST UNIT A19
RENE ANDERSON	999 N PACIFIC ST UNIT D24
RENE KADNER	913 S PACIFIC ST
RENE KADNER	913 S PACIFIC ST

Business Name	Street Address
RESIDENCE INN BY MARRIOTT OCEANSIDE	3603 OCEAN RANCH BLVD
RESORT RENTALS, LLC	9998 N MICHIGAN RD
REVX PACIFIC NORTH, LLC	811 S PACIFIC ST
REVX PACIFIC SOUTH, LLC	815 S PACIFIC ST
RICHARD & BONNIE HOLT	80 SAINT MALO BEACH
RICHARD & CAROL MAES	999 N PACIFIC ST UNIT D213
RICK & LYNN BOGART	999 N PACIFIC ST UNIT F108
RICK, BILL, AND BOB KNAUF	1205 S PACIFIC ST A
ROBERT & CAMILLE FOSTER	999 N PACIFIC ST UNIT D305
ROBERT & CAMOLLE FOSTER	999 N PACIFIC ST UNIT C305
ROBERT & DANIELLE LITTLE	999 N PACIFIC ST UNIT E100
ROBERT & DJUANA WOODBURN	1128 TAIT ST APT F
ROBERT & DONNA FEES	1201 S PACIFIC ST APT B
ROBERT & JOANNA PERINE	999 N PACIFIC ST UNIT G118
ROBERT & LINDA THOMAS	999 N PACIFIC ST UNIT G322
ROBERT & SUE SMITH	999 N PACIFIC ST UNIT G223
ROBERT & SUSANNA ECKERLE	914 MIRA MAR PL
ROBERT BROOKS	1203 S PACIFIC ST
ROBERT ENRIGHT	1213 S PACIFIC ST
ROBERT FILLION	604 S THE STRAND
ROBERT FRANZ	104 WISCONSIN AVE APT 7
ROBERT M MCDONALD	999 N PACIFIC ST UNIT A323
ROBERT OR JOCELYN SOUTER	400 N PACIFIC ST #117
ROBERT OR KRISTINA DUFFIELD	999 N PACIFIC ST UNIT G200
ROBERT RIGEL	999 N PACIFIC ST UNIT D300
ROBERT RIGEL	999 N PACIFIC ST UNIT E5
ROBERT RIGEL	999 N PACIFIC ST UNIT B315
ROBYN BALDWIN	999 N PACIFIC ST UNIT D102
RODEWAY INN	1103 N COAST HWY
RON & JOAN KEITH	210 S PACIFIC ST # B
RON & JOAN KEITH	210 S PACIFIC ST # A
RON COLE	999 N PACIFIC ST UNIT B103
RONALD LENTO	999 N PACIFIC ST UNIT F306
ROSALIE STAUDENMAYER	999 N PACIFIC ST UNIT D303
ROSALIO LOPEZ	999 N PACIFIC ST UNIT F9
ROSE LEYDEN	621 N PACIFIC ST UNIT 103
ROSEMARY HERNANDEZ	999 N PACIFIC ST UNIT E203
ROSEMARY HERNANDEZ	999 N PACIFIC ST UNIT B105
RUFENER FAMILY TRUST	999 N PACIFIC ST UNIT D5
RULEN & JOYCE JORGENSEN	999 N PACIFIC ST UNIT F312
RUSS AND CARMINA CUNNINGHAM	405 S MYERS ST UNIT 3
SAM ERGIN	1111 S PACIFIC ST
SAMUEL & ANDREA HARD	999 N PACIFIC ST UNIT A306
SAMUEL & LENA REYES	704 N THE STRAND # 31

Business Name	Street Address
SAMUEL & LENA REYES	704 N THE STRAND # 2
SANDRA JANCIC	999 N PACIFIC ST UNIT A312
SANDY BEACH COTTAGE INN	213 S PACIFIC ST APT B
SANDY BEACH INN	213 PACIFIC ST S C-E
SCOTT AND SHARI CARPENTER TRUST	999 N PACIFIC ST UNIT E201
SCOTT IRWIN	999 N PACIFIC ST UNIT E21
SEABREEZE INVESTORS 702, LLC	702 N THE STRAND
SGK, LLC	714 S THE STRAND
SIEGEL FAMILY TRUST	999 N PACIFIC ST UNIT G303
SO CALIFORNIA BEACH CLUB	121 S PACIFIC ST
SOUDACHANH MARCHAND	704 N THE STRAND # 20
STEPHEN K LIGHTFOOT	1723 S PACIFIC ST
STEPHEN MASCHUE	999 N PACIFIC ST UNIT D311
STEVE BISBIKIS	999 N PACIFIC ST UNIT A12
STEVE KILBURN	999 N PACIFIC ST UNIT E301
STEVE MARLEY	999 N PACIFIC ST UNIT A26
STEVE MARLEY	999 N PACIFIC ST UNIT A23
STEVEN & BONNE HILL	999 N PACIFIC ST UNIT F303
STEVEN G WILLIAMS	999 N PACIFIC ST UNIT G14
STIMMEL FAMILY TRUST	999 N PACIFIC ST UNIT C311
STK ARCHITECTURE INC	999 N PACIFIC ST UNIT D7
STRANDS END LIMITED, LLC	809 S PACIFIC ST
STRENK & ELLIOTT	500 N THE STRAND UNIT 62
SUPER 8 MOTEL	3240 MISSION AVE
SUSAN BERLETTE	704 N THE STRAND # 22
SUSAN CAUDILL	999 N PACIFIC ST UNIT D306
SUSAN GEORGE-FONS	999 N PACIFIC ST UNIT A116
SUSAN VIAL	999 N PACIFIC ST UNIT D3
SUSAN WINGATE	999 N PACIFIC ST UNIT B106
SUSIE EK	999 N PACIFIC ST UNIT C101
SUZANNE LEARY	1461 MORENO ST
SUZI SIEGEL	999 N PACIFIC ST UNIT G102
T MARVIN & RUTH C SCOTT	999 N PACIFIC ST UNIT A310
TALISIN & MEGAN BURTON	999 N PACIFIC ST UNIT G206
TAMARA GILDERSLEEVE	306 S STRAND
THE MONTERO 2008 IRREVOCABLE TRUST	4602 TWIN HAVEN RD
THE STRAND COMDOMINIUMS	318 S THE STRAND # 12
THE STRAND CONDOMINIUMS	318 S THE STRAND APT 7
THE STRAND CONDOMINIUMS	318 S THE STRAND APT 10
THE STRAND CONDOMINIUMS	318 S THE STRAND APT 9
THERESE GEE	999 N PACIFIC ST UNIT G304
THOMAS & GERRI CHARLEBOIS	999 N PACIFIC ST UNIT G115
TIBI ZOHAR	2012 STEWART ST
TIM & JULIE EMPEY	427 S CLEMENTINE ST

Business Name	Street Address
TIM BARTOS	999 N PACIFIC ST UNIT D110
TIM FINNELL	999 N PACIFIC ST UNIT E111
TOM & DEBBIE TUCKER	999 N PACIFIC ST UNIT G23
TOM & PATRICIA FRITCH	999 N PACIFIC ST UNIT F305
TOM SEELIG & CAROLYN FELTS	999 N PACIFIC ST UNIT B116
TONY FINIZIO	999 N PACIFIC ST UNIT A309
TOWNLEY 1999 REV TRUST	999 N PACIFIC ST UNIT F200
TOWNLEY 1999 REV TRUST	999 N PACIFIC ST UNIT A303
TROVE THOMAS	999 N PACIFIC ST UNIT C312
USC LLC	1615 S PACIFIC ST
VANESSA SMITH	999 N PACIFIC ST UNIT B117
VELOCITY SPORTS	611 S MYERS ST # 1
VENETIA KUDRLE	1314 S PACIFIC ST A
VICKI NAISH	1640 S PACIFIC ST #3
VICTOR PATENALDE	516 N CLEVELAND ST
VVV RENTAL, LLC	904 N THE STRAND
WALTER & CHERYL CORSON	999 N PACIFIC ST UNIT C107
WARNER LUSARDI	1025 S PACIFIC ST # C
WARNER LUSARDI	1025 S PACIFIC ST # A
WARNER LUSARDI	1025 S PACIFIC ST # B
WENDY DELGADO	999 N PACIFIC ST UNIT E202
WES & KELLY HUGGETT	1305 S PACIFIC ST # B
WES & KELLY HUGGETT	1305 S PACIFIC ST # C
WES & KELLY HUGGETT	1305 S PACIFIC ST # A
WILLIAM BIGGS	1401 S PACIFIC ST #105
WILLIAM D COUSINS	999 N PACIFIC ST UNIT G224
WILLIAM GIRDNER L-FAT, LLC	1229 S PACIFIC ST UNIT A&C
WILLIAM HAYS	999 N PACIFIC ST UNIT A220
WILLIAM S BUCHKO	999 N PACIFIC ST UNIT E108
WILLIAMS FAMILY TRUST	999 N PACIFIC ST UNIT G311
WYNDHAM VACATION RESORTS INC	333 N MYERS ST
ZIAD DABUNI	999 N PACIFIC ST UNIT D20