



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Dom Zanger
District No. 1
Vice-Chair

Kollin Kosmicki
District No. 2
Chair

Mindy Sotelo
District No. 3

Angela Curro
District No. 4

Ignacio Velazquez
District No. 5

Item Number: 1.8

MEETING DATE: 02/11/2025

DEPARTMENT: COUNTY ADMINISTRATION OFFICE

AGENDA ITEM PREPARER: Gracie Rodriguez

DEPT HEAD/DIRECTOR: Henie Ring

SUBJECT:

COUNTY ADMINISTRATIVE OFFICE - H.RING, INTERIM COUNTY ADMINISTRATIVE OFFICER.

Approve Non-disclosure Agreement (NDA) with Civitas Advisors, Inc., a California corporation, declaring its intention to authorize the examination of Sales, Transaction, and Use Tax Records for the purpose of determining the feasibility of forming a Tourism District in San Benito County and preventing the unauthorized disclosure of confidential information, and authorize Board Chair to sign and execute NDA. SBC FILE NUMBER: 119

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

The Property and Business Improvement Law of 1994, California Streets and Highways Code §36600 et. seq., authorizes local government agencies to form a business improvement district ("BID") in order to create jobs, attract and retain businesses, and promote economic growth and revitalization. As part of a BID, improvements, maintenance, and/or activities are funded through the levy of assessments upon the businesses or real property that receive benefits from the funded improvements or activities.

The County Board of Supervisors on October 8, 2024 received a presentation from Visit San Benito, a non-profit corporation, and approved an appropriation of Economic Development Funds for FY 24/25 and entered into a contract in the amount of \$81,500 to promote tourism in San Benito County. Visit San Benito has contracted with Civitas Advisors, Inc. ("Civitas") to assist with determining the feasibility of forming a Tourism Improvement District and the facilitation of forming such a district if warranted. The district would include the entire county, making the County the lead agency with visit San Benito spearheading the project.

As part of this effort, it is recommended that Civitas be authorized to examine the County Sales and Use Tax records. Civitas is a specialized firm with experience in assisting local governments and groups in forming various types of business improvement districts, including Tourism Districts, hospitality improvement, restaurant improvement, and beverage improvement districts respectively. Given the confidential nature of the data, State law requires the governing body to have a Non-disclosure agreement (NDA) and/or resolution in place prior to the disclosure of information. The proposed NDA for the County's adoption authorizes key county positions; Hinderliter, de Lamas and Associates (HDL), the County's current Sales and Tax Use analysis consultant with this authorization and Civitas to view the County's sales and transaction and use tax records.

Alternatives

The Board could choose not to adopt the NDA. Staff does not recommend this option

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

No

CONTRACT NEEDED FOR THIS ITEM:

No

RFP AND BID HISTORY:

The County Board of Supervisors have previously approved a Non-disclosure agreement with Civitas that was brought forward August 8, 2022 for the feasibility of a Wine Heritage District.

LAST CONTRACT AMOUNT OR N/A:

N/A

CONTRACT HISTORY (Describe all amendments and previous contracts):

N/A

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

Yes

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

BUDGETED:

N/A

BUDGET ADJUSTMENT NEEDED:

N/A

SOURCE OF FUNDING:

N/A

UNFUNDED MANDATE:

N/A

SBC BUDGET LINE ITEM NUMBER:

N/A

CURRENT FY COST:

N/A

STAFF RECOMMENDATION:

1. Approve Non-disclosure Agreement (NDA) with Civitas Advisors, Inc., a California corporation, declaring its intention to authorize the examination of Sales, Transaction, and Use Tax Records for the purpose of determining the feasibility of forming a Tourism District in San Benito County and preventing the unauthorized disclosure of confidential information.
2. Authorize Board Chair to sign proposed Non-disclosure agreement.

BOARD ACTION RESULTS:

Approved non-disclosure agreement per staff recommendation. (5/0 vote)

ATTACHMENTS:

[NDA San Benito County SBCTID 02-11-25](#)

[Visit San Benito County Contract \(E\)](#)

[EXT Info Sheet SBCTID](#)

[BOS ORD. NO 193](#)

[Reso. 2018-1 HDL](#)

[HINDERLITER, DE LLAMAS & ASSOCIATES TAX STUDIES](#)

[PPT SBCTID BOS 2-11-25](#)

[Fully Executed Agreement NDA San Benito Co SBCTID](#)