



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: CEO  
Department No.: 012  
For Agenda Of: 3/2/10  
Placement: Administrative  
Estimated Time:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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TO: Board of Supervisors  
FROM: Department Michael F. Brown, County Executive Officer  
Director(s)  
Contact Info: Michael F. Brown, County Executive Officer  
SUBJECT: Transient Occupancy Tax Rate Ballot Measure

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Select\_Concurrence

**Other Concurrence:** Select\_Other

As to form: Select\_Concurrence

**Recommended Actions:**

- a) Sign and submit the attached argument in favor of the ballot measure (K2010) to continue the transient occupancy tax rate at its current level of ten percent to the County Elections Official, and
- b) Sign and submit the attached signature statement pursuant to California Elections Code § 9600.

**Summary Text:**

On February 2, 2010, the Board of Supervisors adopted a resolution proposing to continue the transient occupancy tax (TOT) rate at its current level of ten percent. The Board also authorized the submittal of the TOT rate to the electorate and authorized the County Election Official to place a ballot measure regarding the continuation of the 10% TOT rate on the June 8, 2010 General Election:

*"Shall an ordinance to continue Section 32-12 of the Santa Barbara County Code to sustain the current transient occupancy tax rate of ten percent (10%) upon transients occupying defined hotels located only within the unincorporated area of Santa Barbara County be approved?"*

California Elections Code § 9162 provides that the Board of Supervisors or any member or members of the Board of Supervisors, or any individual voter eligible to vote on the measure or bona fide association of citizens or any combination of voters and said associations may file a written argument with the county elections official for or against any county measure. Pursuant to Elections Code § 9164, if an argument is submitted, it must be accompanied by the printed names and signatures of the person or persons submitting it, or, if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers. Any arguments related to a measure as well as the impartial analysis will be printed and enclosed with the measure on each sample ballot.

This item is before the Board of Supervisors to consider submitting an argument, by the Board of Supervisors, in favor of the continuation of the ten percent TOT to the County Elections Official.

**Fiscal Analysis:**

Narrative: If the electorate does not approve the continuation of the TOT at ten percent, the TOT will revert to eight percent. The two percent loss of TOT is estimated at \$1.2 million in fiscal year 2010-11.

**Special Instructions:**

**The Clerk of the Board should submit the argument and the signature statement to the County Elections Department to the attention of Billie Alvarez, Chief Deputy Registrar of Voters, after Board adoption of the item. Deadline for submittal of argument to Elections is March 3, 2010.**

**Attachments:**

1. Proposed Argument in Favor of K2010
2. Signature Statement

**Authored by:**

**CC:**

Dennis Marshall, County Counsel  
Anne Rierson, Deputy County Counsel  
Bob Geis, Auditor-Controller  
Joe Holland, Clerk Recorder Assessor

## ARGUMENT IN FAVOR OF MEASURE K2010

For the last twenty years, visitors staying in hotels and other lodging in unincorporated County areas have been paying a 10% tax. This transient occupancy tax, or "hotel bed tax," is a general tax imposed upon hotel guests and is equal to 10% of the daily room rate. Voting for this measure will keep the 10% rate in place. If voters do not approve this measure, the hotel tax will revert to 8% and the County will lose an estimated \$1.2 million in revenue for the next fiscal year and thereafter.

Hotel taxes currently make up 3% of the County's total source of revenues. These revenues are used to help pay for general government services such as public safety, law and justice, health and parks. Public Safety-Sheriff, Fire and Probation-and justice departments receive 56% of the County's General Fund. This is used for fire suppression, patrol services, crime prevention, prosecution of criminals, gang enforcement and operating the juvenile hall and jail. The General Fund also contributes to health clinics, children's services, libraries and parks. If the voters do not approve continuing the hotel tax at 10%, then funding cuts will need to be made to various services starting on July 1, 2010.

If the voters do not approve keeping the tax rate at 10%, then the County will also receive less revenue in the future. Any future visitors coming to the County and staying at hotels will pay less in hotel taxes. Action by voters on June 8<sup>th</sup> will have a long-term impact on the County, its ability to generate revenue and to pay for services.

Board of Supervisors of the County of Santa Barbara

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Salud Carbajal,  
1<sup>st</sup> District Supervisor

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Janet Wolf  
2<sup>nd</sup> District Supervisor

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Doreen Farr,  
3<sup>rd</sup> District Supervisor

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Joni Gray,  
4<sup>th</sup> District Supervisor

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Joseph Centeno,  
5<sup>th</sup> District Supervisor

# SIGNATURE STATEMENT

(Elections Code Section §9600)

All arguments concerning measures filed pursuant to Division 9 of the Elections Code shall be accompanied by the following statement to be signed by each author of the argument. Names and titles listed will be printed in the voter's Sample Ballot in the order provided below and will appear as indicated below.

"The undersigned author(s) of the:

- ☒ argument in favor of  
☐ argument against  
☐ rebuttal to the argument in favor of  
☐ rebuttal to the argument against

Ballot measure (insert letter) K2010 at the General  
(Type of election: primary, general, special)  
election for the County of Santa Barbara  
(Jurisdiction – Name of District)  
to be held on June 8, 2010 hereby state that such argument  
(Election Date)  
is true and correct to the best of their knowledge and belief."  
(his/her/their)

The signatures of the following persons will be printed as submitted below following the argument or rebuttal.

SIGNATURE	<u>PRINT</u> NAME	<u>PRINT</u> TITLE AND NAME OF ASSOCIATION (if applicable)	Signing on behalf of an association? YES or NO*	DATE
	Salud Carbajal	Board of Supervisors	YES	3/2/2010
	Janet Wolf	County of	YES	
	Doreen Farr	Santa Barbara	YES	
	Joni Gray		YES	
	Joe Centeno		YES	

\* If the argument or rebuttal is being signed by a principal officer on behalf of an association that is supporting or opposing the measure, the name of the association will appear on the first line, followed by the principal officer's name and title on the second line as the example illustrates:

Santa Barbara County Citizens Group  
s/ Jill Citizen, Chair