



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: Auditor-Controller,
County Executive
Office

Department No.:

For Agenda Of: March 6, 2012

Placement: Departmental

Estimated Time: 30 Minutes

Continued Item: NA

If Yes, date from:

Vote Required: Majority

TO: Board of Supervisors

FROM: Robert W. Geis, Auditor – Controller
Chandra L. Wallar, County Executive Officer

STAFF

CONTACT: Greg Levin, CPA Auditor – Controller
Advanced and Specialty Accounting Division

SUBJECT: Proposed Santa Barbara County Hotel Incentive Program (HIP)

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

Direct staff to prepare and return to the Board of Supervisors for consideration, an ordinance to amend Chapter 32, Article II of the County Code to incorporate a proposed Hotel Incentive Program into the County of Santa Barbara's existing "Transient Occupancy Tax."

Summary Text:

The current recession has been the longest and deepest since the Great Depression. Significant levels and length of unemployment, a profound decline in property values resulting in foreclosures, financial and political instability around the globe and limited business investment capital have resulted in five years of difficulty at most all levels and sectors of the economy both public and private .

The Board's recently approved legislative platform supports the development of employment opportunities, job growth and community economic vitality. With the demise of Redevelopment

Agencies in the State of California, local governments have fewer tools by which they can stimulate economic vitality within their jurisdiction. Incentives can play a vital role in helping encourage businesses to move forward during the ongoing economic challenges.

Accordingly, many local jurisdictions have developed programs to stimulate economic vitality by using their taxing powers. The County has a vested interest in developing sustainable local business; moreover, the general well-being of our residents depends in large measure on a vibrant tourism industry which, according to data published by the University of California at Santa Barbara (UCSB) Economic Forecast project generated over \$1.4 billion in visitor spending within the County during calendar year 2008.

The proposed Hotel Incentive Program (HIP) seeks to establish a vehicle for the County to actively participate in economic vitality by offering a Transient Occupancy Tax Rebate to developers and operators of new luxury hotel properties in the unincorporated areas of the County and also to existing hotel operators and owners who are seeking to significantly renovate existing properties. The program as proposed is designed to stimulate economic activity in the unincorporated areas of Santa Barbara County and increase County property and sales tax revenues which, as a result, would increase the amount of money that flows to special districts and schools.

Background:

Opportunity to Increase Economic Vitality

In alignment with the Board's legislative platform to support the development of employment opportunities, job growth and community economic vitality, incentives can play a vital role in helping encourage businesses to move forward during the ongoing economic challenges. The hospitality and tourism sector is the second largest economic sector in the local economy and is particularly vulnerable during the difficult economic conditions of the last few years. Declining property values and significant reductions in leisure travel have made the development of new or the enhancement of existing properties a difficult business decision. Incentivizing the actual building of approved hotel projects could create hundreds of construction and hospitality jobs that create a positive ripple effect through the entire local economy. A new or enhanced facility is expected to bring thousands of additional visitors to eat in local restaurants, shop with local merchants and pay for other services.

One economic support strategy used in other communities is a Hotel Incentive Program (HIP) that provides financial incentives to enable property owners and developers to secure capital funding for construction of new or enhanced hotels by deferring the collection of the Transient Occupancy Tax (TOT). At the same time, the County realizes expanded economic activity, increased property values and growth in employment generated by the construction and operation of new and expanded facilities. The key principle of the HIP is that increased economic vitality benefits the construction and hospitality industry, other local businesses and local governments through increased property and sales tax.

Opportunities to Increase Tax Revenue

The current recession has resulted in significant unemployment, declining property values and limited business investment capital. Government has experienced reduced revenues as a result of the

poor economy while at the same time demands for service from the public and the cost of delivering that service have dramatically increased. In response to the widening gap between expenses and revenue, the Board has received salary and benefit concessions from members of all general labor unions, increased the employee share of benefit costs, furloughed employees, consolidated departments to reduce costs and enhance service delivery, cut non-essential services and reduced the number of county employees to pre-1994 levels.

As the Board is aware, continuing to reduce costs by cutting services could mean a widening gap in meeting the needs of our residents. Staff continues to explore and bring forward options for new or additional revenues. Before the Board today is an option that incentivizes the timely construction of tourism properties to their maximize the assessed value, generate sales tax and provide much needed employment by rebating some or all of their TOT.

Many California local jurisdictions have begun economic incentive programs designed to stimulate investment in tourism properties due to the recession driven decline in the construction and hospitality industry and significant changes in financing packages available to tourism property developers. The local governments that have taken a programmatic approach include the City of Palm Springs and the City of Anaheim. The City of Los Angeles appears to have taken a project specific approach to providing economic incentives; projects that received economic incentives include the LA Live complex, the Wilshire Grand Hotel and the Mandarin Oriental Hotel. Other single projects that received economic incentives within California include the Ritz-Carlton Rancho Mirage and the Terranea Resort in Rancho Palos Verdes.

Upon review, the various incentive programs all appear to be focused around revitalization of an existing tourism area and/or improvement of underperforming economic assets. One commonality noted in the projects is that usually the incentive comes with guarantees from the project developer to perform specific improvements and to maintain those improvements at a specific level. Still in the conceptual phase, the proposed Hotel Incentive Program (HIP) is intended to mirror the programmatic approach developed by the City of Palm Springs.

Proposed Hotel Incentive Program: Conditions of Participation

The proposed HIP program would seek to emphasize the development of hotel properties that accentuate Santa Barbara's current status as a high end luxury tourism destination with an abundance of outdoor and recreation opportunities as well as a vibrant local arts and entertainment community. While staff is seeking direction prior to developing the final program for the Board's consideration, it is envisioned that the program would include general conditions requiring that participants:

- Complete the entitlement process, construction and receive all final occupancy clearances within a specified period of time (currently proposed to be four years from project approval) to receive the full benefit of the program.
- Maintain the property as a luxury property in accordance with accepted hospitality and tourism industry standards for the duration of the rebate period.
- The amount of the rebate incentives could be tied to the maintenance of a certain assessed property value (construction valuation) for property tax purposes (i.e. if the property taxes decline, so would the rebate given to the operator).
- Operate the facility in keeping with other covenants as deemed reasonably necessary by the Board of Supervisors at the time of certification of the application.

Proposed General Eligibility Criteria

- Project located in an unincorporated area of the County.
- Project must have received final development plan approval.
- Owner or developer must demonstrate the financial capability to implement the project as entitled, including demonstrating that the necessary financing to complete the project can be obtained.
- Owner or developer must agree to maintain adequate records of construction and agree to allow for the County to audit such records on an annual basis.
- Owner or developer must agree to pay an application fee to defray the County's cost of administering the program and processing the application.

Additional Criteria for New Hotel Projects

- Expected construction budget of at least \$50 million.

Additional Criteria for Renovation Projects

- Expected total renovation budget is the equivalent average of \$50,000 per room; or at least \$1 million in ancillary non-hotel room facilities and/or space.

Proposed HIP Rebate Incentive

The rebate incentive could vary depending on whether or not the project is a new hotel project or a renovation project.

New Hotels

A new hotel project could be described as a complete, from the ground up development, or a complete, from the ground up development post demolition of an existing property. For new hotel projects, the suggested rebate is 100% of Transient Occupancy Tax (TOT) generated by the property for a period of 10 years, but in no case would the rebate period extend more than 14 years past the date the Board approves application for participation in the program.

Hotel Renovations

A hotel renovation project would substantially improve an existing and operating hotel property. For hotel renovation projects, the planned rebate is 50% of Transient Occupancy Tax (TOT) growth following the renovation. The rebate period would be valid for 10 years, but in no case would the rebate period extend more than 12 years past the date the Board approves application for participation in the program.

Impact of Changes to the County TOT Ordinance

Should the County, or its residents, determine to raise or otherwise alter the existing Transient Tax Ordinance; the rebate incentive could be limited to the amount of the Transient Occupancy Tax levy (10%) in place at the time the rebate is awarded.

Assignment of Rebate

Participation in the rebate program is envisioned to transfer to the new owner, subject to County approval, should a participating property be sold during the rebate participation period.

Legal Validation

Several other California jurisdictions have implemented Transient Occupancy Tax rebate programs; however, each program is unique to its jurisdictional requirements. Depending on its terms, the proposed HIP amendments and/or other amendments to County Code Chapter 32 could present legal risks to the County. If the Board directs staff to return to the Board with draft amendments, and the Board then votes to approve specific amendments, the Board could then direct County Counsel to pursue a statutory “validation action.” A “validation action” would allow the County to obtain an advance judgment that its financing commitments are valid, legal and binding.

Performance Measure:

The program is designed to stimulate the local economy and provide an overall net positive impact on County revenues by working to increase the assessed value of properties on the County property tax roll. The measure of this would be increases to the assessed property values of participating properties greater than the lost TOT.

Fiscal and Facilities Impacts:

Provided as an attachment, is a case study of the Miramar Beach Resort which is intended to illustrate that project’s potential financial impacts, to the County and other local governments, assuming project approval and participation in the HIP program. Our analysis indicates a positive first year impact to the County of approximately \$300,000. Historical information suggests that new hotel properties tend to generate significant impacts on local tourism and trade. In the attached case study, we estimated that the project would generate nearly \$1,500,000 in annual sales tax revenue; \$500,000 of which would directly benefit local governments in the region. We used historical and comparable hotel sales tax return information to develop our estimate.

Attachments:

Analysis of Economic Incentives for the Revitalization of Miramar Beach Resort

Authored by:

Gregory Levin, CPA, Office of the Auditor – Controller, Advanced and Specialty Accounting Division

cc:

Tom Alvarez, CEO Budget Director
Mike Ghizzoni, Assistant County Counsel
Glen Russell, PhD, Planning Director

Preliminary Analysis of Economic Incentives for the Revitalization of Miramar Beach Resort

Prepared by the Auditor – Controller's Office , Advanced Accounting Division

January 6, 2012

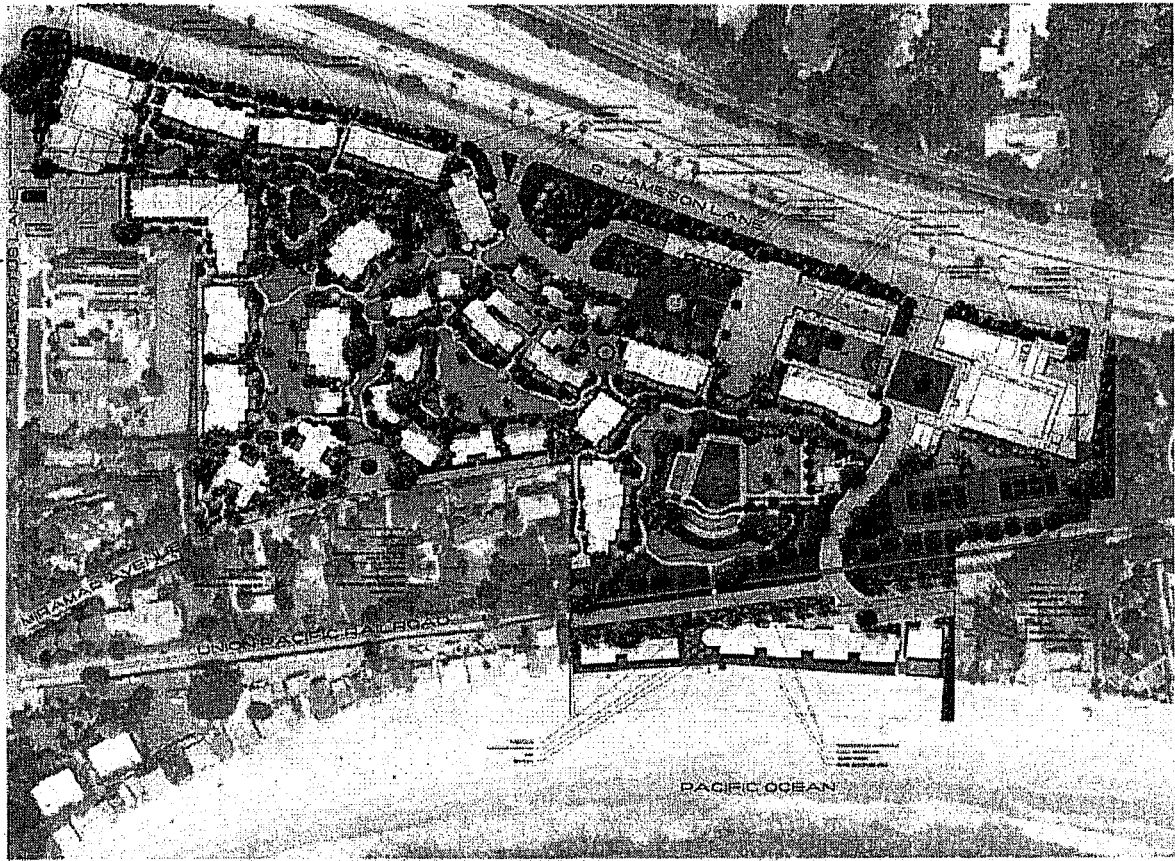


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EXECUTIVE SUMMARY

Summary Analysis

Hotel projects are major tax generators because they pay local property taxes, state and local sales tax, and transient occupancy taxes. New high-end luxury hotels in the unincorporated County are most likely to end up in the top ten tax generators within the County.

Significant Property Tax Revenue Enhancement to the County of Santa Barbara

The proposed development is anticipated to result in an approximate \$256 thousand annual increase in property tax revenue to the County general fund that could provide additional funding for governmental services. It is also anticipated to provide \$23 thousand to the County Flood Control District, upon construction. Property taxes can also increase annually with inflation up to 2%.

Significant Property Tax Revenue Enhancement to Montecito Fire

The proposed development is anticipated to result in an approximate \$176 thousand increase in annual revenue to the Montecito Fire Protection District.

Significant Property Tax Revenue Enhancement to Montecito Schools and Education

The proposed development is anticipated to result in an approximate \$650 thousand increase in annual revenue to the School districts in which the project resides. The Montecito Union School District is a basic aid district and would retain their whole share of property tax, approximately \$156 thousand annually. The Santa Barbara City College District would receive \$68 thousand annually. The remainder of \$426 thousand would benefit the Local/State funded County Average Daily Attendance school districts, including the Santa Barbara High School District. This would provide significantly more funding for local schools.

Significant Sales Tax Revenue Enhancement to State and Local Government funding

The proposed development could generate approximately \$20 million in annual taxable sales and that results in the generation of approximately \$1.5 million in sales tax annually. This estimate was developed by comparing the project to currently operating south coast luxury hotels. Using the current 7.75% tax rate, 5.25% goes to State government programs that include schools and colleges. While 2.5% or \$500 thousand goes to local programs including the County general fund, roads, transportation, social services, health and mental health programs. In subsequent years this number would likely increase due to inflation. The developer has provided other estimates indicating they believe sales tax returns will be as high as \$1.8 million.

Significant Transient Occupancy Tax Revenue Generation

Based on a comparative analysis of the returns from currently operating south coast luxury hotels we believe that the proposed development would result in an estimated \$1.5 million of Transient Occupancy Tax (TOT) revenues. Therefore strong occupancy rates and high-end room prices could drive this tax source upwards.

Creating a path forward for economic development in unincorporated areas

The proposed development could create 1000 construction and trade jobs and 200 ongoing jobs estimated by the developer to bring an additional \$10 million of payroll to the County. This is in addition to bringing in visitors that shop in local county stores. Due to state budget cuts, reductions in local revenue sources, and potential demise of Redevelopment Agencies in California, local jurisdictions like the County are being limited in the manner in which they can promote economic development in their communities. The establishment of a program to expedite development of approved projects, if successful, may serve as a demonstration of how economic development can be approached by the County in the future.

Elimination of an eyesore on Santa Barbara County's South Coast

The Miramar property fronts the Pacific Ocean adjacent to the 101 freeway - the County's main traffic corridor- south of the City of Santa Barbara and the largest tourism area in the County. It is for all intents and purposes, right in the middle of the gateway to Santa Barbara County when traveling north from the Los Angeles region. In its current condition, this large ocean front beach property is an eyesore and given its relative size and proximity to the Freeway, it is a salient eyesore to visitors as they progress through the south coast region to the City of Santa Barbara. Accordingly, this project has the potential to eliminate this eyesore from this important view shed as visitors travel into the county.

Key Project Policy Considerations and Risks

Additional details are provided in the Policy Issues section of this document.

- Determining the appropriate legal vehicle necessary to implement any incentive.
- Determining the viability of the project.
- Protecting the county from a significant property tax appeal.

BACKGROUND

On December 9, 2008 the Santa Barbara County Board of Supervisors (“the Board”) approved a Development Plan, four Conditional Use Permits and Coastal Development Permit for the Miramar Beach Resort and Bungalows project (“the originally approved project”). The Board’s approval was then appealed to the California Coastal Commission by several neighbors who subsequently withdrew their appeal on April 6, 2009, making this date the effective approval date of the originally approved project.

On March 15, 2011, the Board approved an amended project plan (“the amended project”) with a slightly smaller development footprint. On the same date, the Board also provided the developer with a two year extension of the Coastal Development Permit associated with the originally approved project extending its life to April 2013. The Coastal Development Permit for the amended project is set to expire on March 15, 2012 but can be extended until 2015 if several time extension requests are approved by the Board. The developer may construct either version of the Miramar project as both approvals are currently valid. However, Caruso Affiliated has stated clearly their intent to pursue the amended project due to funding constraints.

The Miramar	
Square Feet	259,000 Sq. Ft.
Number of Rooms	186
Ballroom Capacity	500
Other amenities	Beach club and spa
Project Cost Est.	\$170,000,000

The amended project is an approximately 260 thousand square foot (258,860 gross square feet of development including one level of underground parking) resort complex with 186 guest rooms, a 500 person ballroom with conference facilities, two onsite restaurants, spa, and a beach club. The estimated value of the project would be approximately \$170 million. The development site is currently occupied by a dilapidated hotel that has been vacant for nearly 15 years and as a result, this significant beach front property has been an underutilized community asset for that time. If constructed the project provides for enhanced public access to the surrounding beach areas and also provides hospitality facilities furthering the Santa Barbara County’s status as a world class tourist destination.

During the period subsequent to the original plan approval, the global economy and more specifically, the Hospitality and Tourism Industry experienced a severe recession and credit crunch. Consequently, the risk for the luxury lodging sector increased dramatically and revenue and occupancy projections have been reduced industry wide. Most of the traditional sources of financing are not available, and the cost of financing hotel projects has increased significantly, negatively impacting the economic feasibility of the Miramar project. The Developer reports that the project is under threat of not being completed as a result of the cost of capital needed for the development.

The purpose of this memorandum is to preliminarily evaluate the economic impact that the Miramar would have on the surrounding region if constructed and to ask the Board for direction on further exploring the possibility of providing an economic development incentive to the Developer, Caruso Affiliated, in order to assist the developer in obtaining the necessary financing to complete the project.

COMPARISON WITH SIMILAR EXISTING PROGRAMS

In light of the decline in the lodging industry, many other California local jurisdictions have begun economic incentive programs designed to stimulate investment in tourism properties, while others have taken a more project specific approach. Some of these programs were put in place prior to the recession in order to stimulate the development of luxury hotels, which are generally a riskier investment than other hotel classes, even in stable economic times. The jurisdictions that have taken a programmatic approach include the City of Palm Springs and City of Anaheim. The City of Los Angeles appears to have taken a project specific approach to economic incentives; these projects include the LA Live Project, the Wilshire Grand Hotel and the Mandarin Oriental Hotel. Other single project incentives include the Ritz Carleton Rancho Mirage and the Terranea Resort in Rancho Palos Verdes.

Upon review the various incentive programs all appear to be focused around revitalization of an existing tourism area and/or improvement of underperforming economic assets. One commonality noted in the projects is that usually the economic development incentive comes



Figure 1: LA LIVE complex at night

with guarantees from the project developer to perform specific improvements and participate in other economic development programs. Examples include guaranteeing a certain level of bed tax or other type concession revenues, maintaining the quality of the property as a Tier 1 luxury hotel, and participating in convention center promotion programs. In Staff's preliminary review of the existing programs, we found the City of Palm Springs to have the most comprehensive approach to incentivizing the development of tourism properties.

Additionally, given Palm Springs' relative status as a high end tourism locale that focuses both on regional and non-regional tourism, we found that jurisdiction to be the most comparable to Santa Barbara County in terms of size and the tourism market. The other jurisdictions, Los Angeles and Anaheim notably, have focused economic development around large entertainment and convention zones (e.g. Staples Arena, Disneyland, Convention Centers).

Additionally, given Palm Springs' relative status as a high end tourism locale that focuses both on regional and non-regional tourism, we found that jurisdiction to be the most comparable to Santa Barbara County in terms of size and the tourism market. The other jurisdictions, Los Angeles and Anaheim notably, have focused economic development around large entertainment and convention zones (e.g. Staples Arena, Disneyland, Convention Centers).

Palm Springs also chose to take a programmatic approach, by creating a defined incentive plan for both Hotel Revitalization and Hotel Construction with different terms being offered and different guarantees required depending on the nature of the project. Ostensibly, any project could then be presented to the City for consideration for incentives. By creating a programmatic approach, the City appears to have avoided the risk that the program is supporting one private corporation at the expense of other market participants.



Figure 2: Palm Springs Riviera Hotel

In addition to the broader and open approach, the Palm Springs program has several policy elements, among other things the program:

- Creates shorter incentive terms for renovation projects (10 years) vs. new construction (20 years).
- Requires the maintenance of properties as Tier 1 luxury resorts
- Requires that Hotels participate in the Palm Springs convention shuttle program.

IMPACT ON COUNTY, SPECIAL DISTRICTS AND THE REGIONAL ECONOMY

The Miramar property is currently sited on six parcels. The project site is bisected by a railroad easement. The combined assessed value of the two most significant parcels is currently \$54.9 million. The resulting property tax generated from the parcels is currently \$568 thousand. This revenue is shared by 16 agencies, and of that the County and its controlled districts receive approximately \$142 thousand with the remainder going to schools and independent special districts. It is worth noting that the current property assessment value is under appeal.

The parcels currently house an old vacated hotel, and as such are currently generating no sales tax or transient occupancy tax revenues. The vacant hotel has no employees and as such generates no contribution to the local economy. The property is for the most part, an eyesore on the coastline adjacent to extremely high value residential and commercial real estate. It is easy to conclude that the property is not currently being operated in a manner that best serves the community.



Figure 3: Miramar at present condition

In evaluating the economic impact of the project on the region we assumed the project would result in an approximate \$170 million development. If the property assessment remained at cost value it could also increase approximately 2% annually under Proposition 13 valuation rules. However, luxury-end hotels after construction sometimes switch to an income based approach to value and the assessment value for property tax purposes could be reduced from its cost value approach under property assessment regulations.

The Miramar (County Projections)	
Total Development Cost	\$170 million
Projected Property Tax	\$1.7 million
Projected TOT Revenue	\$1.5 million
Projected Sales Tax Revenue	\$1.5 million

Preliminary discussions with the developer indicate that the completed project would provide approximately 1000 construction and trade jobs during the course of completion, and then provide the region with up to an additional 200 permanent full and part – time jobs of a variety of skill levels. The developer indicates that the annual payroll of the hotel would be approximately \$10 million. In conducting this analysis we did not validate these statistics, however, even if reduced to a significantly more conservative amount, say, 500 construction and trade jobs, 100 permanent full and part-time employees and a \$5 million payroll, the indirect impacts of the project are still significant to the regional economy.

If the proposed development were constructed at a value of \$170 million the property tax revenue would be approximately \$1.7 million based on the cost method. Of this amount, the County and its controlled districts would receive approximately \$425 thousand in property taxes and the other affected agencies would receive approximately \$1.3 million, an increase of \$283 thousand and \$850 thousand, respectively. In addition to the property tax increase, the developer estimated that the project would generate approximately \$1.8 million annually in sales tax revenue. Our independent review of comparable hotels indicates that the initial annual sales tax remittance will be approximately \$1.5 million. In addition to the sales tax remittance, using transient occupancy tax returns from comparative projects, we estimate that transient occupancy tax remits would be approximately \$1.5 million annually. Comparatively, the developer believes this could increase to approximately \$3 million after a three to four year ramp up. We have provided both our estimates and the Developers in separate appendices at the back of this analysis.

Affected Agency	Current Property Tax	Revenue Increase	Total after Construction
County and its Controlled Districts	\$ 142,376.88	\$ 282,722.97	\$ 425,099.85
Montecito Fire	88,661	176,057	264,718
Montecito Independent Districts	9,563	18,990	28,554
Montecito Schools	327,660	650,647	978,307
	\$ 568,261.38	\$ 1,128,417.38	\$ 1,696,678.76

Montecito Schools, Education and Montecito Fire District receive significant benefits

The proposed development would result in an approximate \$650 thousand increase in annual revenue to School districts in which the project resides. The Montecito Union School District is a basic aid district and retains all their share of property tax of \$156 thousand annually and the Santa Barbara City College District would receive \$68 thousand annually. The remainder of \$426 thousand benefits the Local/State funded County Average Daily Attendance school districts that include the Santa Barbara High School District.

Similarly, the Montecito Fire Protection District would realize a revenue increase of approximately \$176 thousand..

PROJECT FINANCIAL ANALYSIS

Based on the assumptions provided by the developer, our analysis anticipates that the property would generate approximately \$53 million in annual hotel revenues. If no TOT incentive were provided, assuming a cost of capital of 8% and a 60% Loan to Value ratio and \$53 million in annual gross revenues, the developer would have revenues of approximately \$44.8 million after financing (not including principal payments). We estimated cost of goods sold for the hotel operator is probably in the range of \$10 – 15 million. Combined with payroll and other expenses we believe the project could reasonably generate between \$8 and \$12 million annually after expenses.

On a \$170 million project that requires a \$68 million initial contribution from a developer, we believe it to be a low return for a project of this magnitude and risk. This analysis is broad and relies on several major assumptions; however, it does demonstrate that it is not unreasonable to assume that the project would not go forward for an extended period of time, without some additional form of revenue or some incentive.

POLICY ISSUES

Beyond pure economic development, the Palm Springs program policy is focused on two objectives, the maintenance of Palm Springs as a high end tourist destination and the maintenance of Palm Springs as an attractive destination for Conventioneers. In this regard, Santa Barbara County has similar interests and the Miramar project would provide for both expanded convention space, and also provide additional high-end luxury hotel space in the region, and the promotion that goes along with the marketing of a hotel. For the purpose of this analysis we have identified the following policy considerations that could be addressed in negotiations with the developer.

The viability of the proposed project

The project site has been vacant for the past several years. A key policy consideration before the County is whether or not the proposed project will continue on as a viable business far past the expiration of any incentive. A recent example of this risk is evidenced by the recent sale of the Bacara property which sold for an amount approximately \$15 million below its assessed value.

While staff performed the most basic of financial analysis in an effort to provide insight to the Board in their decision of whether to move forward with formal negotiations over an incentive package, the County should consider preparing a more detailed economic analysis of the proposed project to ensure that it is putting its resources (or future taxes) to the highest and best purpose. The Board's decision is the benefit of accelerating the development of the property by a number of years, rather than the property being developed a number of years in the future or not at all.

Assessed Value and Property Tax Generation

The project would have an immediate estimated impact of increased property tax revenues for local agencies. However, this estimate is based on an assessed value of \$170 million

based on cost values. The County should consider its options for guarding against a decrease in tax revenues. Since the County Assessor is guided by statutory authorities that office must be consulted over the provisions of any agreement concerning the properties valuation. This might involve the inclusion of a contract provision that nullifies any incentive should the assessed value be decreased due to an appeal or a transfer of the property to a new owner.

Local Contractor Preference

The developer has estimated the project would provide for 1000 construction and trade jobs during construction. Since the County is providing an incentive to enhance the project economics using local revenues, the County should consider negotiating with the developer for some variant of a local contractor preference. However, caution should be applied in that this policy objective also could have the unintended consequence of raising the cost of construction and negatively impacting the project economics.

Accordingly, we would recommend trying to incentivize the developer to use local trades and contractors while simultaneously maintaining project economics. Alternatively, the County could choose to negotiate for more extensive local preferences and other policy related bid enhancements; however, this would likely necessitate a larger subsidy. We would also recommend a provision that sales tax on the construction material be reported in the County unincorporated area.

Property Maintenance and Condition Provisions

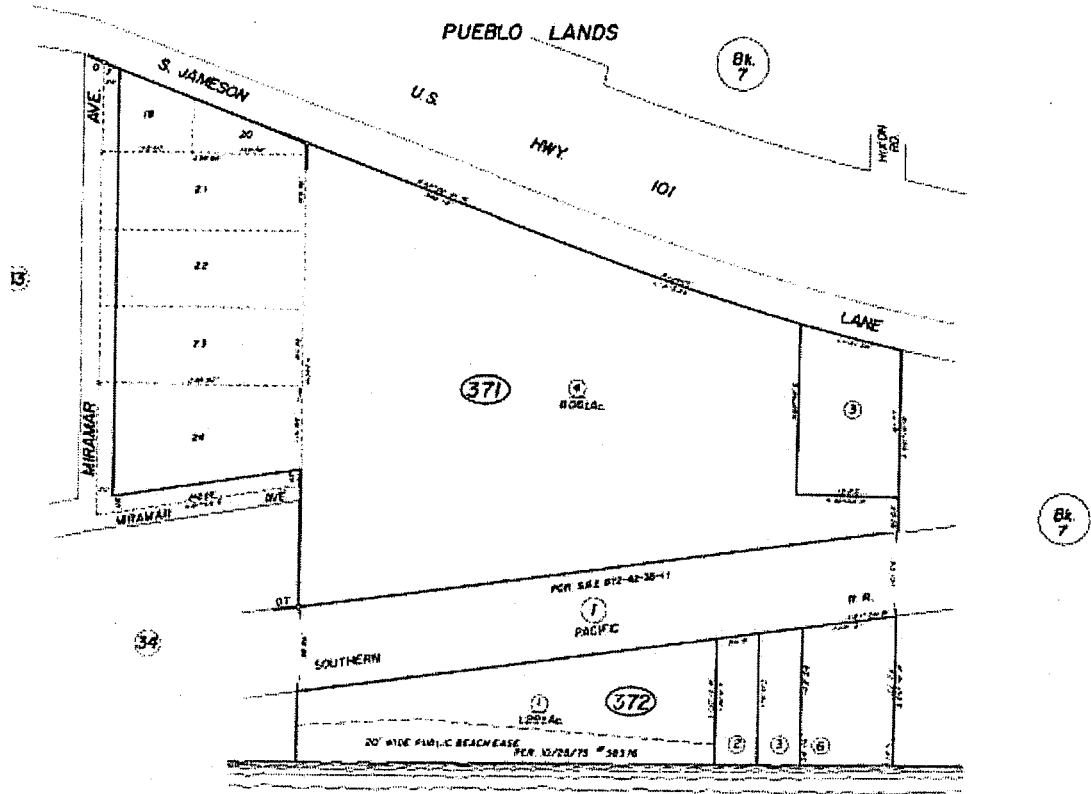
One of the principal objectives of a potential economic incentive would be to enhance the reputation of Santa Barbara as a destination of choice for high-end luxury travelers and conventioners. Accordingly, the County should consider negotiating for a contract provision that requires the developer to maintain the property as a top tier luxury hotel.

Determining the appropriate legislative and contractual structure for creating an incentive program

The primary means of implementation for comparable programs in other jurisdictions has been through amendments to the responsible jurisdictions' Transient Occupancy Tax Ordinance. In this regard, most other jurisdictions have taken a programmatic approach that enables all potential developers to participate in the program. This is different from a single project approach, or contract based approach. There are risks inherent in each approach, going further; given the relative lack of precedent for a single project incentive (contractual approach) a judicial validation may be necessary.

PARCEL MAP

9-31



R. M. Bl. 1, Pg. 29 - Oceanside Tract

PACIFIC

WITH INCORPORATED TITLE, ALONG BOUNDARY OF
NEIGH. TOWN, SHALL BE CONSIDERED
TO BEACH EASE PER. 12/28/75 # 58176
DATE OF SUPERSEDES NUMBER 12/28/75 A. 10-202

OCEAN

Assessor's Map Bk. 9 - Pg. 37
County of Santa Barbara, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

SANTA BARBARA COUNTY DEVELOPED ECONOMIC ASSUMPTIONS
Fiscal Impact Analysis - County of Santa Barbara
Miramar Beach Resort and Bungalows

Assumptions

Base Year (Year 1) Data: Developed using Sales tax and TOT remits from comparable Hotel properties already in operation on the South Coast of Santa Barbara County

Inflation Estimates:

Transient Occupancy Tax (TOT)	4%
Sales Tax	2%
Property Tax	2%

Miramar Beach Resort and Bungalows				
Taxes to County of Santa Barbara				
<i>Year</i>	<i>TOT</i>	<i>Sales Tax</i>	<i>Real Estate</i>	<i>Total</i>
1	\$1,500,000	\$1,500,000	\$1,700,000	\$4,700,000
2	\$1,560,000	\$1,560,000	\$1,734,000	\$4,854,000
3	\$1,622,400	\$1,622,400	\$1,768,680	\$5,013,480
4	\$1,687,296	\$1,687,296	\$1,804,054	\$5,178,646
5	\$1,754,788	\$1,754,788	\$1,840,135	\$5,349,710
6	\$1,824,979	\$1,824,979	\$1,876,937	\$5,526,896
7	\$1,897,979	\$1,897,979	\$1,914,476	\$5,710,433
8	\$1,973,898	\$1,973,898	\$1,952,766	\$5,900,561
9	\$2,052,854	\$2,052,854	\$1,991,821	\$6,097,528
10	\$2,134,968	\$2,134,968	\$2,031,657	\$6,301,593
11	\$2,220,366	\$2,220,366	\$2,072,291	\$6,513,023
12	\$2,309,181	\$2,309,181	\$2,113,736	\$6,732,098
13	\$2,401,548	\$2,401,548	\$2,156,011	\$6,959,108
14	\$2,497,610	\$2,497,610	\$2,199,131	\$7,194,352
15	\$2,597,515	\$2,597,515	\$2,243,114	\$7,438,143
16	\$2,701,415	\$2,701,415	\$2,287,976	\$7,690,807
17	\$2,809,472	\$2,809,472	\$2,333,736	\$7,952,679
18	\$2,921,851	\$2,921,851	\$2,380,410	\$8,224,112
19	\$3,038,725	\$3,038,725	\$2,428,019	\$8,505,468
20	\$3,160,274	\$3,160,274	\$2,476,579	\$8,797,127
TOTAL	\$44,667,118	\$44,667,118	\$41,305,529	\$130,639,764

DEVELOPER PROVIDED ECONOMIC ASSUMPTIONS

Fiscal Impact Analysis - County of Santa

Barbara

Miramar Beach Resort and Bungalows

Assumptions

TOT	10.0%	of Rooms Expenditure
Sales Tax	1.3%	of Expenditure on food and beverage, spa, transportation, retail, entertainment, and other
Real Estate Tax	23.5%	of 1.1% of assessed value

Miramar Beach Resort and Bungalows

Taxes to County of Santa Barbara

<i>Year</i>	<i>TOT</i>	<i>Sales Tax</i>	<i>Real Estate</i>	<i>Total</i>
1	\$2,165,700	\$205,556	\$413,600	\$2,784,856
2	\$2,607,000	\$260,962	\$421,872	\$3,289,834
3	\$3,007,500	\$298,571	\$430,309	\$3,736,380
4	\$3,102,600	\$308,009	\$438,916	\$3,849,525
5	\$3,190,800	\$316,771	\$447,694	\$3,955,265
6	\$3,285,900	\$326,196	\$456,648	\$4,068,744
7	\$3,380,900	\$335,647	\$465,781	\$4,182,328
8	\$3,501,500	\$347,620	\$475,096	\$4,324,216
9	\$3,630,000	\$360,360	\$484,598	\$4,474,958
10	\$3,759,700	\$373,243	\$494,290	\$4,627,233
11	\$3,890,500	\$386,230	\$504,176	\$4,780,906
12	\$4,029,500	\$400,062	\$514,260	\$4,943,822
13	\$4,169,800	\$413,972	\$524,545	\$5,108,317
14	\$4,318,300	\$428,714	\$535,036	\$5,282,050
15	\$4,468,100	\$443,560	\$545,736	\$5,457,396
16	\$4,626,400	\$459,303	\$556,651	\$5,642,354
17	\$4,793,200	\$475,852	\$567,784	\$5,836,836
18	\$4,954,300	\$491,829	\$579,140	\$6,025,269
19	\$5,131,200	\$509,405	\$590,723	\$6,231,328
20	\$5,309,600	\$527,098	\$602,537	\$6,439,235
TOTAL	\$77,322,500	\$7,668,960	\$10,049,392	\$95,040,852

PROPERTY TAX ROLL INFORMATION

CARUSO BSC MIRAMAR, LLC	TOTAL		Revised	Increase
Land & Mineral Rights	\$53,667,876		\$ 53,667,876	\$ -
Improvements	1,233,982		116,000,000	114,766,018
Personal Property				
Total	\$54,901,858		\$ 169,667,876	\$ 114,766,018
Basic 1% Property Taxes				
0001 – GENERAL	\$ 129,239.15	22.74%	\$ 385,874.05	\$ 256,634.90
2230 – COUNTY SERVICE AREA NUMBER 32	-	0.00%	\$ -	-
2400 – SB CO FLD CTRLWTR CONS DST MT	1,759.55	0.31%	\$ 5,253.55	3,494.00
2610 – SOUTH COAST FLOOD ZONE 2	7,542.46	1.33%	\$ 22,519.80	14,977.34
3050 – SANTA BARBARA CO WATER AGENCY	2,263.96	0.40%	\$ 6,759.59	4,495.63
3650 – MONTECITO FIRE PROTECTION DIST	88,660.98	15.60%	\$ 264,718.33	176,057.35
4090 – SANTA BARBARA MET TRANSIT DIST	1,571.76	0.28%	\$ 4,692.86	3,121.10
4160 – SB COASTAL VECTOR CONTROL DIST	122.27	0.02%	\$ 365.07	242.80
4500 – CACHUMA RESOURCE CONS DIST	-	0.00%	\$ -	-
5100 – MONT SAN DIST-RUNNING EXP	3,024.64	0.53%	\$ 9,030.78	6,006.14
5600 – MONTECITO COUNTY WATER DIST	-	0.00%	\$ -	-
7301 – MONTECITO UNION SCH DIST-GEN	78,720.13	13.85%	\$ 235,037.57	156,317.44
8201 – SBUSD-GENERAL FUND	98,610.76	17.35%	\$ 294,425.75	195,814.99
9610 – SBCC DISTRICT GENERAL	34,484.36	6.07%	\$ 102,961.21	68,476.85
9801 – COUNTY SCHOOL SERVICE FUND	23,696.31	4.17%	\$ 70,750.94	47,054.63
9802 – EDUCATION REVENUE AUGMENTATION	79,322.22	13.96%	236,835.25	157,513.03
Total Basic 1% Property Taxes	\$ 549,018.55	96.61%	\$ 1,639,224.74	\$ 1,090,206.19
Bonds				
7351 – MONTECITO UNION ELEM BOND 1997	\$ 516.09	0.09%	\$ 1,540.91	\$ 1,024.82
8251 – SBUSD HIGH BOND 2000	6,989.01	1.23%	\$ 20,867.34	13,878.33
8254 – SBUSD HIGH BOND 2010	510.59	0.09%	\$ 1,524.49	1,013.90
9621 – SBCC BOND 2008	4,666.65	0.82%	13,933.39	9,266.74
Total Bonds	\$ 12,682.34	2.23%	\$ 37,866.13	\$ 25,183.79
Fixed Charges				
2611 – SO COAST FLD ZN2 BENEFIT ASSMT	\$ 1,584.65	0.28%	\$ 4,731.35	\$ 3,146.70
4161 – VECTOR MGMT DIST ASSMT-ZN1	96.12	0.02%	\$ 286.99	190.87
5156 – MONTECITO SAN DISTR SERV CHG	4,209.72	0.74%	\$ 12,569.11	8,359.39
5601 – MONTECITO WTR AVAILABILITY FEE	526.00	0.09%	\$ 1,570.50	1,044.50
8202 – SBUSD HIGH PARCEL TAX 2008 (H)	144.00	0.03%	\$ 429.95	285.95
Total Fixed Charges	\$ 6,560.49	1.15%	\$ 19,587.89	\$ 13,027.40
TOTAL TAX	\$ 568,261.38	100.00%	\$ 1,696,678.76	\$ 1,128,417.38
Affected Agency	Current Property Tax	Revenue Increase	Total after Construction	
County and its Controlled Districts	\$ 142,376.88	\$ 282,722.97	\$ 425,099.85	
Montecito Fire	88,661	176,057	264,718	
Montecito Independent Districts	9,563	18,990	28,554	
Montecito Schools	327,660	650,647	978,307	
	\$568,261.38	\$ 1,128,417.38	\$ 1,696,678.76	