



LL

City of Laguna Beach, Laguna Beach Vital Services Measure

To provide services and improvements needed to accommodate millions of annual visitors, protect beaches from pollution and provide fire, police protection and emergency response, parking, utility undergrounding to prevent fires and power outages, and other services and improvements, shall City of Laguna Beach adopt an ordinance increasing transient occupancy taxes paid only by hotel and other rental guests from 10% to 12% until ended by voters, providing approximately \$2,000,000 annually, with audits, all funds only for Laguna Beach?

What your vote means

YES	NO
A "Yes" vote on Measure LL would approve the ordinance increasing the transient occupancy tax rate from 10% to 12%.	A "No" vote on Measure LL would disapprove the ordinance increasing the transient occupancy tax rate and keep the TOT rate at 10%.

For and against

FOR	AGAINST
<p>Laurence P. Nokes President, Laguna Beach Chamber of Commerce</p> <p>Laura Farinella Laguna Beach Chief of Police</p> <p>Bob Whalen Laguna Beach City Councilmember; Former Mayor</p> <p>Jeff LaTendresse Laguna Beach Fire Chief</p> <p>Mark Christy Managing Partner, Laguna Beach Resort and Small Business</p>	No argument was filed against Measure LL

Ballot Measures-LLFull Text of Measure LL
City of Laguna Beach

AN ORDINANCE OF THE PEOPLE OF THE CITY OF LAGUNA BEACH, CALIFORNIA AMENDING SECTION 5.05.030 OF CHAPTER 5.05 OF TITLE 5 OF THE LAGUNA BEACH MUNICIPAL CODE TO INCREASE THE HOTEL-MOTEL ROOM TAX

THE PEOPLE OF THE CITY OF LAGUNA BEACH DO ORDAIN AS FOLLOWS:

SECTION 1: The People hereby amend Section 5.05.030 ("Tax Imposed") of Chapter 5.05 ("Hotel-Motel Room Tax") of Title 5 ("Business-Taxation, Licensing") of the Laguna Beach Municipal Code to read in its entirety as follows:

5.05.030 Tax imposed. For the privilege of occupancy in any hotel or other transient lodging, each transient as defined herein, except for those residents who are time-share unit owners, is subject to and shall pay a tax in the amount of twelve percent of the rent charged by the operator or in the case of a time-share in the amount payable by the transient as defined below. Transients who are time-share unit owners, or guests of owners using the owner's annual right to occupancy on a non-fee paying basis, are specifically exempted from the tax herein imposed. All other transient users of a time-share unit, including but not limited to exchange users, rental users, complimentary users and other non-owner users, are subject to the tax. This tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid, except that in the case of a time-share unit said tax shall be paid to the operator prior to the close of each calendar quarter. If the rent is paid in installments, a proportionate share of the tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax be paid directly to the tax administrator. For purposes of this section, the rental value of a daily occupancy in a time-share unit is determined to be eighty-one dollars and twenty-five cents for the base year of 1990, for which the tax is in the amount of ten percent thereof; and this rental value shall be adjusted annually, beginning January 1, 1992, in accordance with the Consumer Price Index for all urban consumers published for the Los Angeles- Anaheim- Riverside area, or any successor index.

SECTION 2: City Council amendments. Notwithstanding Elections Code Section 9217, without a vote of the People, the City Council may further amend this Ordinance in a manner that does not impose, extend, or increase the rate of the Hotel-Motel Room Tax.

SECTION 3: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of effectiveness of the remaining portions of this Ordinance or any part thereof. The People hereby declare that they would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

SECTION 4: Effect of Ordinance. If adopted, this Ordinance will increase the rate of the City's existing Hotel-Motel Room Tax by two percent (2%). This Ordinance was proposed by the City Council of the City of Laguna Beach through approval and introduction of the Ordinance and the adoption of Resolution No. 16.063 with the affirmative vote of at least 4 members of the City Council as required by Government Code Section 53724(b). Except as expressly amended by this Ordinance, all provision of Chapter 5.05 of Title 5 of the Laguna Beach Municipal Code shall remain in full force and effect.

SECTION 5: Appropriations limit. If necessary, pursuant to Article XIII B of the California Constitution, the appropriations limit for the City of Laguna Beach is increased to the maximum extent over the maximum period of time allowed under the law consistent with the revenues generated by the tax provisions of this Ordinance.

SECTION 6: Effective date. After its adoption by the voters, this Ordinance shall be in full force and effect ten (10) days after the vote is declared by the City Council, pursuant to the provisions of Elections Code Sections 9217 and 15400 and as provided by state law.



Ballot Measures-LL

Impartial Analysis City of Laguna Beach Measure LL

The City Council has authorized the placement of a measure on the ballot seeking voter approval of an ordinance that would amend the Laguna Beach Municipal Code to raise the Transient Occupancy Tax (TOT) from the current rate of ten percent (10%) to twelve percent (12%) of the rent that is charged to guests for lodging at a hotel, motel, bed and breakfast, or other temporary or short-term rental lodging in the City. The TOT is a tax paid by such guests who stay for a period of thirty consecutive days or less. The TOT is collected at the time rent is paid by the guests. The revenues derived from the proposed increase in the TOT rate would be deposited in the City's General Fund and would be used for general governmental operations and services, such as the protection of beaches from pollution, police and fire protection and emergency response services, public works, utility undergrounding to prevent fire and power outages, and other services and improvements. This measure therefore proposes a general tax and requires a simple majority vote for adoption.

A "yes" vote on Measure LL would approve the ordinance increasing the transient occupancy tax rate from 10% to 12%.

A "no" vote on Measure LL would disapprove the ordinance increasing the transient occupancy tax rate and keep the TOT rate at 10%.

The above statement is an impartial analysis of Measure LL. If you desire a copy of the measure, please call the City Clerk's office at (949) 497-0705 and a copy will be provided at no cost to you.

s/ Philip D. Kohn
City Attorney

Fiscal Analysis City of Laguna Beach Measure LL

The Transient Occupancy Tax (TOT) is a charge that is paid by guests for lodging at a motel, hotel, bed and breakfast, short-term lodging, or other temporary lodging facility for a duration of thirty consecutive calendar days or less. The existing City of Laguna Beach TOT rate is 10% and has been in effect since 1993. The ballot measure, if approved, would increase the City's TOT rate from 10% to 12%. The City of Laguna Beach Finance Division estimates that the proposed 2% increase in the City's TOT rate will generate additional revenue of approximately \$2,000,000 annually into the City's General Fund. This estimated revenue increase could fluctuate depending on actual lodging occupancy, room rates and/or the number of lodging facilities available in the City. Revenues from the TOT are placed in the City's General Fund for general City operations and services, including the protection of beaches from pollution, police and fire protection and emergency response, public works, and utility undergrounding to prevent fire and power outages. If approved by the voters, the proposed increase in the City's TOT would take effect ten (10) days after the vote is declared by the City Council.

s/ John Pietig
City Manager

Ballot Measures-LL**Argument in Favor of Measure LL**

Vote YES on Measure LL to ensure that tourists visiting Laguna Beach also share the costs to protect our environment, provide essential public safety services, and maintain and enhance the quality of life for all who live, visit, and conduct business here.

Millions of tourists visit Laguna Beach each year to enjoy our vibrant downtown, beautiful beaches and open space. Many arrive during the high-impact summer months bringing traffic congestion. They also increase the demand on public safety services and the cost to provide clean beaches, streets and sidewalks, and maintain open space. Measure LL will provide additional and necessary funding to help offset these impacts.

Measure LL will:

- Protect our beaches and the ocean from run-off and pollution
- Allow expansion of essential public safety services required to address resident needs and visitor demands - additional resources for our police, fire and marine safety first responders
- Provide funds to underground utility poles in key areas which will reduce the risk of catastrophic fires, enable faster emergency evacuation and delivery of regional firefighting assistance
- Provide for additional fire prevention measures to protect the community
- Prepare our community for natural disasters

Measure LL will enact a modest 2% increase in room taxes paid by hotel tourists to Laguna Beach.

By law, all funds raised by Measure LL stay in our City, under local control and cannot be taken away by the State.

Measure LL will ensure that tourists pay their fair share of costs to protect and maintain the quality of life in Laguna Beach that sets us apart from other cities.

Vote YES on Measure LL!

s/ Laurence P. Nokes
President, Laguna Beach Chamber of Commerce

s/ Laura Farinella
Laguna Beach Chief of Police

s/ Bob Whalen
Laguna Beach City Councilmember; Former Mayor

s/ Jeff LaTendresse
Laguna Beach Fire Chief

s/ Mark Christy
Managing Partner, Laguna Beach Resort and Small Business

No argument against this measure was submitted.