

ORDINANCE NO. 3467 C.S.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MONTEREY

**AMENDING ORDINANCE NO. 3376 ESTABLISHING THE MONTEREY COUNTY TOURISM
IMPROVEMENT DISTRICT AND CHANGING THE USE OF PROCEEDS AND THE
ASSESSMENT AMOUNT**

THE COUNCIL OF THE CITY OF MONTEREY DOES ORDAIN, as follows:

SECTION 1:

WHEREAS, on October 17, 2006, the City Council of the City of Monterey (the "Council") adopted ordinance No. 3376 establishing the Monterey County Tourism Improvement District ("MCTID") pursuant to the Parking and Business Improvement Area Law of 1989, Streets and Highways Code section 36500 et seq. (the "1989 Law"); and

WHEREAS, the advisory board of the MCTID, the Monterey County Convention and Visitors Bureau (the "CVB"), has recommended increasing the assessment on lodging businesses in the cities of Monterey, Marina, Carmel by the Sea, Sand City, Del Rey Oaks, Seaside and Soledad from \$1.00 per occupied room per night for full service lodging businesses and \$0.50 per occupied room per night for limited service lodging businesses to \$2.00 per occupied room per night for full service lodging businesses and \$1.00 per occupied room per night for limited service lodging businesses. The CVB also proposes to increase the assessment on lodging businesses in Salinas from \$1.00 per occupied room per night for full service lodging businesses and \$0.50 per occupied room per night for limited service lodging businesses to \$2.50 per occupied room per night for full service lodging businesses and \$1.50 per occupied room per night for limited service lodging businesses; and

WHEREAS, as specified in Resolution No. 11-101 C.S a public meeting concerning MCTID modification was held on August 16, 2011; and

WHEREAS, as specified in Resolution No. 11-101 C.S., a public hearing concerning MCTID modification was held on September 20, 2011; and

WHEREAS, all notice procedures required by the 1989 Law have been complied with, and the Council finds that there is no majority protest pursuant to Streets and Highways Code section 36525;

NOW, THEREFORE, the Monterey City Council declares as follows:

SECTION 2: Monterey City Code, Article 4, Section 18-45, is hereby amended to read as follows:

Sec. 18-45. Levy of Assessments—Use of Proceeds. “The improvements and activities to be provided in the MCTID will be funded by the levy of the assessments. The City Council hereby finds that the lodging businesses within the MCTID will be benefited by the improvements and activities funded by the assessments to be levied. The revenue from the levy of assessments within MCTID shall not be used to provide improvements or activities outside the MCTID or for any purpose other than the purposes specified in the Resolution of Intention. The proceeds from the MCTID assessment, as hereinafter provided, shall be used to administer marketing programs to promote the County of Monterey as a tourism destination and to fund projects, programs, and activities that benefit lodging businesses within the boundaries of the district. The revenue from the higher assessment collected from lodging businesses in the City of Salinas shall be utilized for local tourism marketing programs for the City of Salinas.”

SECTION 3: Monterey City Code, Article 4, Section 18-46, is hereby amended to read as follows:

Sec. 18-46. Levy of Assessment—Amount. “The MCTID includes all lodging businesses within the boundaries described in Section 18-44. The assessment shall be levied on all lodging businesses, existing and future, within the MCTID boundaries as follows: in the cities of Monterey, Marina, Carmel by the Sea, Sand City, Del Rey Oaks, Seaside and Soledad the assessment shall be \$2.00 per occupied room per night for full service lodging businesses and \$1.00 per occupied room per night for limited service lodging businesses, and in the city of Salinas the assessment shall be \$2.50 per occupied room per night for full service lodging businesses and \$1.50 per occupied room per night for limited

service lodging businesses. Limited and full service shall be as defined by Smith Travel Research. Except where funds are otherwise available, an assessment will be levied annually to pay for the improvements and activities within the area.

New hotels within the boundaries of the MCTID will not be exempt from the levy of assessment pursuant to Section 36531 of the Act. Pursuant to the transient occupancy tax ordinances of the County, and the Cities assessments pursuant to the MCTID shall not be included in gross room rental revenue for purpose of determining the amount of transient occupancy tax.


SECTION 4: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: This ordinance shall be in full force and effect thirty (30) days from and after its final passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 4th day of October 2011 by the following vote:

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| AYES: | 5 | COUNCILMEMBERS: | Downey, Haferman, Selfridge, Sollecito, Della Sala |
| NOES: | 0 | COUNCILMEMBERS: | |
| ABSENT: | 0 | COUNCILMEMBERS: | |
| ABSTAIN: | 0 | COUNCILMEMBERS: | |

APPROVED:



Mayor of said City


ATTEST


City Clerk thereof


STATE OF CALIFORNIA)
COUNTY OF MONTEREY)
CITY OF MONTEREY)

I, CATHERINE RAYNOR, CITY CLERK OF THE CITY OF MONTEREY, AND
EX-OFFICIO CLERK OF THE COUNCIL THEREOF, HEREBY CERTIFY THAT THE
FOREGOING ORDINANCE WAS DULY PASSED TO PRINT IN THE OFFICIAL NEWSPAPER
OF SAID CITY BY THE COUNCIL THEREOF ON THE 20th DAY OF SEPTEMBER, 2011 BY
THE FOLLOWING VOTE:

AYES: 3 COUNCILMEMBERS: SELFRIDGE, SOLLECITO, DELLA SALA

NOES: 0 COUNCILMEMBERS: NONE

ABSENT: 2 COUNCILMEMBERS: DOWNEY, HAFFERMAN



DATED: SEPTEMBER 21, 2011

CITY CLERK OF SAID CITY