

FEB 16 2018

Notice of Intention to Circulate Petition

BY: _____

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Marina for the purpose of increasing the rate of the Transient Occupancy Tax within the City of Marina from twelve percent (12%) to fourteen percent (14%) of the price for transient rental accommodations.

A statement of the reasons of the proposed action as contemplated in the petition is as follows:

To maintain current levels of police and fire protection, road maintenance, parks, and senior and recreation services, our city must grow its tax base AND generate revenues faster until such a time as we have a mature redeveloped downtown that will bring business to Marina to make our city economically sustainable.

Our city has the following immediate and ongoing funding needs:

- Investing a minimum of \$2.5 million per year on road repair and maintenance just to stop our roads from deteriorating.
- Providing adequate fire protection and first response, we need to add a second engine company to our fire department at a cost of \$965,000 per year.
- Updating our city parks at a cost of hundreds of thousands to millions of dollars.
- Removing abandoned buildings including those nearest the high school.

Marina voters have approved past increases in the Transient Occupancy Tax such as we are proposing that have allow our city to provide needed community services. This tax is not paid by Marina residents, but by tourists to our area.

In addition to immediate funding needs, the city needs to invest in our long-term needs, such as:

- Enhancing our downtown to make it more walkable, people friendly, and to attract more business which in turn will increase revenues for city services.
- Protecting our drinking water, improving our access to beaches, and preserving our beautiful coastline.
- Insuring Marina is well represented addressing regional challenges such as affordable housing.

This Transient Occupancy Tax will generate approximately \$500,00 per year. It is a measure intended to support and expand current city services to desired levels as well as to position Marina to take advantage of opportunities to improve the lives of Marina residents.

We, the undersigned, request that you prepare title and summary of the proposed initiative.

Adam Urantia  3273 Michael Drive, Marina, CA 93933
 Bruce Delgado  3037 Vaughan Ave MARINA CA 93933
 Janel Barker  3014 Kennedy Ct., Marina 93933

Initiative Measure to be Submitted Directly to the Voters

AN ORDINANCE OF THE PEOPLE OF THE CITY OF MARINA

INCREASE IN THE CITY'S TRANSIENT OCCUPANCY TAX RATE FROM TWELVE PERCENT (12%) APPROVED BY THE VOTERS ON NOVEMBER 4, 2014 AND SETTING THE TAX RATE AT FOURTEEN PERCENT (14%), TO CONTINUE PRESERVING FUNDS FOR GENERAL CITY SERVICES

THE PEOPLE OF THE CITY OF MARINA DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendment. Section 3.12.030 of the City of Marina Municipal Code is hereby amended to read as follows:

3.12.030 Tax imposed

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of fourteen percent (14%) of the rent charged by the operator or otherwise payable by the transient. Insofar as the transient is concerned, said 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. For purposes of this section, the rent deemed payable on account of time-share occupancy by a transient shall be the rental value of the unit or room(s) which accommodated such occupancy, which rental value shall be computed by determining the pro rata share of the total actual purchase price of the time-share right or entitlement (whether or not involving any estate or any ownership in real property), or if the unit has not yet been sold at the time of rental, then the pro rata share of the current listed sales price or the comparable price if not listed for sale, which share is allocable to the period of transient occupancy currently involved, and adding thereto the total applicable operating costs including, but not limited to, the applicable real and personal property taxes, plus the total amount of any and all fees, assessments, charges and expenses (not including the previously referred to taxes) charged by the operator as attributable to the time-share occupancy of the transient by whatever name such fees, assessments, charges or expenses may be denominated, whether "occupying fee," "maintenance or operations charge," "per diem fee," "management fee" or like name or otherwise. In making the computation referred to above of the pro rata share of the total purchase price or other applicable price, in any case wherein the time-share right or entitlement is in perpetuity or for life or otherwise not for a definite or ascertainable term, such proration shall be made upon an assumed term of thirty years. (Ord. 2014-06 § 2, 2014; Ord. 87-3 § 1, 1987; Ord. 83-9 § 2, 1983; Ord. 82-10 § 1, 1982; Ord. 76-7 § 3, 1976)

Section 2. Approval by the Voters. This Ordinance shall be submitted to the voters at an election to be held on November 6, 2018 and shall not be effective until so approved.

Section 3. Effective Date. This Ordinance shall go into effect on the first day of the first month following the certification of the vote of the November 6, 2018 election.

Section 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 5. Certification. Upon approval by the voters, the Deputy City Clerk shall certify the passage of this Ordinance; and within fifteen days the Deputy City Clerk shall cause it to be posted in the three (3) public places designated by the City Council.

APPROVED BY THE FOLLOWING VOTE of the People of the City of Marina on November 6, 2018.

YES: _____

NO: _____