

**IMPARTIAL ANALYSIS BY CITY ATTORNEY**

**MEASURE “K”**

**City of Belmont  
Transient Occupancy Tax Rate**

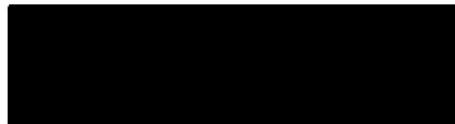
Measure “K” asks Belmont voters to approve an ordinance raising the city’s transient occupancy tax (TOT) rate to fourteen percent of the rent paid by guests. The city council placed the measure on the ballot by unanimously adopting Resolution 2022-079. The measure requires a simple majority vote to pass.

The city’s TOT, also known as a “Hotel Room Tax”, is paid by guests who stay for a period of 30 consecutive days or less at a hotel, motel, bed and breakfast, or other short-term rental lodging in the city. In 2018, Belmont voters approved assessing the TOT on the markup charged by on-line platforms such as Hotels.com and Airbnb and increased the rate from ten percent to the current rate of twelve percent. The proposed measure would raise the TOT rate to fourteen percent which is the rate that will be charged by approximately half of the other cities in San Mateo County with a TOT by 2023.

The proposed measure is expected to annually generate an additional \$660,000 in unrestricted general city revenue. This revenue would be collected by the city and may not be taken by the state. The additional revenue would be deposited to the general fund and available for general governmental operations and services, such as fixing potholes in city streets, repairing sidewalks, maintaining city police patrols and crime prevention, emergency response, and maintaining senior services, parks, open space and sports fields. The measure therefore proposes a general tax and requires a simple majority vote for adoption.

A “yes” vote on the measure would approve the ordinance increasing the TOT rate to fourteen percent of the rent paid by short-term rental guests.

A “no” vote on the measure would reject the ordinance and keep the current TOT rate.

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Scott Kenne  
City Attorney