

EXECUTIVE SUMMARY

Report on Class Action Lawsuit Settlement with On Line Travel Agencies (OTA's)

OBJECTIVE: Review with TDC the recent settlement between Monroe County and the participants in a class action lawsuit against the On Line Travel Agencies (OTA's).

CONSIDERATIONS: Collier County participated in a class action lawsuit brought by Monroe County (Florida Keys) against the major OTA's to recover lost tourist development tax revenue. The OTA's have traditionally collected the taxes due on only the wholesale portion of their on-line hotel booking transactions. Collier County BCC and the Tax Collector agreed to participate in this lawsuit in 2009. A recent settlement by the OTA's brought each participating County in the class action suit a portion of their claims for lost Tourist Development Tax revenue.

Collier County's settlement has been received and distributed to the various funds that share in the Tourist Development Tax revenue. The following is a breakdown of the amounts deposited in each fund on February 24, 2011:

Fund 193 (Non-County Owned/Operated Museums)	\$ 13,521.32
Fund 194 (Tourism Department Administration)	\$ 65,949.09
Fund 195 (Beach and Inlet Management)	\$190,161.35
Fund 183 (Beach Park Facilities)	\$ 93,661.56
Fund 184 (Tourism Advertising & Promotion)	\$141,911.46
Fund 198 (County Owned Museum Operations)	<u>\$ 62,441.04</u>
Total	\$567,645.82

FISCAL IMPACT: \$567,645.82 has been deposited into the funds above as Miscellaneous Income. Use of these funds in the current fiscal year may require a Budget Amendment to recognize these funds and to move them to an operating line.

RECOMMENDATION: Staff requests the TDC review the receipt of these funds and recommend appropriate action.

SUBMITTED BY: Jack Wert, Tourism Director