

RESOLUTION NO. RES-2024-132

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CALLING A SPECIAL ELECTION TO BE CONSOLIDATED WITH THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 5, 2024 AND ORDERING THE SUBMISSION TO THE REGISTERED VOTERS OF THE CITY A MEASURE TO INCREASE THE CITY'S TRANSIENT OCCUPANCY TAX; PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR THE MEASURE; AUTHORIZING PREPARATION OF A BALLOT ARGUMENT IN FAVOR OF THE MEASURE AND REBUTTAL ON BEHALF OF THE CITY COUNCIL; AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE

WHEREAS, Article XIIC, section 2(b) of the California Constitution requires that an election be held when a city council seeks voter approval of a new general tax and that the election be consolidated with a regularly scheduled general election for members of the city council; and

WHEREAS, on June 4, 2024, the Council of the City of Santa Rosa by Resolution No. RES-2024-079 called a General Municipal Election for members of the City Council to be held on Tuesday, November 5, 2024, and requested the General Municipal Election to be consolidated with the Statewide General Election to be held on that date; and

WHEREAS, the City Council also wishes to submit to the voters at the November 2024 election a measure to amend the City's Transient Occupancy Tax ordinance to increase the tax rate; and

WHEREAS, staff provided presentations and recommendations relative to increasing the Transient Occupancy Tax rate in the Long-Term Financial Policy and Audit Subcommittee meeting on June 13, 2024 and to the City Council in a Study Session held on July 9, 2024; and

WHEREAS, the proposed ordinance would amend Chapter 3-28 of the City Code to increase the Transient Occupancy Tax rate charged to guests at hotels, motels and other lodging establishments from nine percent (9%) to eleven percent (11%).

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Santa Rosa that a Special Election is hereby called to be held on November 5, 2024, at which time a general tax measure to increase the transient occupancy tax shall be submitted to the registered voters of the City of Santa Rosa for adoption. The ordinance to be approved by this measure is attached hereto as Exhibit A. The City Council hereby approves the ordinance, the form thereof and its submission to the voters of the City at the November 5, 2024 election. The entire text of the ordinance in a format that shows the proposed changes to the current City Code, which is attached hereto as Exhibit B, shall be made available to the public free of charge upon request.

BE IT FURTHER RESOLVED the proposed transient occupancy tax ordinance shall be submitted to the voters in the form of a measure entitled "City of Santa Rosa Hotel/Motel Guest Tax Measure" and printed on the ballot as follows:

“MEASURE _____

Measure ____ “City of Santa Rosa Hotel/Motel Guest Tax Measure”

To maintain locally controlled funding for services, such as keeping city parks clean safe/well maintained, repairing potholes and maintaining streets, enhancing senior/youth programs, and for general government use, shall City of Santa Rosa’s measure be adopted increasing the existing transient occupancy tax charged to hotel, motel and lodging guests by 2%, until ended by voters, providing \$1,200,000 annually and all funds staying local?”	Yes _____	No _____
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BE IT FURTHER RESOLVED that the Registrar of Voters of Sonoma County is authorized to do all things necessary and required to notice, hold, and conduct the Special Election and to canvass the returns thereof, and that the Sonoma County Board of Supervisors is requested to issue instructions to the Registrar of Voters of the County to take any and all steps necessary for the holding of this Special Election and its consolidation with other elections to be held on the same day in the City of Santa Rosa.

BE IT FURTHER RESOLVED that the City of Santa Rosa recognizes that additional costs will be incurred by Sonoma County by reason of the holding of this Special Election and its consolidation, as described above, and agrees to reimburse the County for such costs.

BE IT FURTHER RESOLVED that pursuant to Elections Code section 9282, the City Council hereby authorizes Mayor Natalie Rogers to prepare a written argument on behalf of the City Council, not exceeding 300 words, in support of the proposed ordinance.

BE IT FURTHER RESOLVED that the deadline for filing arguments for and against the ballot measure with the City Clerk shall be August 16, 2024, and arguments shall not exceed 300 words in length. The arguments may be changed or withdrawn until and including the deadline for submittal of arguments for or against the measure, after which no arguments for or against the City measure may be submitted to the City Clerk.

BE IT FURTHER RESOLVED that all arguments shall be filed with the City Clerk, shall be accompanied by a completed “Statement of Accuracy” form, shall include the printed names and signatures of the authors submitting it, and shall otherwise comply with the requirements of Elections Code Sections 9280, 9282 and 9283. If submitted on behalf of an organization, the argument shall include the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument and comply with the requirements of the Elections Code section 9287(e).

BE IT FURTHER RESOLVED that the City Council, in accordance with Elections Code section 9285(b) hereby adopts the provisions of Elections Code section 9285(a) so as to permit rebuttal arguments, as described in Elections Code section 9285(a), on the measure to be placed on the ballot under the provisions of this resolution. The same person(s) authorized above to prepare and sign the direct argument on behalf of the City Council in favor of the proposed ordinance shall be authorized to prepare and sign a rebuttal argument on behalf of the City Council. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument, which it seeks to rebut. Rebuttal arguments shall be filed with the City Clerk by August 23, 2024, and shall not exceed 250 words in length.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit a copy of this resolution to the City Attorney, who shall prepare an impartial analysis of the ballot measure pursuant to Election Code section 9280.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to file a certified copy of this resolution with the Sonoma County Board of Supervisors, the Sonoma County Clerk, and the Registrar of Voters of the County of Sonoma.

IN COUNCIL DULY PASSED this 6th day of August, 2024.

AYES: (7) Mayor N. Rogers, Vice Mayor Stapp, Council Members Alvarez, Fleming, MacDonald, Okrepkie, C. Rogers

NOES: (0)

ABSENT: (0)

ABSTAIN/RECUSE: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney

Exhibit A – Ordinance (Clean)
Exhibit B – Ordinance (Redline)