

RESOLUTION NO. NS-30,025

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
REQUESTING THAT THE CONSOLIDATED NOVEMBER 8, 2022 GENERAL MUNICIPAL
ELECTION INCLUDE A BALLOT MEASURE FOR THE CITY OF SANTA CRUZ
PROPOSING THAT THE CITY OF SANTA CRUZ'S CURRENT ELEVEN PERCENT (11%)
TRANSIENT OCCUPANCY TAX RATE BE INCREASED TO TWELVE PERCENT (12%)
FOR HOTELS, MOTELS, AND OTHER COMMERCIAL LODGING FACILITIES AND
INCREASED TO FOURTEEN PERCENT (14%) FOR SHORT-TERM RESIDENTIAL
VACATION RENTAL PROPERTIES

WHEREAS, pursuant to Elections Code section 10002, the governing body of any city may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city relating to the conduct of an election; and

WHEREAS, the resolution of the governing body of the city shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10002, the city shall reimburse the county in full for the services performed upon presentation of a bill to the city; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10400, such election for cities and special district may be either completely or partially consolidated; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot acknowledging that the consolidation election will be held and conducted in the manner prescribed in Section 10418. Upon such request, the Board of Supervisors may order the consolidation; and

WHEREAS, pursuant to Elections Code Section 10418, if consolidated, the consolidated election shall be held and conducted, election boards appointed, voting precincts designated, candidates nominated, ballots printed, polls opened and closed, voter challenges determined, ballots counted and returned, returns canvassed, results declared, certificates of election issued, recounts conducted, election contests presented, and all other proceedings incidental to and

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connected with the election shall be regulated and done in accordance with the provisions of law regulating the statewide or special election, or the election held pursuant to Section 1302 or 1303, as applicable; and

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, various district, county, state and other political subdivision elections may be or have been called to be held on November 8, 2022.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Santa Cruz that an election be called and consolidated with any and all elections also called to be held on November 8, 2022, insofar as said elections are to be held in the same territory that is in part the same as the territory of the City of Santa Cruz, and hereby requests the Board of Supervisors of the County of Santa Cruz to order such consolidation under Elections Code Section 10401, 10403, 10406 and 10418.

BE IT FURTHER RESOLVED AND ORDERED that the City Council of the City of Santa Cruz hereby requests the Board of Supervisors to permit the Santa Cruz County Elections Department to provide any and all services necessary for conducting the election and agrees to pay for said services, and

BE IT FURTHER RESOLVED AND ORDERED that the Santa Cruz County Elections Department shall conduct the election for the following measure to be voted on at the November 8, 2022 election:

Measure to be voted on:

Ballot Title:

City of Santa Cruz Overnight Lodging (Transient Occupancy) Tax

Ballot Question:

Measure ___ - City of Santa Cruz Transient Occupancy Tax Measure

To fund essential City services, including wildfire prevention; public safety; emergency response; creeks/streams protection; clean parks and public restrooms; street and sidewalk maintenance; affordable housing for working families and the homeless; creating local jobs, shall City of Santa Cruz Municipal Code be amended to increase the Transient Occupancy Tax, paid by tourists and others staying overnight at lodging facilities, from 11% to 12% for hotels/motels/inns, and from 11% to 14% for short-term residential vacation rentals, providing approximately \$1,380,000 annually?	Yes	
	No	

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The City Council of the City of Santa Cruz submits to the qualified electors said Ballot Measure Question as set forth above and designates and refers to said measure as the measure to be set forth on the ballots for use in said election. The full text of the measure is as set forth in Exhibit A.

In accordance with the provisions of Section 9280 of the California Elections Code, the City Attorney is hereby directed to prepare an impartial analysis of this measure.

In accordance with the provisions of Section 9212 of the California Elections Code, the Finance Director is hereby directed to prepare a fiscal impact statement of this measure.

BE IT FURTHER RESOLVED AND ORDERED that Santa Cruz County Elections Department is requested to print the attached measure text exactly as filed or indicated on the filed document in the Voter's Information Guide for the November 8, 2022 election. Cost of printing and distribution of the measure text will be paid for by the city.

BE IT FURTHER RESOLVED AND ORDERED that the City Clerk Administrator of the City of Santa Cruz is hereby ordered and directed to cause said proposed ordinance (Exhibit A) and notice of election to be published in accordance with the provisions of the California State Election Code.

PASSED AND ADOPTED this 9th day of August, 2022 by the following vote:

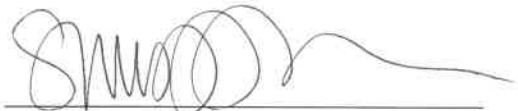
AYES: Councilmembers Kalantari-Johnson, Golder, Cummings, Brown, Meyers;
Vice Mayor Watkins; Mayor Brunner.

NOES: None.

ABSENT: None.


DISQUALIFIED: None.

APPROVED: _____



Sonja Brunner, Mayor

ATTEST: _____



Bonnie Bush, City Clerk Administrator

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EXHIBIT A

“ORDINANCE NO. 2022-

AN ORDINANCE OF THE CITY OF SANTA CRUZ AMENDING SECTION 3.28.030 OF
THE SANTA CRUZ MUNICIPAL CODE PERTAINING TO THE TRANSIENT OCCUPANCY
TAX RATE

THE PEOPLE OF THE CITY OF SANTA CRUZ, CALIFORNIA DO ORDAIN AS
FOLLOWS:

Section 1. Effective January 1, 2023, Section 3.28.030 of the Santa Cruz Municipal Code is hereby amended to read as follows:

“3.28.030 Tax Imposed

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in an amount of ~~eleven percent of the rent charged by the operator.~~ fourteen percent of the rent charged to a transient for a residential short-term rental for which a permit is required pursuant to Section 24.12.1715, and twelve percent of the rent charged to a transient in all other types of hotels. The tax constitutes a debt owed by the transient to the city which is extinguished only by payment by the operator to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient’s ceasing to occupy space in the hotel. If for any reason the tax is not paid to the operator of the hotel, the director of finance may require that such tax shall be paid directly to the director of finance.”

Section 2. Execution. The Mayor is hereby authorized to attest to the adoption of this Ordinance by the voters of the City by signing where indicated below.”

PASSED AND ADOPTED by a majority vote of the electorate of the City of Santa Cruz on at the November 8, 2022 statewide general election.

BONNIE BUSH
CITY CLERK ADMINISTRATOR