

RESOLUTION NO. 2022-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA PALMA, CALIFORNIA, CALLING THE ELECTION AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE GENERAL MUNICIPAL ELECTIONS TO BE HELD WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 8, 2022, PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE, AND CALLING FOR THE PLACEMENT OF A CITY SERVICES MEASURE ON THE BALLOT FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF AN ORDINANCE TO ENACT A FOUR PERCENT INCREASE IN THE TRANSIENT OCCUPANCY TAX

WHEREAS, the City of La Palma, California, ("City") provides an excellent quality of life for our residents with low crime rates, safe neighborhoods, good schools, and strong sense of community; and

WHEREAS, keeping the City clean, safe, and well-maintained is a top priority; and

WHEREAS, tourists arrive to the City each day to access nearby attractions including theme parks, beaches, and local parks; and

WHEREAS, many of the tourists create a demand for City services and resources including parks, community facilities, and local police; and

WHEREAS, while the City has been able to remain fiscally stable during the COVID-19 pandemic, while costs for community services continue to increase while City revenue resources have remained flat; and

WHEREAS, it is desirable that the General Municipal Elections be consolidated with the Statewide General Elections to be held on the same date; and that within the City, the vote centers, ballot drop locations; and election officers of the two elections be the same; and that the County Elections Department of the County of Orange canvass the returns of the General Municipal Elections and that the elections be held in all respects as if there were only one election; and

WHEREAS, pursuant to Article V of Chapter 14 of the La Palma City Code, the City currently levies a Transient Occupancy Tax ("TOT"); and

WHEREAS, pursuant to authority of Article XIIC of the California Constitution the City Council of the City of La Palma desires submit to voters a measure related to an increase in the TOT rate from eight percent (8%) to twelve percent (12%); and

WHEREAS, the TOT is only paid by tourists who stay in hotels and other short-term rental guests; and

WHEREAS, it is estimated that a four percent (4%) increase in the TOT will generate approximately \$200,000 annually.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Palma, California, as follows:

SECTION 1. That the above recitals are true and correct and are incorporated by this reference.

SECTION 2. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Orange is hereby requested to consent and agree to the consolidation of General Municipal Elections with the Statewide General Elections on Tuesday, November 8, 2022.

SECTION 3. That a measure is to appear on the ballot as follows:

La Palma City Services Measure		
To support City of La Palma services such as providing updated equipment for local police officers, maintaining streets and sidewalks, supporting programs and services for youth, seniors, and families, and for general government use, shall an ordinance be adopted increasing the City of La Palma's transient occupancy tax paid by hotel/short-term rental guests from 8% to 12%, generating approximately \$200,000 annually until ended by voters, subject to annual audits and all funds staying in La Palma?	Yes	No

SECTION 4. That the proposed complete text of the Ordinance submitted to the City's voters as a ballot measure is attached hereto as Exhibit A and incorporated herein by his reference.

SECTION 5. That the County Election Department is authorized to canvass the returns of the General Municipal Elections. The elections shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 6. That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated elections.

SECTION 7. That the City of La Palma recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 8. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 9. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Election Department of the County of Orange.

SECTION 10. That the City Clerk is directed to submit a copy of the above-described ballot measure to the City Attorney, after which, the City Attorney is directed to prepare an impartial analysis of the proposed ballot measure pursuant to Elections Code section 9280. The impartial analysis of the measure shall show the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall not exceed five hundred (500) words in length and shall be filed with the City Clerk by 4:30 p.m. on June 20, 2022.

SECTION 11. That the City Clerk is directed to submit a copy of the above-described ballot measure to the City Manager, after which, the City Manager is directed to prepare a fiscal analysis of the proposed ballot measure. The fiscal analysis of the measure shall show the estimated amount of any increase or decrease in revenue or cost to the City as a result of the measure. The fiscal analysis shall not exceed five hundred (500) words in length and shall be filed with the City Clerk by 4:30 p.m. on June 20, 2022.

SECTION 12. That, pursuant to Section 9282(b) of the Elections Code, which provides that for measures placed on the ballot by the City Council, the City Council or any member or members of the City Council authorized by the City Council may submit an argument for or against the ballot measure, the City Council hereby authorizes any City Council member or members to prepare and file a written argument for or against the ballot measure with the City Clerk on or before June 21, 2022, by 4:30 p.m., which argument shall not exceed three hundred (300) words in length.

SECTION 13. That any person wishing to submit a direct argument for or against the ballot measure shall file such argument with the City Clerk on or before June 21, 2022, by 4:30 p.m., which argument shall not exceed three hundred (300) words in length.


SECTION 14. That any rebuttal arguments for or against the ballot measure shall be filed with the City Clerk on or before July 1, 2022, by 4:30 p.m. and shall not exceed two hundred fifty (250) words in length.

SECTION 15. That the selection of arguments for printing and distribution to the voters shall be in accordance with Sections 9282 and 9287 of the Elections Code.

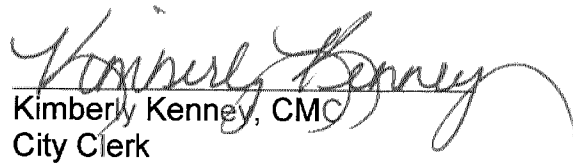
SECTION 16. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

SECTION 17. That this Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of La Palma on the 7th of June, 2022.


Michele Steggell
Mayor

ATTEST:

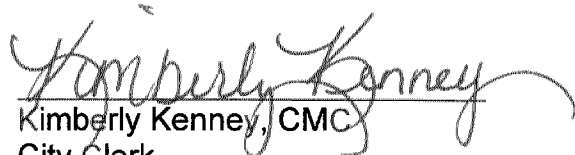

Kimberly Kenney, CMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF LA PALMA)

I, KIMBERLY KENNEY, City Clerk of the City of La Palma, California, DO HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of said City at a regular meeting of said City Council held on the 7th day of June 2022, and that it was so adopted by called vote as follows:

AYES: Baker, Goodman, Steggell, and Waldman

NOES: Patel


Kimberly Kenney, CMC
City Clerk