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RESOLUTION NO. 22069

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, ORDERING, CALLING, PROVIDING FOR AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON THE 2nd DAY OF NOVEMBER, 2010 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF RIVERSIDE, AN AMENDMENT TO CHAPTER 5.32 OF THE RIVERSIDE MUNICIPAL CODE TO INCREASE THE CITY'S TRANSIENT OCCUPANCY TAX FROM ELEVEN PERCENT (11%) TO TWELVE PERCENT (12%), EFFECTIVE JULY 1, 2012, AND TO THIRTEEN PERCENT (13%), EFFECTIVE JULY 1, 2014, AND GIVING NOTICE AND ORDERING THAT SAID SPECIAL MUNICIPAL ELECTION BE CONSOLIDATED WITH ALL OTHER ELECTIONS BEING HELD IN THE SAME TERRITORY ON THE SAME DATE.

WHEREAS, the City of Riverside has an existing transient occupancy tax ordinance which is set forth in Chapter 5.32 of the Riverside Municipal Code and which was initially adopted by the City in 1966, and which provides for a tax to be imposed on the privilege of occupying rooms within hotels, motels, inns and other dwelling units within the City for periods of less than thirty days; and

WHEREAS, the City's transient occupancy tax is considered a general tax under Article XIIC of the California Constitution; and

WHEREAS, the existing transient occupancy tax rate set forth in Chapter 5.32 has not been increased since 1993; and

WHEREAS, the City's existing transient occupancy rate of eleven percent (11%) is less than certain other similarly situated cities with convention centers such as Ontario and Palm Springs; and

WHEREAS, the City Council now desires to provide for an increase of the transient occupancy tax rate, by increasing the tax rate from eleven percent (11%) to twelve percent (12%), effective July 1, 2012, and from twelve percent (12%) to thirteen percent (13%), effective July 1, 2014; and

WHEREAS, Article XIIC of the California Constitution requires that any proposed increase in a general tax must be submitted to, and approved by, a majority of those qualified

1 electors voting in an election to be held on the issue of increasing the tax; and

2 WHEREAS, the County of Riverside will conduct an election on November 2, 2010.

3 NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside, as
4 follows:

5 Section 1: The City Council, pursuant to its right and authority under California law,
6 approves the proposed ordinance as set forth on Exhibit A, attached hereto and incorporated
7 herein by reference, and hereby orders that the following measure be submitted to the qualified
8 electors of the City of Riverside at a special municipal election to be held on November 2, 2010:

9

<i>City of Riverside Measure.</i>		
<i>To offset State budget cuts, provide local funding the State cannot take, and supplement City funds for essential services such as 9-1-1 response, police and fire protection, youth/senior programs, tourism, and facilities such as the convention center, libraries, and parks, shall the City's existing transient occupancy tax, also known as a hotel tax paid only by hotel guests, be increased by 2%, subject to audit and all funds staying local?</i>	YES	
	NO	

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18 Section 2: That only the qualified electors of the City of Riverside are entitled
19 to vote at said election on this measure to amend the Riverside Municipal Code and
20 that if a majority of the qualified electors voting on the measure votes in favor of the
21 measure, the measure shall be deemed approved.

22 Section 3: The City Clerk is authorized, instructed and directed to take all action
23 necessary to consolidate this special municipal election to be held on this proposition with the
24 election to be conducted by the County of Riverside on November 2, 2010.

25 Section 4: The City Clerk is directed to transmit a copy of the measure to the City
26 Attorney. The City Attorney shall prepare an impartial analysis of the measure pursuant to
27 Elections Code section 9280, showing the effect of the measure on the existing law and the
28

1 operation of the measure. The analysis shall be printed preceding the arguments for and against
2 the measure.

3 Section 5: That in accordance with the provisions of the Charter of the City of Riverside
4 and the Constitution and Election Laws of the State of California, a special municipal election to
5 be held and the same is hereby called and ordered to be held in the City of Riverside on
6 November 2, 2010, for the purpose of submitting to the qualified electors of the City of Riverside
7 such measure to increase the City's transient occupancy tax.

8 Section 6: That the polls for said election shall be open at 7:00 a.m. of the day of said
9 election and shall remain open continuously from said time until 8:00 p.m. of the same day,
10 when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the
11 State of California.

12 Section 7: That the City Council consents to the consolidation of the special municipal
13 election hereby called with all other elections being held in the same territory on November 2,
14 2010, and said elections, where possible, shall be held in all respects as if there were only one
15 election within the City of Riverside and only one form of ballot shall be used in the precincts,
16 and polling places and officers of election for said elections shall be the same as provided for the
17 statewide general election.

18 Section 8: That for the purpose of holding said special municipal election, there shall be
19 and hereby are established consolidated voting precincts, consisting of a consolidation of the
20 regular election precincts in the City of Riverside established for the holding of state and county
21 elections as said regular election precincts exist on the date of this resolution.

22 Section 9: That the form and contents of the ballot to be used at said election shall be as
23 provided by law.

24 Section 10: That in accordance with Section 10002 of the Elections Code, the Board of
25 Supervisors of Riverside County is hereby requested to consent to the Registrar of Voters
26 rendering election services to the City of Riverside as may be requested by the City Clerk of said
27 City, the County of Riverside to be reimbursed in full, for such services as are performed.
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1 Section 11: That the City of Riverside requests the Registrar of Voters, or such other
2 official as may be appropriate, to perform, and that such officer is hereby authorized and directed
3 to perform if the said Board of Supervisors consents, services which include the preparation,
4 printing and mailing of sample ballots and polling place cards; the establishment or appointment
5 of precincts, polling places, and election officers, and making such publications as are requested
6 by law in connection therewith; the furnishing of ballots, voting booths and other necessary
7 supplies or materials for polling places; the canvassing of the returns of election and the
8 furnishing of the results of such canvassing to the City Clerk of the City of Riverside; and the
9 performance of such other election services as may be requested by said City Clerk.

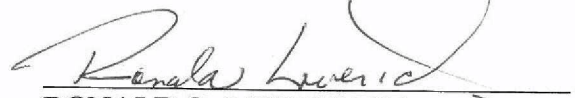
10 Section 12: That the City Clerk shall have charge of all City elections pursuant to
11 Riverside City Charter Section 703(f).

12 Section 13: That the City Clerk is hereby designated as the "Elections Official" for the
13 purposes of this election pursuant to Elections Code section 320(b).

14 Section 14: That based upon the foregoing authority, the City Clerk shall have charge of
15 this election and shall make all determinations necessary to conducting this election.

16 Section 15: That the City Clerk of said City shall receive the canvass of the special
17 municipal election and shall certify the results to the City Council, as required by law.

18 ADOPTED by the City Council and signed by the Mayor this 27th day of July, 2010.

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21 RONALD O. LOVERIDGE
22 Mayor of the City of Riverside

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24 Attest:

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26 COLLEEN J. NICOL
27 City Clerk of the City of Riverside
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I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at its meeting held on the 27th day of July, 2010, by the following vote, to wit:


Ayes: Councilmembers Gardner, Melendrez, Bailey, Davis, Hart, and Adams

Noes: Councilmember Mac Arthur

Absent: None

Abstain: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 28th day of July, 2010.


COLLEEN J. NICOL
City Clerk of the City of Riverside

10-0114
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Rev: 07/27/10

1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing ordinance was PASSED, APPROVED and ADOPTED by the People of the City of
3 Riverside voting on the 2nd day of November, 2010.

4 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
5 City of Riverside, California, this _____ day of _____, 2010.

6
7 _____
8 COLLEEN J. NICOL
9 City Clerk of the City of Riverside
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