

**RESOLUTION NO. R-24-1261**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLVANG, CALIFORNIA, APPROVING SUBMISSION OF AN ORDINANCE CONTINUING AND MODIFYING AN EXISTING TRANSIENT OCCUPANCY (HOTEL) TAX TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS THEREOF**

**WHEREAS**, through an engagement effort and discussion around the City’s budget, residents identified City service funding priorities such as maintaining pothole and street repair, completing deferred maintenance of streets, roads, sidewalks, and City facilities, maintaining City parks, providing traffic safety and parking relief, maintaining senior, adult and youth recreation programs and City funded community and special events and maintaining 911 emergency response; and

**WHEREAS**, local voter approved funding will help maintain the current level of police service, including neighborhood patrols and crime prevention programs which are vital to protecting Solvang’s quality of life; and

**WHEREAS**, this measure will give Solvang local control over local funds for local needs – allowing Solvang to be self-reliant and requiring local tax dollars to be spent for Solvang residents and preventing money from being taken by Sacramento; and

**WHEREAS**, this measure will reduce the impact on local taxpayers so local residents do not shoulder the cost and visitors and tourists also contribute to the services they utilize; and

**WHEREAS**, this measure will provide the funding for well-maintained City streets, roads, parks, and recreation centers which help protect our property values; and

**WHEREAS**, the proposed measure will include strict accountability requirements such as public disclosure of all spending and annual independent financial audits that ensure funds are used effectively and as promised, and only to benefit the Solvang community.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLVANG DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** The City Council hereby finds that the facts set forth in the recitals of this Resolution are true and correct, and establish the factual basis for the City Council’s adoption of this Resolution.

**SECTION 2.** By Resolution No. R-24-1256, adopted on June 10, 2024, the City Council has previously called and given notice of the General Municipal Election to be held in the City on November 5, 2024, and by Resolution No. R-24-1258 has previously requested the Board of Supervisors of the County of Santa Barbara to consolidate such General Municipal Election with the statewide general election conducted on the same date. Pursuant to California Elections Code Sections 9222 and 10201, the City Council hereby orders that at the said election, an Ordinance amending Section 3-2-2 of the Solvang Municipal Code to increase the transient occupancy tax rate from 12 percent to 14 percent be submitted to the voters for approval. The full text of the Solvang Tourism Enhancement and Mitigation Ordinance is attached to this Resolution as Exhibit A and incorporated herein by reference. The measure to be submitted to the voters shall appear and be printed on the ballot as follows:

City of Solvang	
<p><b>Solvang Tourism Enhancement and Mitigation Measure.</b> To continue funding for Solvang tourism related services, such as: pothole, street/ sidewalk repair; traffic safety, parking relief; senior, adult/ youth recreation programs; 911 response; and general government use, shall the City adopt a measure increasing Solvang’s existing transient occupancy (hotel) tax charged to hotel guests only, by 2% until ended by voters, providing an additional \$1,000,000 annually, that cannot be taken by Sacramento, with citizens' oversight, independent audits?</p>	YES
	NO

**SECTION 3.** The City Council hereby approves the proposed Ordinance, attached to this Resolution as Exhibit A, to be submitted to the voters. The proposed measure is a general tax, as defined in Article XIIC of the California Constitution. The Ordinance shall not take effect unless and until approved by a vote of at least a majority of voters voting on the question at the election.

**SECTION 4.** The City Attorney is hereby directed to prepare an impartial analysis of the measure pursuant to Elections Code Section 9280.

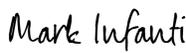
**SECTION 5.** In all particulars not recited in this Resolution, the General Municipal Election shall be held and conducted as provided by law for holding municipal elections. All persons qualified and registered to vote in the City of Solvang as of the date of such election shall be entitled to vote.

**SECTION 6.** Notice of the time and place of holding the General Municipal Election is hereby given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in the time, form and manner as required by law, and to publish a synopsis of the measure as required by law.

**SECTION 7.** The City Clerk is hereby directed to submit a certified copy of this Resolution to the Santa Barbara County Clerk-Recorder’s Office and to the Santa Barbara County Board of Supervisors.

**SECTION 8.** The Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

**PASSED, APPROVED, AND ADOPTED** on this 10th day of June 2024.

DocuSigned by:  
  
306835E2802E4BF...  
 Mark Infanti, Mayor

APPROVED AS TO FORM:

ATTEST:

DocuSigned by:  
  
88526E557B0D4D9...  
 Chelsea O'Sullivan, City Attorney

DocuSigned by:  
  
2EFC6CE92C12406...  
 Annamarie Porter, City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF SANTA BARBARA    )        ss  
CITY OF SOLVANG                )

I, Annamarie Porter, City Clerk of the City of Solvang, California do hereby certify that Resolution No. 24-1261 was passed and adopted by the City Council of the City of Solvang at a regular meeting of said City Council held on the 10th day of June 2024, and thereafter signed and approved by the Mayor and attested by the City Clerk, and that said resolution was adopted by the following vote:

AYES:            BROWN, INFANTI, C ORONA, E ORONA

NOES:            CLARKE

ABSTAIN:        NONE

ABSENT:         NONE

DocuSigned by:  
  
2EFC6CE62C12406...  
Annamarie Porter, City Clerk

## EXHIBIT A

**ORDINANCE NO. 24-\_\_\_\_\_**

**AN ORDINANCE OF THE PEOPLE OF THE CITY OF SOLVANG,  
CALIFORNIA AMENDING SECTION 3-2-2 OF THE SOLVANG MUNICIPAL  
CODE TO CONTINUE AND MODIFY THE TRANSIENT OCCUPANCY  
(HOTEL) TAX RATE FROM 12 PERCENT TO 14 PERCENT  
AND MAKING A DETERMINATION OF EXEMPTION UNDER THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The people of the chartered City of Solvang do ordain as follows:

**SECTION 1.**

Chapter 2 of Title 3 of the Solvang Municipal Code, Section 3-2-2 "Tax Imposed" is hereby amended to read as follows:

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of 14% of the rent charged or 14% of the value of the complimentary room calculated on the average monthly room rate. Such tax constitutes a debt owed by the transient to the city, which is extinguished only by payment to the operator or 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 finance department may require that such tax shall be paid directly to the finance department.

**SECTION 2.**

This Ordinance has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (Title 14, Division 6, Chapter 3 of the California Code of Regulations), and the City's environmental procedures. The City has determined that this Ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15060(c)(2), 15060(c)(3), and 15061(b)(3) because the City Council hereby finds with certainty that there is no possibility the passage of this Ordinance will result in a direct or reasonably foreseeable indirect physical change in the environment nor have a significant effect on the environment.

**SECTION 3.**

If any section, subsection, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction or preempted by State or Federal legislation, such decision or legislation shall not affect the validity of the remaining provisions of this ordinance.

**SECTION 4.**

If this ordinance is approved by a majority of the electors voting on the issue at the November 5, 2024 general municipal election, pursuant to Elections Code Section 9217, the ordinance shall become effective ten (10) days after the City Council accepts the certified results of the election.

**PASSED, APPROVED, AND ADOPTED** on this 5<sup>th</sup> day of November 2024.

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Mark Infanti, Mayor

**APPROVED AS TO FORM:**

**ATTEST:**

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Chelsea O'Sullivan, City Attorney

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Annamarie Porter, City Clerk

STATE OF CALIFORNIA                    )  
COUNTY OF SANTA BARBARA        )ss  
CITY OF SOLVANG                        )

I, Annamarie Porter, City Clerk of the City of Solvang, California do hereby certify that the foregoing Ordinance No. 24-XXXX was duly adopted by the voters of the City of Solvang on the 5<sup>th</sup> day of November, 2024, and thereafter signed and approved by the Mayor and attested by the City Clerk.

\_\_\_\_\_  
Annamarie Porter, City Clerk