RESOLUTION NO. 25-37-R

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HANFORD CALLING FOR AND GIVING NOTICE OF THE HOLDING OF A SPECIAL ELECTION TO BE HELD ON NOVEMBER 4, 2025, TO PRESENT TO VOTERS A MEASURE TO AMEND CHAPTER 3.24 OF THE MUNICIPAL CODE TO INCREASE THE TRANSIENT OCCUPANCY TAX BY FOUR PERCENT (4%) FOR A TOTAL TWELVE PERCENT (12%) RATE, AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

WHEREAS, the City Council met at its regularly scheduled meeting of May 6, 2025, and directed City staff to prepare materials for the Council to consider placement of a proposed ballot measure for a proposed general tax increase to the City's current Transient Occupancy Tax rate of eight percent (8%); and

WHEREAS, applicable provisions of the California Revenue and Taxation Code and California Government Code authorize the City to increase a transient occupancy tax for general purposes by ordinance following approval by a majority vote of the qualified electors of the City voting in an election on the issue; and

WHEREAS, the City currently imposes a uniform Transient Occupancy Tax of eight percent (8%) on visitors who stay in hotels, motels, inns, or other short-term rentals in the City for thirty (30) days or less; and

WHEREAS, in accordance with applicable provisions of the California Constitution and California Elections Code the City Council desires to submit to the voters of the City of Hanford a ballot measure proposal to increase the existing rate of the transient occupancy tax in the City of Hanford by four percent (4%), for a total rate of twelve percent (12%) (hereinafter the "Measure"); and

WHEREAS, if the Measure is approved by the voters, the increased transient occupancy tax is a general tax, the revenue of which will be placed in the City's general fund and be used to pay for any general City services; and

WHEREAS, if the Measure is approved by the voters, every operator of a hotel, motel, inn, or other short-term rental property in the City shall collect the tax from occupants who stay for thirty (30) days or less and are subject to the tax and remit the funds to the City; and

WHEREAS, California Government Code section 53724(d) states that "the legislative body of the local government . . . may provide that the election on any tax proposed pursuant to [Government Code Title 5, Division 2, Part 1, Chapter 4, Article 3.7] shall be held at any date otherwise permitted by law"; and

WHEREAS, the transient occupancy tax increase described in the Measure cannot be imposed without voter approval; and

WHEREAS, voter approval of the Measure increasing the City's transient occupancy tax rate will require an ordinance amending the Hanford Municipal Code section defining the rate and more completely describing the Measure and details of the tax, which ordinance shall be

prepared by the City Attorney so as to be enacted if the Measure is approved by the voters (hereinafter "Ordinance").

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hanford as follows:

SECTION 1. Pursuant to Article XIII C, Section 2(b) of the California Constitution, Section 53724 of the Government Code, and applicable provisions of the Elections Code, the City Council of the City of Hanford hereby calls and orders a special election at which the Measure relating to the increase of the City's transient occupancy tax shall be submitted to the qualified voters of the City.

SECTION 2. The City requests that the Kings County Registrar of Voters conduct a special election on November 4, 2025 and canvass the returns, and the City agrees to pay the reasonable expenses of said election.

SECTION 3. At the special election to be held on November 4, 2025, the following question shall be submitted to registered voters of the City of Hanford and shall be printed on the election ballot in the form set forth as follows:

CITY OF HANFORD TRANSIENT OCCUPANCY TAX MEASURE: Shall a measure be adopted amending the Hanford Municipal Code to increase the maximum rate of the City's Transient Occupancy (Hotel) Tax paid by hotel and vacation rental guests from 8% to 12%, providing approximately $375,000 annually, for City general services, including, without limitation, police, fire, parks and recreation, maintaining public infrastructure such as streets, sidewalks, parks and facilities, and general government use, until ended by voters?"

YES ☐   NO ☐

SECTION 4. The City Council approves the introduction of Ordinance 25-05, attached to this Resolution as Attachment A.

SECTION 5. The measure shall be designated on the ballot by a letter, as provided in Elections Code Section 13116. This measure shall be designated by letter by the Kings County Registrar of Voters.

SECTION 6. Passage of the Measure requires a simple majority of votes from qualified voters of the City voting in the election.

SECTION 7. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding special elections.

SECTION 8. Pursuant to Elections Code section 12111, the City Council hereby directs the City Clerk, with the assistance of the City Attorney, to prepare a synopsis of the Measure and transmit the synopsis to the Kings County Registrar of Voters to be published in accordance with section 12111.

SECTION 9. Arguments in favor of or against the proposed measure shall be filed with the Kings County Registrar of Voters in accordance with applicable provisions of the Elections Code, including sections 9280 through 9287 thereof.

SECTION 10. Pursuant to Elections Code section 9280, the City Council hereby directs the City Clerk to transmit a copy of the Measure to the City Attorney, and the City Attorney shall prepare an impartial analysis of the Measure in accordance with Elections Code section 9280 and file it with the Kings County Registrar of Voters.

SECTION 11. The City Clerk shall file a certified copy of this Resolution with the Kings County Registrar of Voters as required by applicable law. The City Clerk is hereby authorized and directed to work with the Kings County Registrar of Voters and take all steps necessary to cause placement of the Measure and any associated arguments, analysis, synopsis, summary, or ballot question on the ballot.

SECTION 12. The City Clerk and City Attorney are authorized to make any typographical, clerical, non-substantive corrections to this Resolution and the Measure to be placed on the ballot as may be deemed necessary by the Kings County Registrar of Voters.

SECTION 13. California Environmental Quality Act (CEQA). The adoption of this Resolution is exempt from the California Environmental Quality Act, Public Resources Code§§ 21000 et seq. ("CEQA") and 14 Cal. Code Reg. §§ 15000 et seq. ("CEQA Guidelines"). The calling and noticing of a Special Election for the submission of a ballot measure to voters is not a project within the meaning of CEQA Guidelines Section 15378. The transient occupancy tax increase submitted to the voters is a general tax that can be used for any governmental purpose; it is not a commitment to any particular action or actions. As such, under CEQA Guidelines Section 15378(b)(4), the tax is not a project within the meaning of CEQA because it creates a government funding mechanism that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment.

SECTION 14. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution or its application to any person or circumstance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution or its application to other persons and circumstances. The City Council of the City of Hanford hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

PASSED AND ADOPTED this day 1st of July 2025 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mayor of the City of Hanford

Attest:

_____
Natalie Corral

City Clerk

STATE OF CALIFORNIA)

COUNTY OF KINGS   ) ss

CITY OF HANFORD   )

     I, Natalie Corral, City Clerk of the City of Hanford, do hereby certify the foregoing Resolution was duly passed and adopted at a regular meeting of the City Council of the City of Hanford held on the 1st day of July 2025.

Date: _____   _____
                                               City Clerk