

1 **RESOLUTION NO. 16.068**

2 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF**
3 **LAGUNA BEACH, CALIFORNIA, EXPRESSING ITS SUPPORT FOR MEASURE LL,**
4 **ITS INTENT TO PRIORITIZE SPENDING OPTIONS FOR FUTURE MEASURE LL**
5 **REVENUE, AND ITS INTENT TO ESTABLISH A CITIZENS MEASURE LL AUDIT**
6 **OVERSIGHT COMMITTEE**

7 WHEREAS, millions of tourists visit Laguna Beach each year to enjoy our desirable
8 climate, vibrant downtown village, local restaurants and retail shops, beautiful and clean beaches
9 and ocean, parks, recreational and cultural activities, open space, and art festivals including the
10 Pageant of the Masters, the Festival of Arts, the Sawdust Art Festival, and Art-A-Fair;

11 WHEREAS, many of the tourists arrive during high-impact summer months bringing
12 traffic and parking congestion to our local roads; disturbing residents with increased noise;
13 littering our streets and sidewalks with trash, cigarette butts, empty alcohol bottles, fast-food
14 wrappers, and other nuisance issues;

15 WHEREAS, millions of tourists increase demand on public safety services such as police,
16 fire, and marine safety, which significantly increases the costs to the City of providing services;

17 WHEREAS, due in large part to the increase in the number of tourists in the City, police
18 service calls have increased 12% in the last five years; the police department has responded to
19 increased numbers of public disturbances, traffic accidents and other events; within the last five
20 years, the fire department has responded to 26% more emergency response calls; the marine safety
21 department has responded to increased numbers of ocean, diver, and cliff rescues, including a
22 400% increase in aquatic rescues over the last five years, in addition to increased offshore
23 responses;

24 WHEREAS, tourists also increase the cost to the City to provide clean ocean water,
25 beaches, streets, sidewalks, parks, and to maintain open space;

26 WHEREAS, on July 26, 2016, the City Council of the City of Laguna Beach called a
27 General Municipal Election to be held on November 8, 2016, for the purpose of submitting to the
28 voters a question relating to a ballot measure to increase the Transient Occupancy Tax ("TOT")
from 10% to 12%;

1 WHEREAS, the TOT is paid only by tourists who stay in hotels and other lodging
2 establishments for a period of thirty (30) days or less;

3 WHEREAS, it is estimated that a 2% increase in the TOT will generate approximately
4 \$2,000,000 annually;

5 WHEREAS, the TOT is a general tax enacted solely to raise revenue for the general
6 governmental purposes of the City and all of the proceeds from the tax shall be placed in the
7 City's General Fund;

8 WHEREAS, the General Fund pays for vital City services such as police, fire, and marine
9 safety services; clean beaches; street, park, and building maintenance; recreation services; and
10 other general municipal services to the public;

11 WHEREAS, the County of Orange has officially designated the question relating to a
12 ballot measure to increase the TOT from 10% to 12% as Measure LL;

13 WHEREAS, the City Council desires to adopt this resolution expressing its support for
14 Measure LL, which would provide additional revenues to enable the City to fund services and
15 improvements needed to as a result of the millions of annual visitors to the City;

16 WHEREAS, the City Council desires to adopt this resolution expressing its intent, if
17 Measure LL is enacted by voters, to prioritize spending options for future Measure LL revenue for
18 various purposes, as identified herein;

19 WHEREAS, the City Council desires to adopt this resolution expressing its intent, if
20 Measure LL is enacted by voters, to establish a Citizens Measure LL Audit Oversight Committee;

21 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH**
22 **HEREBY RESOLVES AS FOLLOWS:**

23 **SECTION 1.** The City Council supports passage of Measure LL.

24 **SECTION 2.** The City Council hereby expresses its intent, if Measure LL is enacted by
25 voters, to prioritize spending options for future Measure LL revenue for the following purposes:

- 26 • Protect beaches from pollution;
- 27 • Provide fire and police protection, and emergency response services;
- 28 • Utility undergrounding to prevent fires and power outages;

- Improve the cleanliness of public areas such as sidewalks and streets; and
- To provide other services and improvements.

SECTION 3. The City Council hereby expresses its intent, if Measure LL is enacted by voters, to establish a Citizens Measure LL Audit Oversight Committee of no more than five members to review the annual year end expenditure reports produced by the City for the next five years and provide a subsequent public report to the City Council.

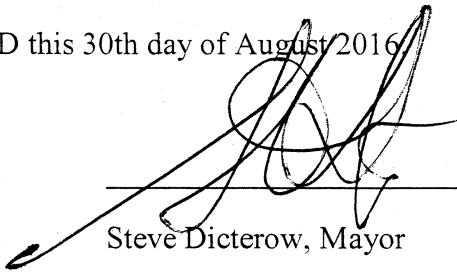
SECTION 4. Although this Resolution expresses the intent of the current City Council to prioritize spending options for future Measure LL revenues for certain purposes, this Resolution is non-binding on this or any future or subsequently constituted City Council, and the TOT is and shall remain a general tax as defined in Article XIII C §1(a) of the California Constitution.

SECTION 5. No City funds or resources shall be expended on campaigning with regard to Measure LL or be used to implement this Resolution.

SECTION 6. The City Council finds and determines that this Resolution is not a project for purposes of the California Environmental Quality Act.

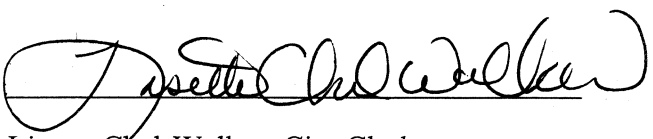
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PASSED, APPROVED AND ADOPTED this 30th day of August 2016



Steve Dicterow, Mayor

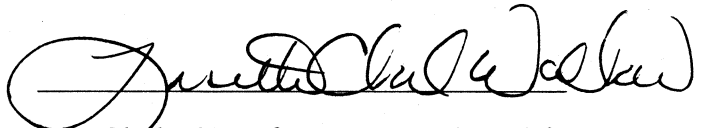
ATTEST:



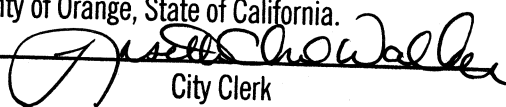
Lisette Chel-Walker, City Clerk

I, LISETTE CHEL-WALKER, City Clerk of the City of Laguna Beach, certify that the foregoing **Resolution No. 16.068** was duly adopted at a regular meeting of the City Council of said City held on August 30, 2016, by the following vote:

- AYES: COUNCILMEMBERS: Boyd, Whalen, Zur Schmiede, Iseman, Dicterow
- NOES: COUNCILMEMBERS: None
- ABSTAIN: COUNCILMEMBERS: None
- ABSENT: COUNCILMEMBERS: None



City Clerk, City of Laguna Beach, California

The foregoing instrument is a correct copy of the original on file in this office.
Attest August 30, 2016
City Clerk of the City of Laguna Beach,
County of Orange, State of California.
By: 
City Clerk