

TO THE MEMBERS OF THE CITY COUNCIL FOR THE CITY OF STANTON AND TO THE CITY CLERK:

NOTICE IS HEREBY GIVEN that a Special Meeting of the City Council for the City of Stanton is hereby called by the Mayor, to be held on August 5, 2019, commencing at 2:00 p.m. at 7800 Katella Avenue, Stanton, CA 90680.

The Agenda for the Special Meeting is attached to this Notice and Call.

Dated: August 1, 2019

s/ Patricia A. Vazquez, City Clerk

---

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE OFFICE OF THE CITY CLERK AT (714) 890-4245. NOTIFICATION BY 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING.



**AGENDA  
CITY COUNCIL SPECIAL MEETING  
7800 KATELLA AVENUE, STANTON, CA 90680  
MONDAY, AUGUST 5, 2019 - 2:00 P.M.**

***In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (714) 890-4245. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.***

*The City Council agenda and supporting documentation is made available for public review and inspection during normal business hours in the Office of the City Clerk, 7800 Katella Avenue, Stanton California 90680 immediately following distribution of the agenda packet to a majority of the City Council. Packet delivery typically takes place on Thursday afternoons prior to the regularly scheduled meeting on Tuesday. The agenda packet is also available for review and inspection on the city's website at [www.ci.stanton.ca.us](http://www.ci.stanton.ca.us), at the public counter at City Hall in the public access binder, and at the Stanton Library (information desk) 7850 Katella Avenue, Stanton, California 90680.*

- 1. CLOSED SESSION**      **None.**
  
- 2. CALL TO ORDER**
  
- 3. PLEDGE OF ALLEGIANCE**
  
- 4. ROLL CALL**      Council Member Taylor  
                         Council Member Van  
                         Council Member Warren  
                         Mayor Pro Tem Ramirez  
                         Mayor Shawver

**SPECIAL ORDERS OF THE DAY**

- 5. NEW BUSINESS**

**5A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, AMENDING THE BALLOT LABEL/BALLOT QUESTION FOR A GENERAL TAX MEASURE TO BE PLACED ON THE NOVEMBER 5, 2019 SPECIAL MUNICIPAL ELECTION BALLOT RELATING TO A PROPOSED ORDINANCE AMENDING THE CITY'S HOTEL/MOTEL VISITOR (TRANSIENT OCCUPANCY) TAX BY INCREASING THE RATE FROM 8% TO 12% AND ADDRESSING ONLINE TRAVEL COMPANY AND OTHER THIRD PARTY BOOKINGS**

The City Council desires to amend the ballot label/ballot question to clarify the measure for Stanton voters.

**RECOMMENDED ACTION:**

1. City Council declare that the project is exempt from California Environmental Quality Act ("CEQA") under Section 15378( b)( 4) — The creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and
2. Approve Resolution No. 2019-34, entitled:

**“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, AMENDING THE BALLOT LABEL/BALLOT QUESTION FOR A GENERAL TAX MEASURE TO BE PLACED ON THE NOVEMBER 5, 2019 SPECIAL MUNICIPAL ELECTION BALLOT RELATING TO A PROPOSED ORDINANCE AMENDING THE CITY'S HOTEL/MOTEL VISITOR (TRANSIENT OCCUPANCY) TAX BY INCREASING THE RATE FROM 8% TO 12% AND ADDRESSING ONLINE TRAVEL COMPANY AND OTHER THIRD PARTY BOOKINGS”.**

**ROLL CALL VOTE:** Council Member Taylor  
Council Member Van  
Council Member Warren  
Mayor Pro Tem Ramirez  
Mayor Shawver

## **5B. CONSIDERATION OF BALLOT ARGUMENTS IN SUPPORT OF MEASURES**

At the July 23, 2019 City Council Meeting, the City Council called a Special Municipal Election for two City-sponsored ballot measures. It is appropriate for the full City Council to prepare an argument supporting its position in favor of the measures. Accordingly, the Ad Hoc Committee (Mayor Shawver and Council Member Warren) have drafted arguments for full City Council's consideration.

### **RECOMMENDED ACTION:**

1. City Council declare that the project is exempt from California Environmental Quality Act ("CEQA") under Section 15378( b)( 4) — The creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and
2. Approve the language and authorize the full City Council to sign the ballot arguments in favor of proposed measures or approve the Ad Hoc Committees recommendations of authors.

## **6. ADJOURNMENT**

I hereby certify under penalty of perjury under the laws of the State of California, the foregoing agenda was posted at the Post Office, Stanton Community Services Center and City Hall, not less than 24 hours prior to the meeting. Dated this 1<sup>st</sup> day of August, 2019.

s/ Patricia A. Vazquez, City Clerk

---

# Council Item: 5A

## RESOLUTION NO. 2019-34

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, AMENDING THE BALLOT LABEL/BALLOT QUESTION FOR A GENERAL TAX MEASURE TO BE PLACED ON THE NOVEMBER 5, 2019 SPECIAL MUNICIPAL ELECTION BALLOT RELATING TO A PROPOSED ORDINANCE AMENDING THE CITY'S HOTEL/MOTEL VISITOR (TRANSIENT OCCUPANCY) TAX BY INCREASING THE RATE FROM 8% TO 12% AND ADDRESSING ONLINE TRAVEL COMPANY AND OTHER THIRD PARTY BOOKINGS**

**WHEREAS**, on July 23, 2019, pursuant to California Proposition 218 (California Constitution, Article XIII C) and Section 9222 of the California Elections Code, the City Council adopted Resolution 2019-31, placing a measure on the November 5, 2019 special municipal election ballot in order to propose to Stanton voters an increase in the City's Transient Occupancy Tax (TOT) rate from eight percent (8%) to twelve percent (12%) and to also modernize the Stanton Municipal Code to allow for the imposition and collection of the TOT on the full rent charged to a guest for hotel occupancy, whether the occupancy is booked directly by the guest, through online travel companies which enable guests to purchase occupancy via the Internet, or through online short term rental companies operating to facilitate connections in the rental market or otherwise broker short term rentals between a host and a guest, or by similar electronic means; and

**WHEREAS**, by Resolution 2019-31, the City Council also requested the services of the Orange County Registrar of Voters to conduct the election on the City's behalf and set rules and deadlines for the submission of arguments and rebuttals for and against the proposed measure; and

**WHEREAS**, Resolution 2019-31 included the following ballot label/ballot question which is intended to be printed in the ballot received by voters at the election:

"To improve general City services, such as police, fire and emergency response, parks and youth/senior services, and street repair, shall a measure amending the Stanton Municipal Code to increase the Transient Occupancy Tax rate from 8% to 12%, providing approximately \$250,000 annually, until ended by voters, and applying the tax to all rent charged to hotel guests, including by online travel and short term rental companies, for transient occupancy of any hotel, be adopted?"	<b>YES</b>	
	<b>NO</b>	

**WHEREAS**, in order to clarify the measure for Stanton voters, the City Council desires to amend the ballot label/ballot question as set forth herein.

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

**SECTION 1. Recitals.** The City Council hereby finds and determines that the foregoing recitals are true and correct, are incorporated herein and by this reference made an operative part hereof.

**SECTION 2. Amended Ballot Label/Ballot Question Language.** The ballot label/ballot question to be submitted to Stanton voters with regards to the Transient Occupancy Tax measure shall be amended to read as follows:

<b>HOTEL/MOTEL VISITOR (TRANSIENT OCCUPANCY) TAX INCREASE</b> “To maintain and improve essential Stanton public services including emergency paramedic response and fire protection, police patrolling homelessness and preventing burglaries, housing affordability programs and other City services, shall a measure amending the Stanton Municipal Code to increase the motel visitor tax from 8% to 12%, be applied to motel guests, including Stanton visitors booking online, providing approximately \$250,000 annually, with audits, and all funds used locally, be adopted?”	<b>YES</b>	
	<b>NO</b>	

**SECTION 3. No Further Amendments by this Resolution.** This resolution only authorizes the amendment of the ballot label/ballot question for the Transient Occupancy Tax measure that was placed on the November, 5, 2019 special election ballot by City Council Resolution 2019-31. Except as expressly provided herein, Resolution 2019-31 shall remain in full force and effect as adopted on July 23, 2019.

**SECTION 4. Delivery of Resolution to County.** The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions. The City Council directs the City Clerk to deliver copies of this Resolution to the Clerk of the Board of Supervisors of Orange County and to the Registrar of Voters of Orange County.

**SECTION 5. Public Examination.** Pursuant to California Elections Code section 9295, this Resolution will be available for public examination for no fewer than ten (10) calendar days prior to being submitted for printing in the voter information guide. The Clerk shall post notice in the Clerk’s office of the specific dates that the examination period will run.

**SECTION 6. CEQA.** The City Council hereby finds and determines that the ballot measure relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines, section 15378(b)(5).

**SECTION 7. Severability.** If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

**SECTION 8. Effective Date of Resolution.** This Resolution shall take effect immediately upon its adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Stanton, California, at a special meeting held on this 5<sup>th</sup> day of August, 2019.

---

DAVID J. SHAWVER, MAYOR

**CERTIFICATION FOR RESOLUTION NO. 2019-34**

I, Patricia A. Vazquez, City Clerk of the City Council of the City of Stanton, California, do hereby certify that the whole number of the members of the City Council is five (5); that the above and foregoing Resolution was duly and regularly passed and adopted at a special meeting of the City Council of the City of Stanton on the 5<sup>th</sup> day of August, 2019, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
MATTHEW E. RICHARDSON, CITY ATTORNEY

ATTEST:

I, Patricia A. Vazquez, City Clerk of the City of Stanton, California DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2019-34 has been duly signed by the Mayor and attested by the City Clerk, all at a special meeting of the Stanton City Council, held on August 5, 2019, and that the same was adopted, signed and approved by the following vote to wit:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
PATRICIA A. VAZQUEZ, CITY CLERK



### Ballot Name: POTENTIAL TAX ON FUTURE CANNABIS BUSINESSES

- YES, on Measure \_\_\_ establishes local control and creates funding to regulate cultivating, manufacturing, distributing, selling and testing cannabis and other related products if legalized in the future by Stanton voters.
- Yes, on Measure \_\_\_ will provide funding to recover the city’s cost related to all Cannabis businesses in Stanton. This tax will be paid by the cannabis business owners and not local taxpayers.
- YES, on Measure \_\_\_ does not change our current Stanton cannabis laws which do not allow any type of cannabis activity other than what is permitted by State mandated law. Cannabis can only be legalized by a vote of the residents or City Council.
- YES, on Measure \_\_\_ will provide additional funding for public safety, parks, youth and senior programs, and essential city services.
- The proposed tax rates are: indoor cultivation \$12.00 sq. ft.; testing labs 2.5% gross; retail sales and delivery of cannabis, cannabis products, industrial hemp, and/or industrial hemp products at 6% of gross; distribution of cannabis, cannabis products, industrial hemp, industrial hemp products at 3% of gross. All other varieties of cannabis or hemp businesses would be taxed at 4% of gross receipts.
- The proposed Cannabis Sales Tax is estimated to generate between \$1,000,000 - \$1,400,000 annually for local city services.
- YES, on Measure \_\_\_ will provide resources to remove illegal cannabis dispensaries and related businesses that impact the cost of public safety to Stanton taxpayers.
- Please Vote Yes on Measure\_\_\_ Keep Stanton Safe!

The undersigned proponents or authors of the Direct Argument in favor of ballot Measure \_\_\_ at the Special Municipal Election for the City of Stanton to be held on November 5, 2019 hereby state that such argument is true and correct to the best of their knowledge and belief.

# Council Item: 5B

## Argument In Favor of Measure “\_\_\_\_\_”

### Ballot Name: HOTEL/MOTEL VISITOR (TRANSIENT OCCUPANCY) TAX INCREASE

- Measure \_\_\_\_\_ will not increase taxes on Stanton residents. This only applies to motel guests visiting our city.
- Raising the motel visitor tax is a fair way to recover increased service costs to Stanton taxpayers because of the rising demand for public safety at motels in our community.
- The City’s motel visitor tax rate has not increased in over 40 years and will continue to be among the lowest of our neighboring cities.
- The \$250,000 provided by this voter supported tax will improve public safety for our residents and businesses.
- Measure \_\_\_\_\_ will help keep Stanton’s budget balanced.
- A YES vote on Measure \_\_\_\_\_ will keep Stanton a “Community of Pride and Forward Vision”.

The undersigned proponents or authors of the Direct Argument in favor of ballot Measure \_\_\_\_ at the Special Municipal Election for the City of Stanton to be held on November 5, 2019 hereby state that such argument is true and correct to the best of their knowledge and belief.