

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 2.8  
(ID # 14430)

MEETING DATE:  
Tuesday, January 26, 2021

FROM : REGISTRAR OF VOTERS:

SUBJECT: REGISTRAR OF VOTERS: Approval of Election Services for the City of Cathedral City Special Municipal Measure Election, District 4, [\$91,700; Reimbursement from the City of Cathedral City to the General Fund].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Registrar of Voters to conduct election services for the March 2, 2021, City of Cathedral City Special Municipal Measure Election.

ACTION: Consent

  
Rebecca Spencer 1/27/2021

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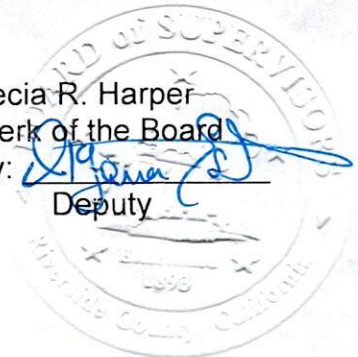
MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Hewitt, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt  
Nays: None  
Absent: None  
Date: January 26, 2021  
xc: ROV

Kecia R. Harper  
Clerk of the Board

By:   
Deputy



**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 91,700	\$ 0	\$ 91,700	\$ 0
<b>NET COUNTY COST</b>	\$ 91,700	\$ 0	\$ 91,700	\$ 0
<b>SOURCE OF FUNDS:</b> Reimbursement from the City of Cathedral City to the General Fund			<b>Budget Adjustment:</b> No	
			<b>For Fiscal Year:</b> 20/21	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

California Elections Code §§ 10002, 10402, and 10403 allow jurisdictions to request that the Board of Supervisors approve the Registrar of Voters to conduct elections by submitting a resolution requesting these services. The City of Cathedral City has complied with this requirement and has requested the Registrar of Voters to conduct its election. The department has the resources to provide these services. The County will receive reimbursements from the jurisdiction based on associated direct costs of conducting their election.

**Impact on Residents and Businesses**

Registered voters in the City of Cathedral City will have the opportunity to vote on the Cathedral City Short-Term Vacation Rental Regulation Measure that will establish additional regulations on short-term vacation rentals and phase out short-term vacation rentals except where approved by local homeowners associations.

**Additional Fiscal Information**

The County will receive reimbursements from the jurisdiction based on associated direct costs of conducting their election. Approximately \$91,700 of election costs will be reimbursed by the City of Cathedral City.

**ATTACHMENTS:**

**ATTACHMENT A. RESOLUTION NO. 2020-62**



  
 Douglas Cordonez Jr. 1/21/2021

**RESOLUTION NO. 2020-62**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, CALIFORNIA, CALLING AND GIVING NOTICE OF A SPECIAL CTY-WIDE ELECTION IN CATHEDRAL CITY ON TUESDAY, MARCH 4, 2021, ORDERING THE SUBMISSION OF THE 'CATHEDRAL CITY SHORT-TERM VACATION RENTAL REGULATION MEASURE' TO THE QUALIFIED ELECTORS OF THE CITY AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE PERMIT THE COUNTY REGISTRAR OF VOTERS TO CONDUCT THE ELECTION**

**WHEREAS**, the unregulated expansion of short term vacation rentals in Cathedral City have led to hundreds of public safety and noise complaints from residents and calls to regulate them to protect neighborhood safety and character; and

**WHEREAS**, after over a year of engagement with and input from residents, businesses and homeowner associations, the City Council developed regulations to preserve neighborhood character and address public safety, noise and other impacts of these short term vacation rentals; and

**WHEREAS**, on September 9, 2020 the City Council adopted Ordinance 842, which substantially changed the City's regulations related to short term vacation rentals, imposing additional regulations to preserve the family-oriented, residential neighborhood character all residents deserve to enjoy, regardless of where they live; and

**WHEREAS**, the City's current policy improves the safety of local neighborhoods and the dangerous and sometimes criminal activity of short-term renters in Cathedral City, including a stabbing earlier this year, by reducing the number of unknown residents coming in and out of neighborhoods through short-term rentals; and

**WHEREAS**, the City's current policy balances the desire of residents to secure additional income from their home without transforming our local neighborhoods, allowing residents to rent out a portion of their home while they live there, and Homeowners Associations to approve short-term rentals in their own community; and

**WHEREAS**, the City's current policy helps to address the current housing crisis by reducing the number of short-term rentals and making long-term housing available for more residents; and

**WHEREAS**, on October 13, 2020, a referendum petition, sponsored by real estate industry owners seeking to repeal portions of Ordinance No. 842 was submitted to the City Clerk and transmitted to the Riverside County Registrar of Voters to verify the petition contained sufficient signatures; and

**WHEREAS**, if portions of Ordinance No. 842 are repealed, there would be no limit on the number of short-term vacation rentals in the city and whole neighborhoods could be transformed into tourist or hotel areas with no resident input; and

**WHEREAS**, the City wishes for the community to decide if the current regulation on short term rentals should be retained; and

**WHEREAS**, A referendum petition must be signed by not less than 10% of the voters of the City on the date it is submitted in order to be sufficient which is 24,009; and

**WHEREAS**, on November 24, 2020, the Riverside County Registrar of Voters informed the City that the petition contained 3,515 valid signatures of registered voters within Cathedral City; and

**WHEREAS**, Elections Code 9237 provides that if a referendum petition containing the signatures of not less than 10% of the registered voters of the city is submitted, the ordinance that is the subject of the petition is suspended and the City Council shall reconsider the ordinance; and

**WHEREAS**, Elections Code 9241 provides that if the legislative body does not entirely repeal the ordinance, against which the petition is filed, the legislative body shall submit the ordinance to the voters, either at the next regular municipal election occurring not less than 88 days after the order of the legislative body, or at a special election called for the purpose, not less than 88 days after the order of the legislative body; and

**WHEREAS**, it is the desire of the City Council not to entirely repeal Ordinance 842, which the petition is filed against, and to submit the ordinance to the voters; and

**WHEREAS**, the City's next regular municipal election is scheduled to be held in November 2022, therefore, the City Council desires to call a special election, and

**WHEREAS**, the next available election date is March 2, 2021.

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

**SECTION 1.** There is called and ordered to be held in the City of Cathedral City, California, on Tuesday, March 2, 2021, a special election for the purpose of submitting a ballot measure entitled the 'Cathedral City Short-Term Vacation Rental Regulation Measure', and submitting to the voters the following question:

"Cathedral City Short-Term Vacation Rental Regulation Measure: Shall Sections 1 and 3 of Ordinance 842, adopted unanimously by the City Council to address residents' concerns such as community safety, neighborhood character, noise, criminal activity,

and other impacts caused by short-term vacation rentals operating in Cathedral City, by establishing additional regulations on short-term vacation rentals, and phasing out short-term vacation rentals except where approved by local homeowners associations, become law?"

YES \_\_\_\_ NO \_\_\_\_"

**SECTION 2.** The full text of the measure submitted to the voters is attached as Exhibit A to this Resolution and is incorporated herein by reference.

**SECTION 3.** Pursuant to Elections Code Sections 10002, 10400 and 10403, the City Council hereby requests the special election be consolidated with any and all elections also called to be held on March 2, 2021 within the same territory and requests the Board of Supervisors of the County of Riverside to permit the County Registrar of Voters to provide any and all services necessary for conducting the special election called in Section 1 of this Resolution. The County of Riverside and its staff are authorized to procure and furnish any and all official ballots, notices, printed matter and all supplies and equipment and other necessary items in order to properly and lawfully conduct the election; the County of Riverside is authorized to canvass the returns of the election, which shall be held in all respects as if there were only one election, and only one form of ballot shall be used; and the City Council recognizes that additional cost will be incurred by the County of Riverside by reason of the conduct of the special election called in Section 1 of this Resolution, and agrees to reimburse the County of Riverside for any costs that are not reimbursed by the State, and the City Council hereby authorizes the City Manager to pay the County of Riverside for said services in full.

**SECTION 4.** The ballots to be used at the election shall be in form and content as required by law.

**SECTION 5.** The City Council hereby directs the City Clerk to (i) publish a notice of elections and a synopsis of the measure as required by Elections Code Sections 12101 and 12111; (ii) file certified copies of this resolution with the County of Riverside and take other necessary actions to ensure the placement of the measure on the March 2, 2021 ballot; and (iii) coordinate with the County of Riverside and take all necessary actions to oversee and certify the March 2, 2021 election process as required by Elections Code.

**SECTION 6.** In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 7.** The City Clerk is directed to forward copies of the measure to be voted on at the special election to the City Attorney for the preparation of an impartial analysis in compliance with applicable law.

**SECTION 8.** That ballot arguments and rebuttals shall be filed in accordance with the following:

a. That the primary arguments for and against this ballot measure shall be submitted to the City Clerk by 5:00 p.m. on December 16, 2020.

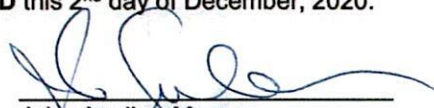
b. That rebuttal arguments shall be submitted to the City Clerk by 5:00 p.m. on December 28, 2020.

c. That all arguments shall be filed with the City Clerk, signed, with printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

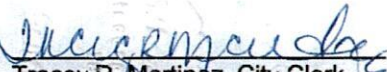
d. That arguments for and against said measure may be filed in accordance with applicable provisions of the law. That the Council does not authorize the Council as a body or any individual member of the Council to file a written argument or any rebuttal argument for or against the measure. The City Clerk shall consider other arguments and rebuttal arguments filed by bona fide associations or individual residents who are eligible to vote in accordance with Elections Code Section 9282 of the California Elections Code, the provisions of which are hereby adopted.

**SECTION 9.** The City Clerk shall certify the adoption of this Resolution and enter it into the Book of Resolutions.

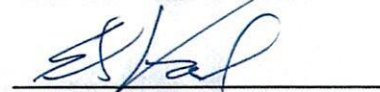
**PASSED, APPROVED AND ADOPTED** this 2<sup>nd</sup> day of December, 2020.

  
\_\_\_\_\_  
John Aguilar, Mayor  
Cathedral City

ATTEST:

  
\_\_\_\_\_  
Tracey R. Martinez, City Clerk  
Cathedral City

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Eric S. Vail, City Attorney

I, TRACEY R. MARTINEZ, CITY CLERK of the City of Cathedral City, do hereby certify that the foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Cathedral City held on the 2<sup>nd</sup> day of December, 2020 by the following vote:

AYES: Councilmembers Lamb, Gutierrez and Carnevale; Mayor Pro Tem Gregory and Mayor Aguilar

NOES: None  
ABSENT: None  
ABSTAIN: None

  
Tracey R. Martinez, City Clerk