

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGAME CALLING AN ELECTION IN THE CITY OF BURLINGAME TO BE CONSOLIDATED WITH THE CITY'S NEXT GENERAL MUNICIPAL ELECTION ON NOVEMBER 3, 2026, AND SUBMITTING TO THE ELECTORS A BALLOT MEASURE TO INCREASE THE CITY'S TRANSIENT OCCUPANCY TAX FROM TWELVE PERCENT (12%) TO FIFTEEN PERCENT (15%) BY AMENDING CHAPTER 4.09 (UNIFORM TRANSIENT OCCUPANCY TAX) OF TITLE 4 (REVENUE AND FINANCE) OF THE BURLINGAME MUNICIPAL CODE; ESTABLISHING THE POLICIES AND PROCEDURES FOR SUCH AN ELECTION, REQUESTING THAT SAN MATEO COUNTY PROVIDE ELECTION SERVICES; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND AUTHORIZING THE FILING OF REBUTTAL ARGUMENT; CEQA DETERMINATION: EXEMPT PURSUANT TO STATE CEQA GUIDELINES 15378, 15060, AND 15061

WHEREAS, the City of Burlingame seeks to continue providing excellent local services, maintain our record of strong fiscal accountability, and a recent community survey shows residents want core services maintained and our high-quality of life protected; and

WHEREAS, Chapter 4.09 (Uniform Transient Occupancy Tax) of Title 4 (Revenue and Finance) of the Burlingame Municipal Code establishes the City of Burlingame's Transient Occupancy Tax (TOT) paid by hotel, motel and short-term rental guests staying in Burlingame for thirty days or less; and

WHEREAS, the proposed TOT measure would only be paid by guests who stay in local hotel/motel rooms and short-term rentals; and

WHEREAS, if enacted, this measure will give Burlingame control over local funds for local needs, allowing Burlingame to remain self-reliant and requiring this proposed voter-approved funding be spent for Burlingame residents; and

WHEREAS, this locally enacted funding cannot be taken by the State; and

WHEREAS, the City will continue its high standards for fiscal accountability and transparency with citizen oversight, independent financial audits, and yearly reports to the community to ensure City funds are spent responsibly on the community's priorities; and

WHEREAS, funds from this measure would support local priorities identified by residents including maintaining city streets and sidewalks and repairing potholes; maintaining neighborhood police patrols; wildfire prevention; maintaining parks and trees; and for general government use; and

WHEREAS, Article XIIC, section 2(b) of the California Constitution requires that any general tax, such as the proposed TOT measure, be approved by a majority vote of the voters voting on the issue; and

WHEREAS, Article XIII C, section 2(b) of the California Constitution requires that an election by the voters to approve a general tax must be consolidated with a statewide general election at which members of the City Council will be elected; and

WHEREAS, November 3, 2026, is the date of the statewide general election at which members of the City Council will be elected; and

WHEREAS, the City Council believes that it is in the best interests of the City to submit the proposed 3% upward adjustment to the TOT to the voters of City.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Burlingame orders as follows:

1. Call for election. Pursuant to Elections Code Section 9222, the City Council hereby calls an election at which it shall submit to the qualified voters of the City of Burlingame a measure that, if approved, would increase the Transient Occupancy Tax from twelve percent (12%) to fifteen percent (15%) to fund general services in the City. This measure shall be designated by letter by the San Mateo County Registrar of Voters.

2. Ballot language. The ballot language for the proposed measure shall be as follows:

To support city services such as: maintaining city streets/sidewalks and repairing potholes; maintaining parks and trees; enhancing emergency response, preparedness, and wildfire prevention; and for general government use; shall the City of Burlingame measure be adopted raising the transient occupancy (hotel) tax from 12% to 15%, paid only by hotel and lodging guests, until ended by voters, providing an estimated \$5,700,000 annually, all funds locally controlled, with independent citizen oversight? YES ___ NO ___

3. Text of measure. The proposed measure submitted to the voters is as attached in Exhibit A to this Resolution, which is incorporated herein by reference. The City Council hereby approves the proposed Ordinance, in the form thereof, and its submission to the voters of the City at the November 3, 2026, election. The full text of the measure shall be printed in the ballot materials and be available for public inspection in the City Clerk's Office and on the City's website.

4. Publication of measure. The City Clerk is hereby directed to cause notice of the measure to be published once in the official newspaper of the City of Burlingame, in accordance with Section 12111 of the California Elections Code.

5. Request to consolidate and conduct election and canvass returns.

- a) Pursuant to California Elections Code Section 10400 et seq., the election for this measure shall be consolidated with the established election to be conducted on November 3, 2026. The City Council hereby requests that the San Mateo Board of Supervisors consolidate

the election called by this Resolution with the statewide election to be conducted on November 3, 2026, and order the election to be conducted by the Chief Elections Officer & Assessor-County Clerk-Recorder. The City Council of the City of Burlingame acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code Section 10418. The City Council recognizes that additional cost will be incurred by the County of San Mateo by reason of the consolidation of the election with the Statewide election and agrees to reimburse the County of San Mateo for any costs that are not reimbursed by the State, and the City Council hereby authorizes the City Manager to pay the County of San Mateo for said services in full. The City Clerk is directed to file a certified copy of this Resolution with the Board of Supervisors of San Mateo and the Chief Elections Officer & Assessor-County Clerk-Recorder of San Mateo County on or before August 9, 2024.

- b) The election on the measure set forth in Section 3 shall be held and conducted, the voters canvassed and the returns made, and the results ascertained and determined as provided herein. The election shall be held in accordance with the Elections Code of the State of California.
- c) The election on the measure set forth in Section 3 shall be held in San Mateo County in the City of Burlingame on November 5, 2024, as required by law, and the Board of Supervisors of San Mateo County is authorized to canvass the returns of the election with respect to the votes cast in the City of Burlingame and certify the results to the City Council of the City of Burlingame.
- d) At the next regular meeting of the City Council of the City of Burlingame occurring after the returns of the election for the measure set forth in Section 3 have been canvassed and the results have been certified to the City Council, or at a special meeting called for such purpose if required by law, the City Council shall cause to be entered in its minutes a statement of the results of the election.

6. Submission of ballot arguments.

- a) Arguments in favor and against the measure shall be filed with the City Clerk no later than 5:00 p.m. on August 11, 2026, signed, with the 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.
- b) Direct arguments shall not exceed three hundred (300) words and shall be signed by not more than five (5) persons.
- c) Pursuant to California Elections Code Section 9285(b), the City Council is hereby adopting provisions for the filing of rebuttal arguments for this measure. Accordingly, when the City Clerk has selected the arguments for and against the measure, which will be printed and distributed to the voters, the City Clerk shall send copies of the argument in favor of the measure to the authors of the argument against it, and copies of the argument against it to the authors of the argument in favor. Rebuttal arguments shall not exceed 250 words and shall be filed no later than 5:00 p.m. on August 18, 2026, accompanied by the printed names and signatures of the persons 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. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument that it seeks to rebut.

- 7. Impartial analysis.** In accordance with California Elections Code Section 9280, the City Council directs the City Clerk to transmit a copy of this Measure to the City Attorney, who shall prepare an impartial analysis showing the effect of the measure on the existing law and the operation of the measure. The City Attorney’s impartial analysis may not exceed 500 words and shall be filed with the City Clerk no later than 5:00 p.m. on August 18, 2026.
- 8. Services of City Clerk.** The City Clerk is hereby authorized and directed to take all steps necessary to place the measure on the ballot and to cause the ordinance or measure to be printed. A copy of the measure shall be made available to any voter upon request.
- 9. Severance.** Should any section, subsection, clause or provision of this resolution for any reason be held to be invalid, then the remainder of the resolution shall be deemed valid, it being expressly declared that this resolution, and each and every section, subsection, clause and phrase hereof would have been prepared, proposed, approved, adopted and/or ratified even if any other section, subsection, sentence, clause or phrase of this resolution were declared invalid.
- 10. Compliance with CEQA.** The City Council finds and determines that this activity is not a “Project” as defined under Section 15378(b)(4) of the California Environmental Quality Act (CEQA) Guidelines because it is a financing decision without commitment to a specific project that may result in a potentially significant physical impact on the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the actions proposed are not subject to CEQA. In addition, it can be seen with certainty that there is no possibility that adoption and implementation of this Ordinance may have a significant effect on the environment, and accordingly the adoption of this Ordinance is exempt from CEQA pursuant to the “general rule” of CEQA Guidelines Section 15061(b)(3).

Michael Brownrigg, Mayor

I, Meaghan Hassel-Shearer, City Clerk of the City of Burlingame, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the City Council held on the 15th day of June, 2026, and was adopted thereafter by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

Meaghan Hassel-Shearer, City Clerk