

RESOLUTION NO. 6205

RESOLUTION OF THE CITY OF SEBASTOPOL REQUESTING CONSOLIDATION OF THE MUNICIPAL ELECTION WITH THE CONSOLIDATED GENERAL ELECTION TO BE HELD ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY OF SEBASTOPOL A BALLOT MEASURE KNOWN AS THE "EXTENSION IN SALES TAX" AND SETTING DEADLINES FOR SUBMISSION OF ARGUMENTS AND REBUTTAL ARGUMENTS AND PROVIDING FOR AN IMPARTIAL ANALYSIS BY THE CITY ATTORNEY

WHEREAS, the City Council of the City of Sebastopol has determined pursuant to California Elections Code section 10400 et seq. to consolidate the Municipal Election with the Statewide General Consolidated Election and has contracted with the County of Sonoma to conduct the election on the City's behalf; and

WHEREAS, the City Council also desires to submit to the electors the ballot measure known as "Extension in Sales Tax"; and

NOW, THEREFORE, the City Council of the City of Sebastopol does resolve, declare, determine and order as follows:

1. Pursuant to California Elections Code Section 9222, the City of Sebastopol City Council hereby calls an election at which it shall submit to the qualified voters of the City of Sebastopol, a measure that, if approved, would extend the ordinance until repealed by the voter. This measure shall be designated by letter by the Sonoma County Registrar of Voters.
2. By this resolution, the City of Sebastopol orders an election to be held and requests consolidation with the November 6, 2018 Consolidated General Election.
3. Ballot Language. That the City Council, pursuant to its right and authority, does order the following ballot measure shall be presented to the electors of the City during the Consolidated General Election to be held on November 6, 2018:

"Shall the measure to extend, until repealed by the voters, the previously approved City of Sebastopol's 0.5% increase in transactions and use tax, which annually raises \$1,400,000, be adopted?"

[] Yes

[] No

The proposed amended ordinance is attached hereto as Exhibit "A" and is incorporated herein by reference and shall be published in the ballot materials provided to the voters;

4. That the City Clerk is hereby directed to cause notice of the measure to be published once in the official newspaper of the City of Sebastopol, in accordance with Section 12111 of the California Elections Code and Section 6061 of the California Government Code.
5. If the majority of qualified electors voting on the initiative measure shall vote in favor thereof, the initiative measure shall become a valid and binding ordinance of the City of Sebastopol and shall be considered adopted upon the date that the vote is declared by the City Council of said City.
6. That the Board of Supervisors of the County of Sonoma, State of California is hereby requested pursuant to Section 10403 of the California Elections Code, to order the consolidation of said General Municipal Election to be held on November 6, 2018 for the purpose of submitting a measure to the voters with the Consolidated General Election to be held on the same date.

7. The City Clerk is hereby directed to file with the Board of Supervisors and the County Clerk of Sonoma certified copies of this resolution at least 88 days prior to the date of said election.
8. That the City Manager is hereby authorized to reimburse the County of Sonoma in full for the costs of conducting said election and services actually performed, upon presentation of a bill from Sonoma County.
9. That the Mayor, the City Manager, the Finance Director, the City Clerk, and any of their designees, are hereby authorized to execute any documents and to perform all acts necessary to place the measure on the ballot.

BE IT FURTHER RESOLVED, that the City Council wishes to establish deadlines for the filing of arguments for and against said measure, and to provide for rebuttal arguments, and that the Council further desires that its City Attorney prepare an impartial analysis of said measure, as follows:

1. Arguments in favor of or in opposition to the "Extension in Sales Tax" may not exceed 300 words in length and shall be filed at the office of the Sebastopol City Clerk not later than August 10, 2018.
2. Rebuttal arguments not to exceed 250 words shall be filed at the Office of the City Clerk no later than August 20, 2018.
3. The Sebastopol City Attorney is directed to prepare an impartial analysis of said measure to be filed not later than August 20, 2018. Such analysis shall be submitted by the City Attorney and shall not exceed 500 words in length and shall comply in all respects with applicable provisions of the California Elections Code.
4. Any measure, city attorney's impartial analysis, or primary argument filed will be available for public examination in the City Clerk's Office for not less than ten calendar days from the deadline for the filing of the arguments and analyses. Any rebuttal argument filed will be available for public examination in the City Clerk's office for not less than ten calendar days from the deadline for filing rebuttal arguments.
5. As provided in Section 9282 of the California Elections Code, any and all members of the City Council are hereby authorized to act as an author of any ballot argument prepared in connection with the election, including a rebuttal argument, and the City establishes August 10, 2018 as the deadline to file arguments for or against the measure with the City Clerk, and August 20, 2018 as the deadline to file rebuttal arguments with the City Clerk.
6. The deadline for public examination of all ballot measure material is August 31, 2018.
7. Arguments may be changed or withdrawn up to the filing deadline. Arguments received prior to the deadline are confidential until the deadline.

IN COUNCIL DULY ADOPTED this 17th day of July, 2018.

VOTE:

Ayes:	Councilmembers Carnacchi, Glass, Gurney, Vice Mayor Hinton and Mayor Slayter
Noes:	None
Abstain:	None
Absent:	None

EXHIBIT A

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF SEBASTOPOL AMENDING ORDINANCE NO. 1052, "INCREASE IN THE SEBASTOPOL COMMUNITY TRANSACTIONS AND USE TAX," TO EXTEND THE ORDINANCE UNTIL REPEALED BY THE VOTERS

Sections:

Findings

1. Amendment to Section 18 of Ordinance No. 1052
2. Effect on Ordinance No. 1052
3. Voters' Power

FINDINGS

The voters of the City of Sebastopol hereby find, declare and do ordain as follows:

In 2012, the voters approved Measure Y, which authorized a 0.5% increase in the City's transactions and use tax. Measure Y has helped the City stay solvent, maintain essential services, and rebuild reserve funds.

Measure Y generates approximately 15% of the City's annual revenue. This revenue is used for the general governmental needs of the City, and it supports many programs and services including police, fire, public works, and administration. Additionally, as a locally enacted measure, Measure Y creates a funding stream that cannot be taken by other entities, such as the State of California.

Measure Y is set to expire on March 31, 2021.

Based on the City's budget projections, if Measure Y expires, the City will lose approximately \$1.4 million annually. While the City continues to be fiscally prudent, without Measure Y revenues, the City will face a budget shortfall, which will require additional permanent budget reductions, and will further reduce the City's ability to provide for community programs and current services. Without the continuation of Measure Y, the City's ability to maintain public service levels, roads and infrastructure will be uncertain.

Section 1. Amendment to Section 18 of Ordinance No. 1052. Section 18 of Ordinance No. 1052 is amended as follows:

Section 18. ~~TERMINATION DATE~~ DURATION. The authority to levy the tax imposed by this ordinance shall continue until repealed by the voters of the City ~~expire on the eighth (8th) anniversary of the Operative Date, unless extended by a majority of the voters of the City.~~

Section 2. Effect on Ordinance No. 1052. Ordinance No. 1052 otherwise remains in full force and effect, including, but not limited to, the method of collection for said tax.

Section 3. Voters' Power. By approving this ordinance, the voters authorize the City Council to amend this tax without subsequent voter approval so long as such amendment does not increase the amount of the tax paid by any taxpayer. This tax shall remain in effect until repealed or amended by the voters.

THE FOREGOING ORDINANCE was adopted by Declaration of the vote of the Sebastopol City Council on the ___ day of _____, 2018, at a regular meeting of the Sebastopol City Council by the following vote, to wit:

City of Sebastopol City Council:

Ayes:

Noes:

Abstain:

Absent:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

APPROVED AS TO FORM

City Attorney

Approved by the Voters of the City of Sebastopol at the November 6, 2018 Election

If the majority of the qualified electors voting on the initiative measure shall vote in favor thereof, the initiative measure shall become a valid and binding ordinance of the City of Sebastopol and shall be considered adopted upon the date that the vote is declared by the City Council of said City.