

JUL 21 2022

Tuolumne County Clerk
By 
Deputy

RESOLUTION No. 07-18-2022-B

A RESOLUTION OF THE SONORA CITY COUNCIL CALLING AND GIVING NOTICE FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY NOVEMBER 8th, 2022, FOR THE SUBMISSION OF A BALLOT MEASURE TO THE CITY OF SONORA QUALIFIED VOTERS TO APPROVE A LOCAL ONE PERCENT (1%) GENERAL SALES AND USE TAX, "THE ESSENTIAL SERVICES TRANSACTION AND USE TAX"; REQUESTING THE BOARD OF SUPERVISORS OF TUOLUMNE COUNTY PERMIT THE COUNTY REGISTRAR OF VOTERS TO RENDER ELECTION SERVICES; AND REQUESTING THE CONSOLIDATION OF SAID ELECTION WITH THE STATEWIDE GENERAL ELECTION HELD ON THE SAME DATE.

WHEREAS, the City of Sonora (the "City") wishes to maintain critical local services and protect local funding that cannot be taken by the State to address community needs and priorities, and

WHEREAS, the City wishes to maintain services for its City citizens at levels they expect and deserve, and

WHEREAS, the City wishes to maintain a high level of police services including enhanced patrols, crime and drug prevention, and

WHEREAS, the City maintains more than 30 miles of roads and must address streets that are in disrepair and maintain regular street maintenance and pothole repair that keeps our streets safe and improve quality of life, and

WHEREAS, this measure is not a tax on homes or property and a large portion of locally controlled revenue generated by the measure will be paid by visitors to the City of Sonora who will pay their fair share to use our streets and services, and

WHEREAS, without additional revenue, the City must reduce critical local services; and

WHEREAS, pursuant to California Constitution, Article XIII C, the City Council by this resolution, unanimously finds that there is a fiscal emergency requiring the City to submit a proposed ordinance to impose a one percent (1%) sales tax at the November 8, 2022 special election (the "Election"), and that the City cannot wait until the March 5, 2024 general municipal election; and

WHEREAS, pursuant to Elections Code section 9222, the City Council is submitting to City voters a ballot measure and proposed ordinance to establish a one percent (1%) sales and use tax for general City purposes (the "Measure"); and:

WHEREAS, pursuant to Revenue and Taxation Code section 7285.9 and Government Code section 53724, the City Council by this resolution (the "Resolution") approves by a two-thirds (2/3) vote this Measure and submits this Measure to the electorate of the City for a vote at the November 8, 2022 special municipal election (the "Election") in

accordance with Government Code section 53723 and Article XIII C, section 2 of the California Constitution; and

WHEREAS, a statewide general election will be held on November 8th, 2022; and

WHEREAS, pursuant to Elections Code sections 10002 and 10400 et seq., the City Council is authorized to request an order from the County of Tuolumne (the "County") Board of Supervisors for election services and to consolidate the Election with the statewide general election;

WHEREAS, it is desirable that the Election be consolidated with the statewide general election to be conducted on November 8, 2022.

WHEREAS, the City recognizes additional costs may be incurred by the County by reason of this consolidation and agrees to reimburse the County for such costs.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Sonora finds and declares as follows:

Section 1: The City Council hereby finds and declares, by a unanimous vote, that a fiscal emergency exists in the City due to reduction of critical local services without additional revenue. The City Council, therefore, must submit the Measure to impose a one cent (1¢) sales tax at the November 8, 2022 special election. The City cannot wait until the March 5, 2024 general municipal election.

Section 2: Pursuant to Revenue and Taxation Code section 7285.9 and Government Code section 53724, the City Council by this Resolution approves by a two-thirds (2/3) vote the Measure. The Measure is a general tax as defined in Article XIII C of the State of California Constitution and Government Code section 53721 and shall not take effect until approved by a vote of at least a majority of voters voting on the question at the Election.

Section 3. Pursuant to Elections Code section 9222, the City Council hereby calls and orders a special municipal election to be held in the City on Tuesday, November 8, 2022, for the purpose of submitting the following question to the voters at such election:

"The City of Sonora Essential Services Measure: Shall the measure to maintain the City of Sonora essential services such as Police, Fire, Street Repair, and other core services by establishing a 1% sales and use tax ("Sales Tax"), providing the City of Sonora approximately \$3.9 million dollars annually for a period of twenty (20) years until March 31, 2043, be adopted?"	Yes
	No

Section 4. The text of the ordinance submitted to the voters is attached as Exhibit A.

Section 5. Pursuant to Elections Code sections 10002 and 10403, the City Council hereby requests that the County Board of Supervisors consolidate the Election with the statewide general election, to be conducted on Tuesday, November 8, 2022 (the "Consolidated Election"). The City acknowledges that the Consolidated Election shall be held and conducted in the manner prescribed by Elections Code section 10418.

Section 6. Pursuant to the requirements of Elections Code section 10002, the City Council, as the governing body of the City, hereby requests that the County Board of Supervisors authorize County Registrar of Voters (the "Registrar") to provide all services necessary to conduct the Consolidated Election.

Section 7. The specified services requested by the City Council are applicable procedural requirements, connected with the conduct of the Election and performed by the Registrar in accordance with the provisions of law, to properly and lawfully conduct, canvass, and certify the results of the Election.

Section 8. Pursuant to Elections Code section 10002, the City Council recognizes that consolidation of the Election with the statewide general election, conducted by the County, provides the City an opportunity to share costs of conducting the election with other jurisdictions and, therefore, shall reimburse the County, upon completion of the work performed, for the City's share of costs incurred and upon presentation of an invoice to the City.

Section 9. The City Council hereby directs the City Elections Official, or designee, to file a certified copy of this Resolution with the County Board of Supervisors and the Registrar. The City Elections Official, or designee, shall file a certified copy of this Resolution with the County Board of Supervisors and the Registrar on or before August 12, 2022.

Section 10. Pursuant to Elections Code section 9280, the City Council hereby directs the City Elections Official, or designee, to transmit a copy of the Measure to the City Attorney. The City Council hereby directs the City Attorney to prepare an impartial analysis of the Measure pursuant to Elections Code section 9280 (the "Impartial Analysis").

Section 11. The City Council authorizes a subcommittee of two (2) members of the City Council (the "Subcommittee") to file a written argument in favor of the Measure in accordance with Elections Code sections 9282 and 9283 (the "Argument") and to change the Argument until and including the date fixed by the City Elections Official, or designee, after which no arguments for or against the measure may be submitted. The Subcommittee shall file the Argument with the Registrar on or before the deadline noticed by the Registrar. Pursuant to Elections Code section 9282, only the Subcommittee shall be authorized to submit any argument or rebuttal argument in favor or against the Measure for printing in the voter information guide on behalf of the City. No member of the City Council shall submit any argument or rebuttal argument in favor or against the Measure on behalf of the City, unless doing so in their individual capacity,

and shall not use their official title of office in any arguments in support of or against the Measure. Any argument or rebuttal argument for or against the Measure submitted for printing in the voter information guide, unless submitted by the Subcommittee, shall not be construed as either an argument or rebuttal argument of the City Council, but only as a personal argument or rebuttal argument of that individual.

Section 11. The City Council authorizes the Subcommittee to file a rebuttal argument against any argument submitted against the Measure in accordance with Elections Code section 9285 (the "Rebuttal"). The Subcommittee shall file the Rebuttal with the Registrar on or before the deadline noticed by the Registrar.

Section 12. The City Elections Officials and other City officers and employees are authorized and directed to take all other actions that are necessary to have the Measure properly submitted to the City voters at the Election, to be conducted on Tuesday, November 8, 2022.

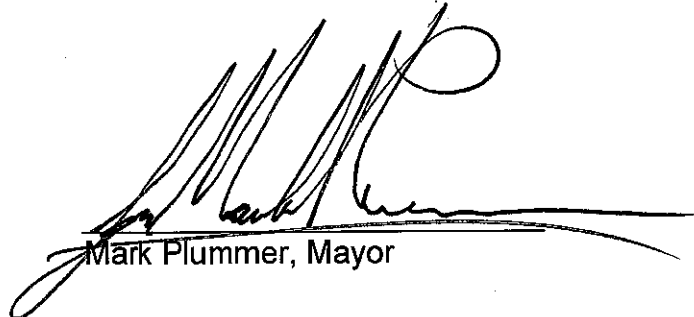
PASSED, APPROVED AND ADOPTED as a Resolution by the Sonora City Council at a meeting held by the City Council on the 18th day of July 2022, by the following vote:

AYES: PLUMMER, SEGERSTROM, CRUZ, HAWKINS, MERRILL

NOES: _____

ABSTAIN: _____

ABSENT: _____



Mark Plummer, Mayor

ATTEST: Tracy L Skelly
Deputy City Clerk, City of Sonora