

RESOLUTION NO. 2020-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY, CALIFORNIA, SUBMITTING A SPECIAL TRANSACTIONS AND USE TAX MEASURE TO THE VOTERS AT THE NOVEMBER 3, 2020 SPECIAL MUNICIPAL ELECTION AND TAKING CERTAIN RELATED ACTIONS

RECITALS

- A. In 2006, the voters of the City of Nevada City approved a 0.5% special transactions and use tax ("sales tax") to fund streets, sidewalks, pathways and street drainage.
- B. That special tax was designed to sunset after 16 years.
- C. The need for revenue to fund these uses, as well as the City's water, sewer and drainage systems continues to exist.
- D. On July 22, 2020, by its Resolution No. 2020-49, this Council called for the holding of a Special Municipal Election on November 3, 2020 (the "Election").
- E. Also on July 22, 2020, by its Resolution No. 2020-49, this Council requested that the Election be consolidated with the Statewide General Election to be held on November 3, 2020 and requested the assistance of the Nevada County Election Department in the conduct of the Election.
- F. Revenue & Taxation Code Section 7285.91 authorizes the City Council to levy a transactions and use tax for specific purposes if the ordinance proposing that tax is approved by a two-thirds vote of all members of the City Council and the tax is subsequently approved by a two-thirds vote of the qualified voters of the city voting in an election on the issue.
- G. The City Council desires to submit to the City's voters at the Election an ordinance that would continue the tax approved in 2006 and permit the use of tax proceeds for improving and maintaining Nevada City's streets, sidewalks, pathways, drainage, water distribution and sewer collection systems.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEVADA CITY, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are a substantial part of this resolution.

SECTION 2. The City Council hereby orders, pursuant to Section 9222 of the Elections Code, that the ordinance, attached hereto as Exhibit "A" and incorporated herein by reference, be submitted to the voters at the Election. Adoption of the ordinance requires a two-thirds vote of the qualified voters of the city voting in an election on the issue.

SECTION 3. The question submitted shall appear on the ballot as follows:

Shall the measure that, exclusively for the purpose of improving and maintaining Nevada City's streets, sidewalks, pathways, drainage, water distribution and sewer collection systems, allows the City of Nevada City to continue to impose and collect, as it has since 2006, a one-half cent per one-dollar retail transactions and use tax (sales tax), providing approximately \$550,000 annually until repealed by the voters, and monitored by a citizens' oversight committee, be adopted?	YES	
	NO	

SECTION 4. The City Clerk is instructed to transmit the Ordinance to the City Attorney along with a request that an impartial analysis be prepared pursuant to Elections Code Section 9280.

SECTION 5. In all particulars not recited in this Resolution, the Election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. Notice of the time and place of holding of the Election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election in the time, form, and manner as required by law.

SECTION 7. Pursuant to Section 10400 et seq. of the Elections Code, the Board of Supervisors of Nevada County is requested to consolidate the election on this ballot measure with other elections held on the same day in the County.

SECTION 8. The Board of Supervisors is authorized to canvass the returns of the Election pursuant to Section 10411 of the Elections Code.

SECTION 9. Pursuant to Section 10002 of the Elections Code, the Board of Supervisors is requested to permit the County elections office to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the City agrees to reimburse the County, in accordance with current County pro-rations and allocation procedures.

SECTION 10. The City Council authorizes the Mayor, pursuant to Elections Code 9282, to file written arguments in support of the ballot measure contained herein.

Pursuant to Election Code section 9282, arguments in support shall not exceed 300 words in length.

SECTION 11. Rebuttal arguments will be accepted for this measure, and the City Council reiterates its adoption of the provisions of Section 9285 of the Elections Code regarding rebuttals.

SECTION 12. The City Clerk shall file a certified copy of this Resolution with the Board of Supervisors and the County elections office.

SECTION 13. The City Clerk shall certify to the passage and adoption hereof.

APPROVED AND ADOPTED this 8th day of July, 2020.

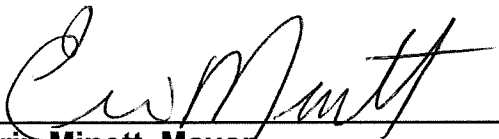
AYES: FERNANDEZ, FLEMIN, MINETT, STRAWSER

NOES:

ABSENT: SENUM

ABSTAIN:

ATTEST:


Erin Minett, Mayor


Niel Locke, City Clerk