

RESOLUTION NO. 7485

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND CALLING A GENERAL MUNICIPAL ELECTION FOR THE ELECTION OF THREE COUNCIL MEMBERS BY DISTRICT AND CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING A GENERAL TAX MEASURE TO CONTINUE A ONE QUARTER CENT SALES TAX THAT WOULD EXPIRE IN TEN YEARS AND FOUR ADVISORY MEASURES, SAID ELECTIONS TO BE HELD IN THE CITY OF WOODLAND ON NOVEMBER 3, 2020, AND DIRECTING THE CONSOLIDATION OF THE ELECTIONS WITH THE STATEWIDE GENERAL ELECTION AND ALL OTHER ELECTIONS

WHEREAS, the City Council of the City of Woodland, by adoption of Ordinance Numbers 1576 and 1581, established that the City’s regular municipal election would be consolidated with the Statewide general election in November; and

WHEREAS, a majority of the voters voting on Measure U on November 4, 2014, approved a change from the City’s former at-large system of electing City Council members to a “by district” system whereby the City now has five electoral districts, and one council member shall be selected from each district; and

WHEREAS, on October 6, 1997, Assembly Bill 1472 became law, adding Chapter 2.93 (commencing with Section 7286.52) to Part 1.7 of Division 2 of the Revenue and Taxation Code; and

WHEREAS, Assembly Bill 1472 authorizes the City of Woodland (hereinafter “the City”), subject to approval by a majority vote of the qualified voters of the City voting in an election on the issue, to continue to levy a transactions and use tax pursuant to the Transactions and Use Tax Law at a rate of 0.25%, not to exceed a total of 2.0% in any County, for general revenue purposes; and

WHEREAS, Section 2(b) of Article XIII C of the California Constitution, added by Proposition 218 effective November, 1996, requires that the measure proposing a general tax be submitted to the voters at an election consolidated with a regularly scheduled general election for members of the governing body of the local government; and

WHEREAS, pursuant to California Constitution Article XIII C, Section 2(b) and Elections Code section 10201, the City has determined to submit a proposition to enact an Ordinance re-authorizing a supplemental transactions and use tax to the voters at the City’s next regular election; and

WHEREAS, pursuant to Elections Code section 9603, the City has determined to submit to the voters, concurrent with the proposed Ordinance re-authorizing a transactions and use tax in the City, four advisory measures concerning the City services, programs and facilities that could be funded by the transactions and use tax fund, if approved; and

WHEREAS, the City may request the Yolo County Board of Supervisors to direct the County Elections Official to render services to the City related to the conduct of an election.

THE CITY COUNCIL OF THE CITY OF WOODLAND DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Calling of the General Municipal Election. Pursuant to the requirements of the laws of the State of California relating to municipal elections, there shall be, and there is hereby called and ordered held in the City of Woodland, County of Yolo, State of California, on November 3, 2020, a general municipal election of the qualified electors of the City of Woodland, for the purpose of electing three (3) members of the City Council for a full term of four (4) years each.

The three Council members shall be from Districts 2, 4, and 5. The general municipal election shall be held and conducted as provided for by law for the holding of municipal elections in the City.

Section 2. Calling of the Special Election. Pursuant to the requirements of the laws of the State of California relating to municipal elections, including municipal elections consolidated with other elections, the City Council of the City of Woodland hereby calls and orders held a special municipal election to be held in the City of Woodland, County of Yolo, State of California, on November 3, 2020, for the purpose of placing on the ballot a ballot measure to reauthorize and extend an existing transactions and use tax. Pursuant to Elections Code section 9222, a measure to enact an Ordinance continuing a transactions and use tax shall be submitted to the voters at the City's next regular municipal election on November 3, 2020.

Section 3. Consolidation of the Election. The City Council hereby requests the Yolo County Board of Supervisors to consolidate the general municipal election and the special election on the proposition with the Statewide election and all other elections, to be held and conducted in accordance with Elections Code Section 10418, and to be held within the City on November 3, 2020.

Section 4. Election Related Services. Pursuant to Elections Code section 10002, the City of Woodland requests and authorizes the Yolo County elections official to provide the services necessary to implement the election and to consolidate the election on the November 3, 2020 Election Ballot for the County of Yolo. Such services include the publication of notices, calling the election and calling for ballot arguments, provision of precinct maps, provision of voter lists, obtaining and staffing polling places, hiring and training of precinct workers, provision and delivery of precinct supplies, provision of microfiche of voters and poll locations, if desired, counting of ballots and certification of the election, and all other aspects of elections not specified herein that may be agreed upon between the County Clerk and the City Clerk.

Section 5. Impartial Analysis. Pursuant to Elections Code section 9280, the City Elections Official shall transmit a copy of the measure to the City Attorney, who shall prepare an impartial analysis of the measure showing the effect of the measure on existing law and the operation of the measure.

Section 6. Arguments. The Yolo County Clerk shall fix the dates for submittal of arguments concerning the measure and rebuttal arguments. The City hereby adopts the provisions of Elections Code section 9285, regarding the acceptance of rebuttal arguments.

Section 7. Ballot Measures. Pursuant to Elections Code section 10403, the ballot forms shall have printed on them the following words with regard to the measures:

“**MEASURE** ___: Shall the measure, which would authorize the City of Woodland to continue to collect, for a period of ten years, a one-quarter cent sales tax for general city services, providing approximately \$2.8 million annually and would not increase taxes, be adopted?

_____ YES _____ NO _____”

“**MEASURE** ___: Advisory Vote Only. Shall the City Council allocate 25% of the tax revenue collected from any sales tax measure re-authorized in the City of Woodland via the November 2020 ballot to the Woodland Public Library to enhance educational and literacy programs and maintain or expand hours of operation?

YES _____ NO _____”

“**MEASURE** ___: Advisory Vote Only. Shall the City Council allocate 55% of the tax revenue collected from any sales tax measure re-authorized in the City of Woodland via the November 2020 ballot to expand and enhance youth and teen programs and facilities, and reduction of fees charged for use of city recreation facilities?

YES _____ NO _____”

“**MEASURE** ___: Advisory Vote Only. Shall the City Council allocate 15% of the tax revenue collected from any sales tax measure re-authorized in the City of Woodland via the November 2020 ballot to enhance public safety through expand crime prevention and community-building programs that support opportunities for youth within the community?”

YES _____ NO _____”

“**MEASURE** ___: Advisory Vote Only. Shall the City Council allocate up to 5% of the tax revenue collected from any sales tax measure re-authorized in the City of Woodland via the November 2020 ballot to support a utility ratepayer assistance program for low-income seniors and families?”

YES _____ NO _____”

A full and complete copy of Ordinance No. _____ is attached hereto as Exhibit 1 and incorporated herein.

Section 8. City's Reimbursement of Costs. The City of Woodland shall reimburse the County of Yolo for all costs and expenses incurred by the County in conducting said election upon presentation of a bill to the City.

Section 9. Forwarding of Resolution to the County. The City Clerk is authorized and directed to file a copy of this Resolution with the Board of Supervisors and the County Clerk upon its adoption by the City Council.

Section 10. Implementation Actions. The City Manager and the City Clerk, as authorized by the City Manager, are further authorized and directed to take such further actions and execute such documents as are necessary to cause the election to be conducted on behalf of the City of Woodland.

PASSED AND ADOPTED by the City Council of the City of Woodland at a regular meeting of the City Council held on the 16th day of June, 2020, by the following vote

AYES: Barajas, Fernandez, Lansburgh, Rodriguez and Stallard
NOES: None
ABSENT: None
ABSTAIN: None

Rich Lansburgh, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney

EXHIBIT 1

[Copy of Ordinance No. 1665]

ORDINANCE NO. 1665

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND AMENDING CHAPTER 3.28 OF TITLE 3 OF THE WOODLAND MUNICIPAL CODE TO EXTEND THE 1/4% TRANSACTIONS AND USE TAX FOR GENERAL PURPOSES, WHICH SHALL CONTINUE TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

WHEREAS, pursuant to California Revenue and Taxation Code Section 7285.9, the City of Woodland (the "City") has the authority to levy a Transactions and Use Tax for general purposes; and

WHEREAS, a majority of the voters voting on the measure (Measure J) in the City approved a one-quarter of one percent (0.25%) Transactions and Use Tax at an election held on June 3, 2014; and

WHEREAS, the City's Transactions and Use Tax Ordinance is found in Chapter 3 of the City's Municipal Code; and

WHEREAS, Section 3.28.020 sets forth a "Termination Date" of September 30, 2022, at which time Chapter 3.28 of Title 3 of the Municipal Code will be repealed unless an extension or re-authorization is approved by the voters of the City at an election called for that purpose; and

WHEREAS, an extension or re-authorization of the City's Transactions and Use Tax will be submitted to the voters to extend the "Termination Date" of Chapter 3.28 of Title 3 to September 30, 2032; and

WHEREAS, approval of this Ordinance by the voters of the City of Woodland would not raise taxes but would extend an existing tax.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Authority. The City Council enacts this ordinance in accordance with the authority granted to cities by Article XI, Section 7 of the California Constitution.

Section 2. Amendment. The definition of "Operative date" and "Termination date" in Section 3.28.020 of the City's Municipal Code is hereby amended to read as follows:

3.28.020 Definitions

"Operative date" means the first day of the first calendar quarter commencing more than one hundred ten days after the later of the adoption of Ordinance No. 1665 and the approval by the voters of the city of a measure approving the imposition of a transaction and use tax;

provided that, if the city shall not have entered into a contract with the California Department of Tax and Fee Administration as required by Section 3.28.040 prior to such date, the operative date shall be the first day of the first calendar quarter following the execution of such a contract. If this amendment is approved by the City Council on June 16, 2020, and the measure is approved by a majority of the voters voting on the measure at the November 3, 2020 election, the operative date shall be October 1, 2022.

“Termination date” means September 30, 2032, unless this Ordinance is extended or repealed by the voters at a subsequent election.

Section 3. Amendment. In each instance in Chapter 3.28 where the term “Board of Equalization” appears, such reference shall be changed to the “California Department of Tax and Fee Administration.”

Section 4. Spending Plan. The City shall prepare a detailed annual spending plan and report regarding the expenditure of any proceeds from the taxes collected pursuant to Chapter 3.28 of Title 3 of the Woodland Municipal Code. The spending plan and report shall be presented to the public and published in the newspapers.

Section 5. Approval by the Voters. This Ordinance relates to the levying and collecting of transactions and use taxes, shall be submitted to the voters at an election to be held on November 3, 2020, and shall take effect only if approved by a majority of the voters voting on the measure at the November 3, 2020 General Municipal Election. The Ordinance shall then become effective in accordance with Section 3.28. Upon approval by a majority of the voters of the City voting on this Ordinance, the Transactions and Use Tax set forth in Chapter 3.28 of Title 3 of the City's Municipal Code shall be re-authorized and extended through and including September 30, 2032. The City Clerk is hereby directed to publish this Ordinance at least once, within fifteen (15) days of its adoption, in a newspaper of general circulation published and circulated in the City of Woodland.

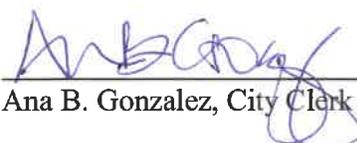
PASSED AND ADOPTED by the City Council of the City of Woodland at a regular meeting of the City Council held on the 16th day of June, 2020, by the following vote:

AYES: Barajas, Fernandez, Lansburgh, Rodriguez and Stallard
NOES: None
ABSENT: None
ABSTAIN: None



Rich Lansburgh, Mayor

ATTEST:



Ana B. Gonzalez, City Clerk

APPROVED AS TO FORM:



Kara K. Ueda, City Attorney