

**RESOLUTION No. 12-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLIAMS, CALIFORNIA, SUBMITTING TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION HELD ON TUESDAY, NOVEMBER 6, 2012, QUESTIONS RELATING TO SALES TAX; REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF COLUSA TO CONSOLIDATE THE ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE AND TO CONDUCT THE ELECTION**

WHEREAS, the City Council of the City of Williams ("City") previously submitted to the voters Measure D introducing a Transactions and Use Tax ("Sales Tax") of one-half of one percent (.50%) on the sale of all tangible personal property sold at retail in the City; and

WHEREAS, the voters approved of Measure D and the Sales Tax ordinance was set forth in Chapter 3.18 of Title 3 of the Williams Municipal Code; and

WHEREAS, the Sales Tax will sunset automatically on March 31, 2013 pursuant to Section 3.18.170 of the Williams Municipal Code; and

WHEREAS, the City Council has approved of extending the .50% Sales Tax by a two thirds majority, subject to the approval of a majority of the qualified voters at the next regularly scheduled general election; and

WHEREAS, the City Council has passed Resolution No. 12-\_\_\_\_, calling a general municipal election for the purpose of electing two members of the City Council, the City Treasurer, and the City Clerk and requesting that the general municipal election be consolidated with the Statewide general election to be held on Tuesday, November 6, 2012, and requesting that the Board of Supervisors of the County of Colusa direct the Registrar of Voters to take any and all necessary steps to conduct the consolidated election; and under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 6, 2012, for the election of Municipal Officers; and

WHEREAS, the City Council also desires to consolidate the Sales Tax ballot measure with the Statewide general election to be held on November 6, 2012;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILLIAMS DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election to be held and consolidated with the Statewide general election on Tuesday, November 6, 2012, the following question:

<b><u>BALLOT MEASURE #</u></b>	
<b><u>WILLIAMS PUBLIC SERVICES PRESERVATION MEASURE.</u></b> <b>Shall the City of Williams continue to collect a one-half percent sales tax to help preserve the safety and character of Williams, by funding essential services such as road maintenance, fire/police services, and other general governmental purposes?</b>	Yes
	No

Section 2. That the proposed complete text of the amendment to the City's Transactions and Use Tax Ordinance submitted to the voters is attached hereto as Exhibit A.

Section 3. That the Board of Supervisors of the County of Colusa is hereby requested to consent and agree to the consolidation of the election on this ballot measure with the Statewide general election to be held on November 6, 2012, and to direct the Colusa County Registrar of Voters to take any and all necessary steps to conduct the consolidated election.

Section 4. That the Election Department of the County of Colusa is authorized to canvass the returns of the election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

Section 5. That the City recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for its share of the costs.

Section 6. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

Section 7. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and Election Department of the County of Colusa.

Section 8. That arguments in favor of and in opposition to the ballot measure and rebuttal arguments shall be permitted and that the City hereby adopts the provisions of Elections Code Sections 9282 and 9285(a), regarding the acceptance of arguments relating to ballot measures. The City Clerk shall fix the dates for submittal of arguments and rebuttals as provided for in the Elections Code and in conjunction with the Colusa County Registrar of Voters.

Section 9. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 10. That, pursuant to Elections Code Section 9280, the City Clerk is hereby directed to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure, and transmit such impartial analysis to the City Clerk within ten (10) days following the adoption of this Resolution.

Section 11. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

On motion by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_, the foregoing resolution regarding transactions and use tax is hereby adopted on the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**PASSED AND ADOPTED** by the City Council of the City of Williams this \_\_\_\_ day of May, 2012.

\_\_\_\_\_  
John J. Troughton, Jr., Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles Bergson, P. E. City Administrator/  
Interim City Clerk

\_\_\_\_\_  
Ann M. Siprelle, City Attorney

**Exhibit A to Resolution No. 12-09**  
(Full Text of Ordinance Amendment)