

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. 12-10 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:

| <u>BALLOT MEASURE #</u> | Yes |
|---|-----|
| <p style="text-align: center;"><u>WILLIAMS PUBLIC SERVICES PRESERVATION MEASURE.</u></p> <p>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?</p> | 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.

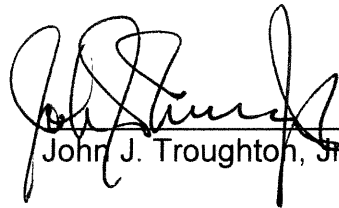
Section 10. That, pursuant to Elections Code Section 9280, the City Clerk is hereby directed to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing 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.

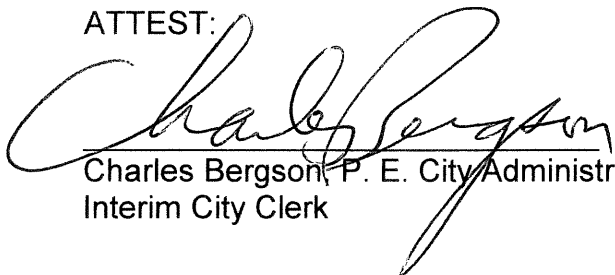
On motion by Councilmember Plachek-Fulcher and seconded by Councilmember Ash, the foregoing resolution regarding transactions and use tax is hereby adopted on the following roll call vote:

AYES: Council Members Ash, Barker, Plachek-Fulcher,
Sellers, Troughton
NOES: None
ABSTAIN: None
ABSENT: None

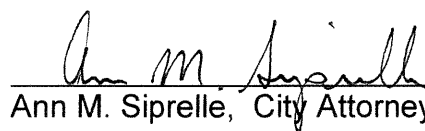
PASSED AND ADOPTED by the City Council of the City of Williams this 30th day of May, 2012.



John J. Troughton, Jr., Mayor

ATTEST:


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

APPROVED AS TO FORM:


Ann M. Siprelle, City Attorney

Exhibit A to Resolution No. 12-09

(Full Text of Ordinance Amendment)

ORDINANCE NO. 193-12

AN ORDINANCE OF THE CITY OF WILLIAMS AMENDING SECTION 3.18.170 OF CHAPTER 3.18 TO THE CITY OF WILLIAMS MUNICIPAL CODE RELATING TO RE-AUTHORIZING AND EXTENDING THE ONE-HALF CENT TRANSACTIONS AND USE TAX FOR GENERAL PURPOSES SUBJECT TO THE APPROVAL OF THE VOTERS TO CONTINUE TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION

WHEREAS, pursuant to California Revenue and Taxation Code Sections 7285.9 and 7290, the City of Williams (the "City") has the authority to levy a Transactions and Use Tax for general purposes;

WHEREAS, a majority of the voters of the City approved a one-half of one percent (0.5%) Transactions and Use Tax at an election held in November, 2006;

WHEREAS, the City's Transactions and Use Tax Ordinance is found in Chapter 3.18 of the Williams Municipal Code;

WHEREAS, Section 3.18.170 of Chapter 3.18 sets forth a "Termination Date" of March 31, 2013, at which time the City's Transactions and Use Tax Ordinance will expire 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 Section 3.18.170 indefinitely.

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

Section 1. Amendment. Section 3.18.170 of Williams Municipal Code, related to the Termination Date of the City's Transactions and Use Tax Ordinance, is hereby amended to read in full as follows:

Section 3.18.170 Termination date.

The authority to levy the tax imposed by this ordinance shall continue indefinitely and this ordinance shall not expire unless terminated by an amendment adopted subsequent to the Operative Date of this ordinance.

Section 2. Approval by the Voters. This Ordinance shall be submitted to the voters at an election to be held on November 6, 2012. Upon approval by a majority of the voters of the City voting on

this Ordinance, the Transactions and Use Tax set forth in Chapter 3.18 of the Williams Municipal Code shall be re-authorized and extended indefinitely.

Section 3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. This City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance be enforced.

Section 4. Effective Date. This Ordinance relates to the levying and collecting of the City's transactions and use tax and shall take effect immediately.

PASSED AND ADOPTED this _____ day of May, 2012 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

John J. Troughton, Jr., Mayor

ATTEST:

APPROVED AS TO FORM:

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


Ann M. Siprelle, City Attorney

CITY OF WILLIAMS

State of California)
County of Colusa) ss:
City of Williams)

I, Susan L. Vannucci, Deputy City Clerk of the City of Williams, do hereby certify that the attached document is a true and correct copy of Resolution **12-10**, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLIAMS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2012 FOR THE ELECTION OF COUNCIL MEMBERS AND OFFICERS AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF COLUSA TO CONSOLIDATE THE GENERAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10403." This Resolution was adopted by the City Council of the City of Williams at their regular meeting held on May 30, 2012.

Dated: June 1, 2012


Susan L. Vannucci, CMC
Deputy City Clerk

(seal)

RESOLUTION No. 12-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLIAMS,
CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A
GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2012 FOR THE
ELECTION OF COUNCIL MEMBERS AND OFFICERS AND REQUESTING THE
BOARD OF SUPERVISORS OF THE COUNTY OF COLUSA TO CONSOLIDATE
THE GENERAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL
ELECTION TO BE HELD ON THAT DATE
PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10403**

WHEREAS, pursuant to Elections Code Sections 1301 and 1000(d), a general municipal election shall be held on November 6, 2012, for the election of two council members, the City Treasurer, and the City Clerk; and

WHEREAS, it is desirable that the general municipal election be consolidated with the Statewide general election to be held on the same date and that within the City of Williams the precincts, polling places and election officers of the two elections be the same, and that the Election Department of the County of Colusa canvass the returns of the general municipal election and that the election be held in all respects as if there were only one election.

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

Section 1. That pursuant to California Elections Code Sections 1301 and 1000(d), there is called and ordered to be held in the City of Williams, California on Tuesday, November 6, 2012, a general municipal election for the purpose of electing two members of the City Council for a term of four years each, a City Treasurer for the full term of four years, and a City Clerk for the full term of four years.

Section 2. That pursuant to the requirements of California Election Code section 10403, the Board of Supervisors of the County of Colusa is hereby requested to consent and agree to the consolidation of a general municipal election with the Statewide general election on Tuesday, November 6, 2012, for the purpose of the election of two members of the City Council for a term of four years each, a City Treasurer for a term of four years, and a City Clerk for a term of four years.

Section 3. That the County Election Department is authorized to canvass the returns of the general municipal 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 4. That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated election.

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

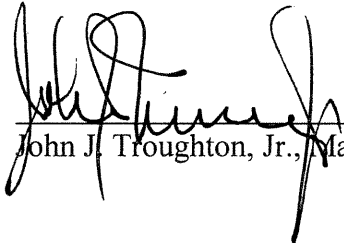
Section 6. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Election Department of the County of Colusa.

Section 7. 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 Plachek-Fulcher and seconded by Councilmember Barker, the foregoing resolution is hereby adopted on the following roll call vote:

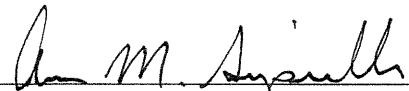
- AYES: Council Members Ash, Barker, Plachek-Fulcher, Sellers, Troughton
- NOES: None
- ABSENT: None

PASSED AND ADOPTED by the City Council of the City of Williams this ~~23rd~~ ^{30th} day of May, 2012.



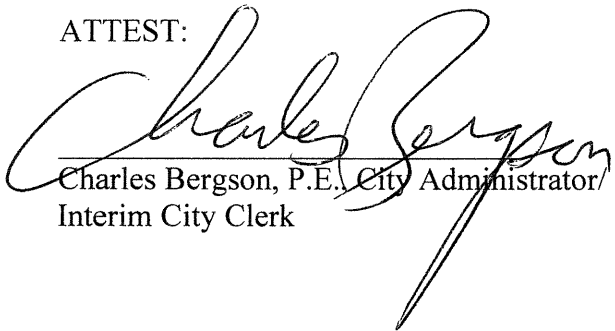
John J. Troughton, Jr., Mayor

APPROVED AS TO FORM:



Ann M. Siprelle, City Attorney

ATTEST:



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