

RESOLUTION NO. 11-23-3005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY AT A SPECIAL MUNICIPAL ELECTION TO BE HELD ON MARCH 5, 2023, A PROPOSED ORDINANCE TO EXTEND A SPECIAL PARCEL TAX ON REAL PROPERTY IN THE CITY OF CALIFORNIA CITY; CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF CALIFORNIA CITY ON TUESDAY, MARCH 5, 2023, FOR A VOTE ON SAID BALLOT MEASURE; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND SETTING PRIORITIES FOR BALLOT ARGUMENTS

WHEREAS, pursuant to Article XIII A of the California Constitution and Section 50077 et seq. of the California Government Code, the City has the authority to levy a special tax following notice and a public hearing; and

WHEREAS, the California Constitution Article XIII C, Section 2(d) requires a proposed tax to be submitted to the qualified electors at an election; and

WHEREAS, on November 2, 2023 the City published notice of the time and place of the hearing on the special tax and a general explanation thereof in the Mojave Desert Newspaper, a newspaper of general circulation; and

WHEREAS, on November 14, 2023 the City Council held a duly noticed public hearing where all interested persons were heard on the matter of holding an election in the matter of levying a special tax on parcels of real property in the City; and

WHEREAS, the City Council of the City of California City intends to submit to the qualified electors, a ballot measure on a proposed ordinance to extend a special parcel tax on real property in the City of California City, as described in this Resolution;

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

SECTION 1. Pursuant to California Elections Code Sections 9222 and 10201, the City Council, pursuant to its right and authority, does hereby order that a ballot measure be submitted to the voters at a Special Municipal Election to be held on Tuesday, March 5, 2023 in the form set forth herein.

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SECTION 2. The City Council hereby orders that the question to be submitted to the qualified electors at the said Special Municipal Election shall appear and be printed on the ballot as follows:

Shall the measure to extend the City's special parcel tax on all real property within the City of California City, in an annual amount not to exceed \$146.00, estimated to generate approximately \$5.2 million annually, expiring in five (5) years, solely to fund essential public services, limited to city administrative expenses, personnel services, operations and maintenance, equipment, vehicles, supplies, capital outlays, law enforcement, fire protection, emergency medical services, and code enforcement, be adopted?	YES	
	NO	

SECTION 3. The text of the proposed ordinance to be submitted to the qualified electors, as attached hereto as Exhibit "A," is hereby approved and incorporated herein by reference. The type of tax proposed is a Special Parcel Tax on each parcel of real property as specified in the proposed ordinance for a period of five (5) years. The measure shall not take effect unless and until approved by a vote of least 2/3 of the voters voting on the question at the election.

SECTION 4. The ballots to be used at the election shall be in the form and content required by law.

SECTION 5. The City Clerk is authorized, instructed, and directed to coordinate with the County of Kern Elections Division 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 6. The City Clerk is hereby directed to submit to the City Attorney a copy of the ordinance, and the City Attorney is hereby authorized and directed to prepare an impartial analysis of the ballot measure showing the effect of the measure on the existing law and operation of the measure. The impartial analysis shall be submitted by the City Attorney to the City Clerk as required by Elections Code Section 9280 and shall not exceed 500 words in length, and otherwise shall comply in all respects with the applicable provisions of the Elections Code of the State of California.

SECTION 7. The last day for filing direct arguments for or against the measure shall be November 28, 2023, based upon the consolidation of the election as contemplated in Elections Code Section 10400 and all such arguments shall be filed with the California City City Clerk, 21000 Hacienda Boulevard, California City, California, 93505, and shall not exceed 300 words in length. The City Clerk, upon receipt of arguments and after the filing deadline, shall immediately transmit copies to any known opposing parties who may then submit rebuttals no later than December 8, 2023. The City Council authorizes any and all members of the City Council to file a written argument in favor or against the above referenced measure.

If more than one argument is submitted in favor or against the measure, the Clerk shall select the argument based upon the priorities set forth in Elections Code 9287, and if more than

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one argument shares the same highest priority, the City Clerk shall use a random selection methodology. Arguments received prior to the deadline shall be confidential until the deadline.

SECTION 8. That the last day for filing rebuttal arguments for or against the ballot measure shall be December 8, 2023 and all such arguments shall be filed with the California City Clerk, 21000 Hacienda Boulevard, California City, California, 93505, and shall not exceed 250 words in length. Arguments received prior to the deadline are confidential until the deadline.

SECTION 9. The ten (10) day public review period for all ballot materials shall open and close pursuant to Elections Code section 9295.

SECTION 10. That the polls (vote centers) for the election shall be open at seven o'clock a.m. on the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls (vote centers) shall be closed, pursuant to Election Code § 10242, except as provided in §§ 14212, 14401 of the Elections Code of the State of California.

SECTION 11. 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 12. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 13. The election on this measure shall be conducted on the same ballot as the General Municipal Election for candidates, and in all other particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 14. The City Clerk is authorized and directed to transmit a certified copy of this resolution to the Kern County Board of Supervisors and the Kern County Elections Division.

SECTION 15. The City Council, by separate resolution, shall request that the Kern County Board of Supervisors consolidate such California City Special Municipal Election with the Statewide General Election to be held on March 5, 2023.

SECTION 16. The City Manager and all other officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they may deem necessary or advisable in order to complete the process for placing the measure on the March 5, 2023 ballot.

SECTION 17. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

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PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of California City, California, on this 14th day of November 2023.

DocuSigned by:

Kelly Kulikoff

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KELLY KULIKOFF, MAYOR
CITY OF CALIFORNIA CITY

ATTEST:

DocuSigned by:

Socorro Chavez

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SOCORRO CHAVEZ, CITY CLERK
CITY OF CALIFORNIA CITY

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STATE OF CALIFORNIA)
COUNTY OF KERN) ss.
CITY OF CALIFORNIA CITY)

I, SOCORRO CHAVEZ, City Clerk of the City of California City, California, hereby certify that Resolution No. 11-23-3005 was adopted by the City Council of the City of California City at a Regular Meeting held on the 14th day of November, 2023, and that the same was adopted by the following vote:

AYES: Councilmember Creighton, Councilmember Kulikoff, Mayor Pro Tem Smith, Mayor Kulikoff

NOES:

ABSTAIN:

ABSENT: Councilmember Macedonio

DocuSigned by:
Socorro Chavez
AFDDC5C7BAG7442
SOCORRO CHAVEZ CITY CLERK
CITY OF CALIFORNIA CITY

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EXHIBIT "A"