

RESOLUTION NO. 17-11

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, CALLING FOR, GIVING NOTICE OF, AND REQUESTING CONSOLIDATION OF AN ADVISORY ELECTION FOR TUESDAY, JUNE 7, 2011

WHEREAS, Revenue & Taxation Code Section 7285.9 authorizes the City Council to levy a transactions and use tax for general purposes; and

WHEREAS, the City Council has introduced the City of Richmond Transactions and Use Tax Ordinance of 2011 (the "Sales Tax Ordinance"); and

WHEREAS, the Ordinance imposes a transactions and use tax (the "Sales Tax"); and

WHEREAS, the City Council desires to submit an advisory question to the electorate regarding the use of proceeds of the Sales Tax; and

WHEREAS, according to news reports, it is likely that Governor Brown will call a statewide special election for June 7, 2011; and

WHEREAS, the City Council desires to call an advisory election for June 7, 2011; and

WHEREAS, the City Council desires to submit its advisory question to the voters at that advisory election; and

WHEREAS, to minimize the expense of conducting the election, the City Council desires to consolidate its election with a statewide election.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, AS FOLLOWS:

1. Pursuant to Election Code Section 9603, there shall be and there is hereby called and ordered held in the City of Richmond, California, an advisory election on Tuesday, the 7th day of June, 2011 (the "Advisory Election").
2. The City Clerk is hereby directed to submit the following question (the "Measure") to the qualified voters of the City of Richmond at the Advisory Election:

"ADVISORY VOTE ONLY: Should the proceeds of any tax imposed pursuant to the City of Richmond sales tax of 2011 (also on this ballot) be spent one-half on Richmond programs to restore services to the poor that have been cut due to State takeaways, and one-half on School District programs in Richmond to restore educational services and programs that have been eliminated due to State takeaways?"

3. The City Council hereby declares its intent to consolidate the Advisory Election with the statewide election to be held on the date of the Advisory Election, should such election be called. The City Council further declares its intent to proceed with the Advisory Election on June 7, 2011 even if the state does not call a statewide election.
4. In all particulars not recited in this Resolution, the Advisory Election shall be held and conducted as provided by law applicable to an advisory vote.
5. That notice of the time and place of holding the Advisory Election is given and the City Clerk is authorized, instructed, and directed to sign and publish notice as required by law.
6. The City Council hereby directs the City Clerk 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 of the adoption of this Resolution.
7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter into the original Resolutions.
8. The City Council directs the City Clerk to file a certified copy of this Resolution with the Registrar of Voters of Contra Costa County.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond, California at a special meeting thereof held March 8, 2011, by the following vote:

AYES: Councilmembers Beckles, Booze, Ritterman, Rogers, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: Councilmember Bates and Vice Mayor Butt.

DIANE HOLMES
Clerk of the City of Richmond

[SEAL]

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 17-11**, finally passed and adopted by the City Council of the City of Richmond at a special meeting held on March 8, 2011.

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