

RESOLUTION 17-112

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 7, 2017, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS A MEASURE TO ESTABLISH A BUSINESS LICENSE TAX OF ONE QUARTER OF ONE PERCENT OF GROSS RECEIPTS ON PERSONS ENGAGED IN THE BUSINESS OF OPERATING ANY FACILITY WHERE PETROLEUM OR PETROLEUM PRODUCTS ARE BLENDED, MIXED, PROCESSED, OR REFINED AND/OR ANY FACILITY THAT STORES PETROLEUM PRODUCTS

WHEREAS, on August 7, 2017, in Resolution No. 17-111 the City Council of the City of Carson unanimously declared a fiscal emergency in the City, as the term “emergency” is used in Article XIII C, Section 2(b) of the California Constitution; and

WHEREAS, the City Council of the City of Carson now desires to submit to the voters of the City, at a Special Municipal Election to be held on November 7, 2017, a ballot measure to consider establishing a business license tax of one quarter of one percent of gross receipts on persons engaged in the business of operating any facility where petroleum or petroleum products are blended, mixed, processed, or refined and any facility that stores petroleum products; and

WHEREAS, the City Council of the City of Carson is authorized and directed by statute to submit to the voters the foregoing ballot measure, and the City Council therefore wishes to have the voters consider the same at a Special Municipal Election to be held on November 7, 2017; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON DOES HEREBY RESOLVE, DECLARE, AND ORDER AS FOLLOWS:

Section 1. That pursuant to the requirements of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Carson, California, on Tuesday, November 7, 2017, a Special Municipal Election for the purpose of submitting to the voters of the City of Carson an ballot measure to establish a business license tax of one quarter of one percent of gross receipts on persons engaged in the business of operating any facility where petroleum or petroleum products are blended, mixed, processed, or refined and any facility that stores petroleum products. As required by Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is specified below in Section 2 of this Resolution. The City’s designated elections official is hereby authorized and directed to make any changes to the text of the proposition or this resolution as required to conform to any requirements of law.

Section 2. That the City Council of the City of Carson hereby orders the following question be submitted to the voters at the aforementioned special municipal election:

To maintain and improve Carson services, such as 911 emergency, Sheriff protection, senior/youth/anti-gang programs; repair streets; improve air/environmental quality, reduce hazardous waste; shall an ordinance be adopted imposing tax of 1/4th of 1% of gross receipts of operators of facilities blending, mixing, processing, or refining petroleum or petroleum products and/or storing petroleum products, to provide approximately \$24,000,000 annually until ended by voters, requiring regular compliance audits, with funds used in Carson?	YES
	NO

Section 3. That the full text of Ordinance 17-1630 to be submitted to the voters is attached as Exhibit “A” to this resolution.

Section 4. That the vote requirement for the measure to pass is a majority (50% +1) of the votes cast.

Section 5. 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 6. That the ballots to be used at the election shall be in form and content as required by law, and that the election shall be held and conducted in the manner prescribed by law.

Section 7. That the City Council authorizes the City Clerk to administer the election and 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 8. Pursuant to California Election Code Section 10242, the polls for the Special Municipal Election shall 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 shall be closed, except as otherwise provided in California Election Code Section 14401.

Section 9. That pursuant to Elections Code §12310, a stipend for services for the persons named as precinct board members is fixed at the sum of \$175 for each Inspector (a sum which includes \$100 for working on Election Day, \$25 for attending a training class, \$25 for picking up election supplies, and \$25 for returning election supplies); and \$105 for each clerk for the election (a sum which includes \$80 for working on Election Day and \$25 to attend a training class). The stipend for volunteering each polling place is \$25 (per precinct) for a private residence or business for the election.

Section 10. That in all particulars not recited in this Resolution, the Special Municipal Election shall be held and conducted in accordance with the provisions of law regulating municipal and statewide elections.

Section 11. That notice of the time and place of holding the Special Municipal Election is hereby given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in the time, form and manner required by law.

Section 12. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions. This Resolution shall be effective immediately upon passage and adoption.

Section 13. The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Carson, California, at a special meeting held on the 7th day of August, 2017.

Mayor Albert Robles

ATTEST:

City Clerk Donesia Gause

APPROVED AS TO FORM:

City Attorney Sunny K. Soltani