

**RESOLUTION NO. 2024-059**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO VISTA PLACING AN ORDINANCE MEASURE ON THE NOVEMBER 5, 2024 BALLOT THAT IMPOSES A ONE CENT TRANSACTIONS AND USE TAX FOR GENERAL CITY SERVICES; REQUESTING THAT THE SOLANO COUNTY BOARD OF SUPERVISORS CONSOLIDATE THE ELECTION WITH THE STATEWIDE ELECTION; AUTHORIZING THE MAYOR TO PREPARE A WRITTEN ARGUMENT IN SUPPORT OF THE TAX MEASURE; AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE**

**WHEREAS**, the City of Rio Vista ("City") is projected to experience an estimated budget deficit of \$496,866 in Fiscal Year 2024/2025 despite reducing staff and expenditures; and,

**WHEREAS**, if the City is unable to establish new sources of revenue, existing City services, such as road maintenance, public safety, and parks and recreation, will face budget cuts; and,

**WHEREAS**, a one cent transactions and use (sales) tax would allow the City to maintain its services, but may improve and expand the municipal services it offers its residents; and,

**WHEREAS**, the City desires to construct a new public safety facility to house both the police station and a second fire station, which would help to improve first responder response times throughout the City; and,

**WHEREAS**, the City also desires to construct a recreation facility to provide additional activities for local youth and adults and improve recreational services;

**WHEREAS**, this tax measure, if approved by the voters would impose a one cent transactions and use tax for a period of five (5) years; and

**WHEREAS**, the projected revenue of this tax measure is between \$1,675,000 and \$1,750,000 annually for each of the five (5) years this tax measure would remain in effect; and

**WHEREAS**, this tax measure would create a guaranteed source of local funding for essential City services that cannot be taken or controlled by the State; and,

**WHEREAS**, the City will establish a Citizens Oversight Committee which shall review revenue and expenditures of funds collected from the Tax. The Committee shall act in an advisory capacity to the City Council. The Committee shall not have authority to approve expenditure of tax funds, but may make recommendations for expenditures to the City Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Rio Vista hereby declares, determines and orders as follows:

**Section 1.** The foregoing recitals are true and correct, and are hereby incorporated by reference.

**Section 2.** Pursuant to California Constitution Article XIII C, section 2; and Elections Code section 9222, the City Council of the City of Rio Vista submits to the qualified voters of the City, the City of Rio Vista General Services Tax Measure ("Tax Measure"), which if approved, would adopt a general transactions and use tax, as authorized by Revenue and Taxation Code section 7285.9. This Tax Measure shall be designated by letter by the Solano County Elections Department. Pursuant to Election Code section 10400, et seq., the election for this Tax Measure is hereby called and shall be consolidated with the Regular Election to be conducted on November 5, 2024.

**Section 3.** The question to be presented to the voters shall be as set forth below. This question requires the approval of a majority of qualified electors casting votes:

<b>MEASURE K:</b> Shall the measure to address the City of Rio Vista's budget deficit, maintain the City's infrastructure, and increase funding for city services such as roads, fire, police, parks, recreation, and other unrestricted general fund expenditures, by enacting a one percent transactions and use tax for a period of five (5) years commencing on April 1, 2025, that is projected to provide approximately \$1,729,000 annually, with all funds locally controlled and subject to local citizen oversight, be adopted?	YES	
	NO	

**Section 4.** The Ordinance authorizing the general tax to be approved by the voters pursuant to Sections 2 and 3 of this resolution is set forth in full in **Exhibit A**, attached hereto, and incorporated herein. The full text of the Ordinance shall be printed in the Voter Information Pamphlet.

**Section 5.** The City Clerk is authorized, instructed and directed to work with the Solano County Registrar of Voters, as needed, in order to properly and lawfully conduct the election. The ballots to be used in the election shall be in the form and content as required by law. The Solano County Registrar of Voters is authorized to canvass the returns of the General Municipal Election. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**Section 6.** The Board of Supervisors is requested to instruct its Registrar of Voters to provide such services as may be necessary for the holding of the consolidated election. The election shall be held in all respects

as if there were only one election. The City of Rio Vista recognizes that the county will incur additional costs because of this consolidation and agrees to reimburse the county for those costs. The City Manager is hereby authorized and directed to expend the necessary funds to pay for the City's cost of placing the Tax Measure on the election ballot. Such services provided by the county may include, but are not limited to, the following:

- Publication of notices calling the election
- Publication of notices calling for ballot arguments
- Provision of voter lists
- Obtaining and staffing polling places
- Provision and delivery of precinct supplies
- Counting of ballots and certification of election
- Other election activities authorized by law
- All aspects of election not specified above may be agreed upon by the County Clerk and the City Manager

### **Section 7.**

- a. Pursuant to California Elections Code section 9282, on behalf of the City Council, the Mayor is hereby authorized to prepare a written argument in favor of the proposed Tax Measure, not to exceed three hundred (300) words. At the Mayor's discretion, the argument may also be signed by members of the City Council or bona fide associations, or by individual voters who are eligible to vote on the Tax Measure. In the event that an argument is filed against the Tax Measure, the Mayor is also authorized to prepare a rebuttal argument on behalf of the City Council, which may also be signed by members of the City Council or bona fide associations, or by individual voters who are eligible to vote on the Tax Measure.
- b. Pursuant to California Elections Code section 9280, the City Council hereby directs the City Clerk to transmit a certified copy of the Tax Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Tax Measure, not to exceed five hundred (500) words in length, showing the effect of the Tax Measure on the existing law and the operation of the Tax Measure, and transmit the impartial analysis to the Solano County Registrar of Voters.

- c. Pursuant to California Elections Code section 9285, when the City Clerk has selected the arguments for and against the Tax Measure, which will be printed and distributed to the voters, the City Clerk is directed to send copies of the argument in favor of the Tax Measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor.

**Section 8.** Pursuant to California Elections Code section 10403, the City Clerk is directed to file certified copies of this resolution with the Board of Supervisors and the Registrar of Voters of the County of Solano, together with the attached ballot measure. The City Clerk is further authorized and directed to perform all other acts necessary or required by law to implement this Resolution and related to the election.

**Section 9.** The jurisdictional boundaries of the City of Rio Vista have not changed since the last General Municipal Election.

**Section 10.** If any provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of the resolution and the application of such provision to other persons or circumstances shall not be affected thereby.

**Section 11.** This resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ORIGINALLY ADOPTED this 16<sup>th</sup> day of July 2024.**

**PASSED AND ADOPTED WITH MODIFICATIONS** to the “Measure K Ballot Question” to coincide with the submitted modifications to the Solano County Registrar of Voters (ROV) this **20<sup>th</sup> day of August 2024** as it relates to the November 5, 2024 Consolidated General Elections. This version replaces the one originally adopted on the 16<sup>th</sup> day of July 2024.

I, **PAM CARONONGAN, CITY CLERK OF THE CITY OF RIO VISTA, HEREBY CERTIFY** the foregoing resolution was introduced and passed at a regular meeting of the Rio Vista City Council by the following roll call vote:

**AYES: Council Members Donnelly and Stanish, Vice Mayor Okamura, and Mayor Kott**

**NOES: None**

**ABSENT: Council Member Dolk**

**ABSTAIN: None**

**ATTEST:**



**Pam Caronongan, MMC, City Clerk**



**Exhibit A**  
**(Ordinance No. 005-2024)**