RESOLUTION NO. 2012-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2012, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE.

WHEREAS, the City Council of the City of Pomona called a General Municipal Election to be held on November 6, 2012 for the purpose of the election of three (3) Members of the City Council for Districts 1, 4 and 6, and one (1) Mayor, for the full term of four (4) years; and

WHEREAS, the City Council is required to submit to the voters at the election a voter-initiated measure, which is a question pertaining to the method by which six (6) Council Members are elected and which, if adopted, would require that candidates for each of these offices be residents of such district, and nominated from such district, but the candidates would be elected by a vote of all City registered voters (*i.e.*, an "at-large" system); and

WHEREAS, the City Council is also required, pursuant to Pomona City Charter Sections 1601(c) and 1701, to submit to the voters at the election a question pertaining to the proposed amendments to the City Charter by the 2010-2011 Charter Review Commission; and

WHEREAS, the City Council desires to submit to the voters at the election a question pertaining to a proposed increase from ten percent (10%) to twelve percent (12%) to the City's Transient Occupancy Tax (TOT); and

WHEREAS, the City Council also desires to submit to the voters at the election a question pertaining to a proposed increase of the City's Real Property Transfer Tax from $1.10 per $500 of property value at time of sale to $2.20 per $500 of property value at time of sale; 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, the precincts, polling places and election officers of the two (2) elections be the same, and that the County Election Department of the County of Los Angeles canvass the returns of the General Municipal Election, and that the election be held in all respects as if there were only one (1) election.

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

SECTION 1. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles 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 three (3) Members of the City

Council for Districts 1, 4 and 6, and one (1) Mayor, for the full term of four (4) years, and for the purpose of submitting to the voters four (4) measures.

SECTION 2. That four (4) measures are to appear on the ballot as follows:

MEASURE ____ POMONA CITIZEN'S RIGHT TO VOTE INITIATIVE MEASURE: Shall an ordinance be adopted to change the method of electing the six City Council members from the current "by-district" method, where voters from each district	**YES**
vote for the candidate representing each respective district pursuant to the Pomona City Charter, to an "at-large" system where candidates representing each district are elected by voters citywide?	**NO**

MEASURE ____ POMONA CITY CHARTER MEASURE: Shall the Charter of the City of Pomona be amended as proposed by the Charter Review Commission, regarding setting Council district boundaries, Mayoral election as a stand alone election, "instant runoff" Councilmember elections, Council vacancy procedures, increasing contributions	**YES**
limits to Councilmembers, providing staff and legal counsel for Charter Commission, City budget and Capital Improvement Program appropriations, commitment to the Youth and Family Master Plan, and establishing violations of the Charter as misdemeanors, among other changes?	**NO**

MEASURE ____ POMONA TRANSIENT OCCUPANCY TAX INCREASE: To ensure funding for essential general city services including police services, fire protection, street and park maintenance, business development, and park and recreation services, shall	**YES**
an ordinance be adopted to increase the tax charged only to persons who occupy hotels, as defined by Pomona City Code Section 50-81, otherwise known as the Transient Occupancy Tax (TOT), from ten percent (10%) to twelve percent (12%)?	**NO**

MEASURE ____ POMONA REAL PROPERTY TRANSFER TAX INCREASE: To ensure funding for essential general city services including police services, fire protection, street and park maintenance, business development, and park and recreation	**YES**
services, shall an ordinance be adopted to increase the tax charged when real property in the city is sold, otherwise known as the Real Property Transfer Tax, from $1.10 per $500 of property value at the time of sale to $2.20?	**NO**

SECTION 3. That the County Election Department is authorized to canvass the returns of the General Municipal Election. The vote requirement for passage of each measure shall be a majority of votes cast (50% plus 1). The election shall be held in all respects as if there were only one (1) election and only one (1) 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.
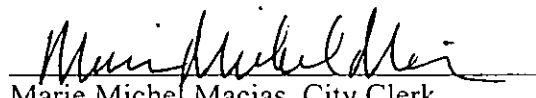
SECTION 5. That the City of Pomona recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.
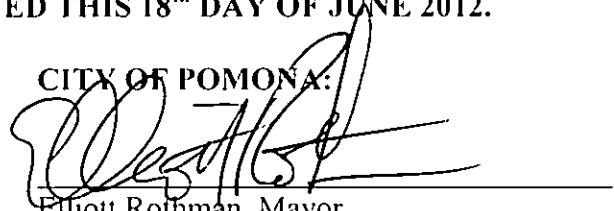
SECTION 6. That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Election Department of the County of Los Angeles.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this resolution and it shall become effective immediately upon its approval.

PASSED, APPROVED AND ADOPTED THIS 18th DAY OF JUNE 2012.

ATTEST:

_____
Marie Michel Macias, City Clerk

CITY OF POMONA:

_____
Elliott Rothman, Mayor

APPROVED AS TO FORM:

_____
Arnold M. Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

I, MARIE MICHEL MACIAS, CITY CLERK of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Pomona held on the 18th day of June, 2012 by the following vote:

AYES: COUNCILMEMBERS: Soto, Rodriguez, Lantz, Escobar, Atchley, Rothman
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: Carrizosa
ABSTAIN: COUNCILMEMBERS: None

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Marie Michel Macias, City Clerk