



**RESOLUTION 2023-48**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY, CALIFORNIA, SUBMITTING A SPECIAL TRANSACTIONS AND USE TAX MEASURE TO THE VOTERS AT THE MARCH 5, 2024 GENERAL MUNICIPAL ELECTION AND TAKING CERTAIN RELATED ACTIONS**

**WHEREAS**, the establishment of a Wildfire Prevention and Mitigation Program (the “Wildfire Program”) would benefit the health, safety and welfare of the people of Nevada City; and

**WHEREAS**, to create the most effective possible Wildfire Program, it is desirable to establish a dedicated source of funding that can be used only for Wildfire Program costs; and

**WHEREAS**, Revenue & Taxation Code Section 7285.91 authorizes the City Council to levy a transactions and use tax for specific purposes if the ordinance proposing that tax is approved by a two-thirds vote of all members of the City Council and the tax is subsequently approved by a two-thirds vote of the qualified voters of the city voting in an election on the issue; and

**WHEREAS**, the City’s General Municipal Election (the “Election”) has been called for March 5, 2024; and

**WHEREAS**, The City Council desires to submit to the voters at the Election an ordinance that would create a transactions and use tax to fund the Wildfire Program.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEVADA CITY, CALIFORNIA, DOES RESOLVE AS FOLLOWS:**

**SECTION 1.** The above recitals are true and correct and are a substantial part of this resolution.

**SECTION 2.** The City Council hereby orders, pursuant to Section 9222 of the Elections Code, that the ordinance attached hereto as Exhibit “A” and incorporated herein by reference (the “Ordinance”) be submitted to the voters at the Election. Adoption of the Ordinance requires a two-thirds vote of the qualified voters of the city voting in an election on the issue.

**SECTION 3.** The question submitted shall appear on the ballot as follows:

Exclusively to fund a locally controlled Wildfire Prevention and Mitigation Program that includes the reduction of flammable vegetation throughout Nevada City; the improvement and maintenance of emergency communications/early warning systems, evacuation routes, and temporary refuge areas; the implementation of community oriented defensible space practices; and other activities and services; shall the measure adding a 0.5% Nevada City sales tax, providing approximately \$900,000 annually over a five year period, monitored by a Citizen’s Oversight Committee, be adopted?	YES	
	NO	

SECTION 4. The City Clerk is instructed to transmit the Ordinance to the City Attorney along with a request that an impartial analysis be prepared pursuant to Elections Code Section 9280.

SECTION 5. 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. Notice of the time and place of holding of the Election is 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 as required by law.

SECTION 7. Pursuant to Section 10400 et seq. of the Elections Code, the Board of Supervisors of Nevada County is requested to consolidate the election on this ballot measure with other elections held on the same day in the County.

SECTION 8. The Board of Supervisors is authorized to canvass the returns of the Election pursuant to Section 10411 of the Elections Code.

SECTION 9. Pursuant to Section 10002 of the Elections Code, the Board of Supervisors is requested to permit the County elections office to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the City agrees to reimburse the County, in accordance with current County pro-rations and allocation procedures.

SECTION 10. Rebuttal arguments will be accepted for this measure, and the City Council reiterates its adoption of the provisions of Section 9285 of the Elections Code regarding rebuttals.

SECTION 11. The City Clerk shall file a certified copy of this Resolution with the Board of Supervisors and the County elections office.

SECTION 12. The City Clerk shall certify to the passage and adoption hereof.

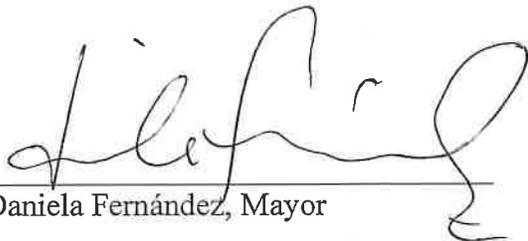
**PASSED AND ADOPTED** at a regularly scheduled meeting of the Nevada City City Council on the 18th day of October 2023 by the following vote.

**AYES:** FERNÁNDEZ, PETERSEN, KLINE, CECI

**NOES:**

**ABSTAIN:**

**ABSENT:** FLEMING



Daniela Fernández, Mayor

**ATTEST:**



Niel Locke, City Clerk