

City of San Marino

Office of the City Clerk



CAROL A. ROBB, MMC
City Clerk

July 25, 2006

Los Angeles County
Executive Office of the Board of Supervisors
Room 383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Attention: Violet Varona-Lukens
Executive Officer

RE: SPECIAL MUNICIPAL ELECTION – NOVEMBER 7, 2006
CITY OF SAN MARINO

Dear Ms. Varona-Lukens:

At a Regular Meeting held on July 12, 2006, the San Marino City Council approved Resolution No. R-06-18 calling the election, and Resolution No. R-06-19 requesting the Board of Supervisors of the County of Los Angeles to consolidate a Special Municipal Election and provide services for said City election to be held on November 7, 2006 with the statewide General Election to be held on the same date. The City of San Marino will reimburse the County for costs incurred for this election. Please find two (2) copies of these Resolutions enclosed for your information.

If you should have any comments or questions, please do not hesitate to contact me at (626) 300-0705.

Sincerely,

A handwritten signature in cursive script that reads "Carol A. Robb".

Carol A. Robb, MMC
City Clerk
City of San Marino

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RESOLUTION NO. R-06-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 7, 2006 FOR SUBMISSION TO THE VOTERS OF A QUESTION RELATING TO CONTINUING THE SPECIAL PUBLIC SAFETY TAX FOR PARAMEDIC SERVICE, FIRE PROTECTION AND PREVENTION AND POLICE PROTECTION AND A QUESTION RELATING TO CONTINUING THE CITY'S UTILITY USER TAX AND ESTABLISHING THE RATE THEREOF AT AN AMOUNT NOT TO EXCEED SIX PERCENT (6%)

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a Special Municipal Election shall be held in consolidation with the statewide election to be held on Tuesday, November 7, 2006; and

WHEREAS, the City Council desires to submit to the voters at the election a question relating to the continued levying of a special public safety tax for paramedic services, fire protection and prevention services and police protection and a question relating to continuing the City's Utility User Tax and establishing the rate thereof at an amount not to exceed six percent (6%).

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

Section 1. 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 San Marino, California, on Tuesday, November 7, 2006, a Special Municipal Election, to be held in consolidation with the statewide election, for the purpose of submitting to the qualified electors of the City for approval Ordinance No. O-06-1187, entitled "An Ordinance of the City of San Marino, California. Levying a Special Public Safety Tax for Paramedic Services, for Police Protection and for Fire Protection and Prevention," a copy of which is attached hereto as Exhibit "A" and on file with the City Clerk.

Section 2. 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 San Marino, California, on Tuesday, November 7, 2006, a Special Municipal Election, to be held in consolidation with the statewide election, for the purpose of submitting to the Qualified electors of the City for approval Ordinance No. O-06-1188, entitled "An Ordinance of the City of San Marino continuing the City's Utility User Tax and establishing the rate thereof at an amount not to exceed six percent (6%) and amending Article 03 of Chapter 26 of the San Marino Municipal Code," a copy of which is attached hereto as Exhibit "B" and on file with the City Clerk.

Section 3. The City Council, pursuant to its right and authority, does order submitted to the voters at the Special Municipal Election the following questions:

Shall Ordinance No. O-06-1187 continuing the Special Public Safety Tax for police, paramedic and fire services be adopted?

Yes No

Shall Ordinance No. O-06-1188 continuing the City's Utility User Tax be adopted?

Yes No

Section 4. The affirmative vote of two-thirds (2/3) of the electors voting upon Measure No. 1 shall be required for approval of said measure.

Section 5. The affirmative majority vote of the electors voting upon Measure No. 2 shall be required for approval of said measure.

Section 6. The City Attorney is directed to prepare an impartial analysis of each measure showing the effect of each measure on the existing law and the operation of each measure.

Section 7. The ballots to be used at the election shall be in form and content as required by law.

Section 8. 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 9. The polls for the election shall be open at seven o'clock a.m. of 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 provided in Section 14401 of the Elections Code of the State of California.

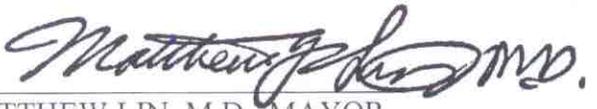
Section 10. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

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

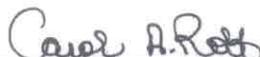
Section 12. Pursuant to Article XIIC, Section 2(b), of the California Constitution, the City Council finds that a fiscal emergency exists necessitating that Ordinance O-06-1188 be submitted to the voters at the general statewide election on November 7, 2006, rather than at the general municipal election to be held March 6, 2007. Ordinance O-06-1188 eliminates the telecommunications and video utility user taxes and increases the utility user taxes on electricity, water and natural gas services by a sufficient percentage to equal the loss in revenues from elimination of the levies on telecommunications and video services. The existing utility user tax expires on March 31, 2007. The providers of electricity, water and gas services require three months or more to process increases in the rate of the utility user tax applicable to their services. Thus, if Ordinance O-06-1187 is approved by the voters at the March 6, 2007, general municipal election, the decrease in City revenues from the loss of the utility user tax on telecommunications services would occur three months or more before the City would begin to receive the increased tax revenues from the corresponding higher utility user tax rates on electricity, water and gas services. The City could not absorb this reduction in revenues without cutting or suspending needed public services.

Section 13. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED on July 12, 2006.


MATTHEW LIN, M.D., MAYOR

ATTEST:


CAROL A. ROBB, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGALITY:

STEVEN L. DORSEY,
CITY ATTORNEY

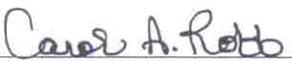
CITY OF SAN MARINO RESOLUTION NO. R-06-18
PAGE FOUR

I, Carol A. Robb, City Clerk of the City of San Marino, California, do hereby certify that the foregoing Resolution No. R-06-18 was adopted by the City Council of the City of San Marino at a Regular Meeting of the City Council held on the 12th day of July, 2006, by the following vote:

AYES : COUNCILMEMBERS BAYLE, BROWN, FILUTZE, VICE
MAYOR TWIST, AND MAYOR LIN.

NOES : NONE.

ABSENT : NONE.



CAROL A. ROBB, MMC
CITY CLERK

RESOLUTION NO. R-06-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 7, 2006 FOR SUBMISSION TO THE VOTERS OF A QUESTION RELATING TO CONTINUING THE SPECIAL PUBLIC SAFETY TAX FOR PARAMEDIC SERVICE, FIRE PROTECTION AND PREVENTION AND POLICE PROTECTION AND A QUESTION RELATING TO CONTINUING THE CITY'S UTILITY USER TAX AND ESTABLISHING THE RATE THEREOF AT AN AMOUNT NOT TO EXCEED SIX PERCENT (6%)

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a Special Municipal Election shall be held in consolidation with the statewide election to be held on Tuesday, November 7, 2006; and

WHEREAS, the City Council desires to submit to the voters at the election a question relating to the continued levying of a special public safety tax for paramedic services, fire protection and prevention services and police protection and a question relating to continuing the City's Utility User Tax and establishing the rate thereof at an amount not to exceed six percent (6%).

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

Section 1. 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 San Marino, California, on Tuesday, November 7, 2006, a Special Municipal Election, to be held in consolidation with the statewide election, for the purpose of submitting to the qualified electors of the City for approval Ordinance No. O-06-1187, entitled "An Ordinance of the City of San Marino, California. Levying a Special Public Safety Tax for Paramedic Services, for Police Protection and for Fire Protection and Prevention," a copy of which is attached hereto as Exhibit "A" and on file with the City Clerk.

Section 2. 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 San Marino, California, on Tuesday, November 7, 2006, a Special Municipal Election, to be held in consolidation with the statewide election, for the purpose of submitting to the Qualified electors of the City for approval Ordinance No. O-06-1188, entitled "An Ordinance of the City of San Marino continuing the City's Utility User Tax and establishing the rate thereof at an amount not to exceed six percent (6%) and amending Article 03 of Chapter 26 of the San Marino Municipal Code," a copy of which is attached hereto as Exhibit "B" and on file with the City Clerk.

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Yes No

Shall Ordinance No. O-06-1188 continuing the City's Utility User Tax be adopted?

Yes No

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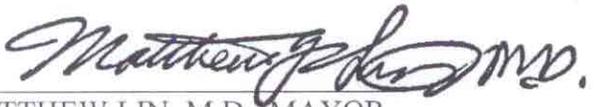
Section 10. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

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

Section 12. Pursuant to Article XIIC, Section 2(b), of the California Constitution, the City Council finds that a fiscal emergency exists necessitating that Ordinance O-06-1188 be submitted to the voters at the general statewide election on November 7, 2006, rather than at the general municipal election to be held March 6, 2007. Ordinance O-06-1188 eliminates the telecommunications and video utility user taxes and increases the utility user taxes on electricity, water and natural gas services by a sufficient percentage to equal the loss in revenues from elimination of the levies on telecommunications and video services. The existing utility user tax expires on March 31, 2007. The providers of electricity, water and gas services require three months or more to process increases in the rate of the utility user tax applicable to their services. Thus, if Ordinance O-06-1187 is approved by the voters at the March 6, 2007, general municipal election, the decrease in City revenues from the loss of the utility user tax on telecommunications services would occur three months or more before the City would begin to receive the increased tax revenues from the corresponding higher utility user tax rates on electricity, water and gas services. The City could not absorb this reduction in revenues without cutting or suspending needed public services.

Section 13. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED on July 12, 2006.


MATTHEW LIN, M.D., MAYOR

ATTEST:


CAROL A. ROBB, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGALITY:

STEVEN L. DORSEY,
CITY ATTORNEY

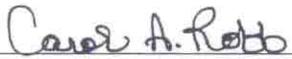
CITY OF SAN MARINO RESOLUTION NO. R-06-18
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AYES : COUNCILMEMBERS BAYLE, BROWN, FILUTZE, VICE
MAYOR TWIST, AND MAYOR LIN.

NOES : NONE.

ABSENT : NONE.



CAROL A. ROBB, MMC
CITY CLERK

RESOLUTION NO. R-06-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON NOVEMBER 7, 2006 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

WHEREAS, the City Council of the City of San Marino called a Special Municipal Election in said City to be held on November 7, 2006 for the purpose of submitting to the qualified electors of said City the question relating to the continued levying of a special public safety tax for paramedic services, fire protection and prevention and police protection, and to increase the spending limit set in accordance with the California Constitution by the amount of the special public safety tax; and for the purpose of submitting to the qualified electors of said City the questions relating to continuing the City's Utility User Tax and establishing the rate thereof at an amount not to exceed six percent (6%); and

WHEREAS, it is desirable that the Special Municipal Election be consolidated with the statewide General Election held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the Registrar-Recorder of the County of Los Angeles canvass the returns of the Special Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, DOES 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 Special Municipal Election with the Statewide General Election on Tuesday, November 7, 2006, for the purpose of considering the following measures, listed as they are to appear on the ballot:

Shall Ordinance No. O-06-1187 continuing the Special Public Safety Tax for police, paramedic and fire services be adopted?

Yes No

Shall Ordinance No. O-06-1188 continuing the City's Utility User Tax be adopted?

Yes No

Section 2. That the county election department is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

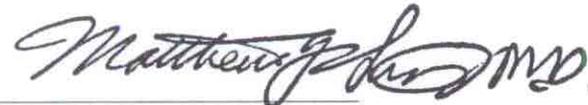
Section 3. That the Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary for the holding of this consolidation and agrees to reimburse the county for any costs.

Section 4. That the City of San Marino 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 5. 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 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED on July 12, 2006.



MATTHEW LIN, M.D.
MAYOR

ATTEST:



CAROL A. ROBB, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGALITY:

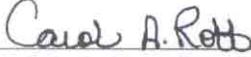
STEVEN L. DORSEY, CITY ATTORNEY

I, Carol A. Robb, City Clerk of the City of San Marino, California, do hereby certify that the foregoing Resolution No. R-06-19 was adopted by the City Council of the City of San Marino at a Regular Meeting of the City Council held on the 12th day of July, 2006, by the following vote:

AYES : COUNCILMEMBERS BAYLE, BROWN, FILUTZE, VICE
MAYOR TWIST, AND MAYOR LIN.

NOES : NONE.

ABSENT : NONE.



CAROL A. ROBB, MMC
CITY CLERK

RESOLUTION NO. R-06-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON NOVEMBER 7, 2006 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

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WHEREAS, it is desirable that the Special Municipal Election be consolidated with the statewide General Election held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the Registrar-Recorder of the County of Los Angeles canvass the returns of the Special Municipal Election and that the election be held in all respects as if there were only one election.

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Shall Ordinance No. O-06-1187 continuing the Special Public Safety Tax for police, paramedic and fire services be adopted?

Yes

No

Shall Ordinance No. O-06-1188 continuing the City's Utility User Tax be adopted?

Yes No

Section 2. That the county election department is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

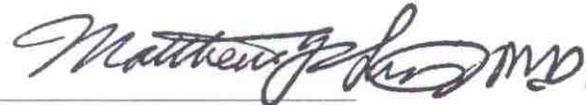
Section 3. That the Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary for the holding of this consolidation and agrees to reimburse the county for any costs.

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Section 5. 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.

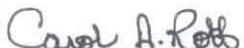
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PASSED, APPROVED AND ADOPTED on July 12, 2006.



MATTHEW LIN, M.D.
MAYOR

ATTEST:


CAROL A. ROBB, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGALITY:

STEVEN L. DORSEY, CITY ATTORNEY

