

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

29 August 12, 2014

EVA M. BUICE, MMC  
City Clerk

July 24, 2014

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

THE CITY OF  
**POMONA**

Office of the City Clerk



via Fax and USPS

Los Angeles County Board of Supervisors  
Ms. Sachi A. Hamai, Executive Officer  
Kenneth Hahn Hall of Administration  
500 W. Temple Street, Room 383  
Los Angeles, California 90012

Dear Ms. Hamai,

On June 10, 2014 I submitted Resolution Nos. 2014-49 calling for the holding of a General Municipal Election, and Resolution No. 2014-50 requesting the Board of Supervisors consolidate a General Municipal Election to be held on November 4, 2014. Since that time, the City Council approved Resolution No. 2014-91 which supersedes Resolution No. 2014-50. Enclosed you will find certified copies of the following documents in preparation for the City of Pomona's General Municipal Election to be held on November 4, 2014:

Resolution No. 2014-90

A Resolution of the City Council of the City of Pomona, California, ordering the submission to the qualified electors of the City of Pomona a certain initiative measure relating to the enactment of a Special Tax for Library Services, at the General Municipal Election to be held on Tuesday, November 4, 2014, as called by Resolution No. 2014-49.

Resolution No. 2014-91

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 4, 2014, with the Statewide General Election to be held on the date pursuant to Section 10403 of the Elections Code.

Your prompt response to this request would be greatly appreciated. Please don't hesitate to contact the City Clerk's Office at (909) 620-2341 should you have any questions.

Very truly yours,

*Eva M Buice*  
Eva M. Buice, MMC  
City Clerk

/emb

Enclosures

c: Dean C. Logan, L.A. County Registrar-Recorder/County Clerk

**RESOLUTION NO. 2014-90**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF POMONA A CERTAIN INITIATIVE MEASURE RELATING TO THE ENACTMENT OF A SPECIAL TAX FOR LIBRARY SERVICES, AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014, AS CALLED BY RESOLUTION NO. 2014-49**

**WHEREAS**, the City Council (the "Council") of the City of Pomona (the "City"), County of Los Angeles, State of California is authorized to impose a special tax for library service pursuant to Government Code sections 53717-53717.6;

**WHEREAS**, the Council desires to adopt this resolution setting an election for the November 4, 2014 ballot;

**WHEREAS**, the City has an interest in providing adequate funding for its library services to ensure sufficient staffing and equipment to service City residents and members of the public;

**WHEREAS**, the City's General Fund has experienced a significant decrease in revenues for the past several years, causing the City to severely reduce library services;

**WHEREAS**, the Library Board of Trustees has recommended that the City Council place a measure on the November 4, 2014 ballot for a Special Library Tax of \$42 per parcel for a period of ten (10) years, which includes a provision that library services be offered at least 38 hours per week;

**WHEREAS**, pursuant to California Constitution articles XIII A, section 4, XIII C, section 2(b), XIII D, section 3(a), California Government Code sections 50075 *et seq.*, 53722, and 53724, no local government may impose any new, or extend or increase any existing special parcel tax unless and until that tax is submitted to the electorate and approved by an affirmative vote of two-thirds of the qualified electors voting in the election;

**WHEREAS**, Article XIII B of the California Constitution places an annual limitation upon appropriations from proceeds of taxes by each local government of the State of California;

**WHEREAS**, the Council desires to adopt a new special parcel tax to provide adequate funding for its library services and to adopt a new appropriations limit;

**WHEREAS**, the Council has the authority to place propositions on the ballot to be considered at a regular or special election of the City;

**WHEREAS**, the Council has determined to authorize the submittal to the voters on November 4, 2014, a ballot measure to such qualified electors of the City to (i) adopt a new special parcel tax pursuant to Government Code section 53717, *et seq.*, at the rate of \$42.00 for all parcels within the City commencing July 1, 2015; and (ii) establish an appropriations limit for the City;

**WHEREAS**, the ballot proposition and the terms of approval, collection and use of the special parcel tax are described and provided for in the ordinance to be considered by the qualified voters, attached hereto as Exhibit A (the “Ballot Ordinance”) and by this reference made an operative part hereof, and in accordance with all applicable laws; and

**WHEREAS**, the Council finds that under CEQA Guidelines 15060(c)(2) and 15378(b)(2) and (b)(4), the special parcel tax does not constitute a project under CEQA and therefore no further CEQA review is required.

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Pomona as follows:

**SECTION 1. Recitals.** The Council hereby finds and determines that the foregoing recitals are true and correct, are incorporated herein and by this reference made an operative part hereof.

**SECTION 2. Calling and Giving Notice of Election.** The Council hereby calls and gives notice of a general election to be held on November 4, 2014 in the City of Pomona, County of Los Angeles. The City Clerk is authorized, instructed and directed to give further or additional notice of the election as necessary, in the time, form and manner as required by law.

**SECTION 3. Submission of Ballot Measure.** Pursuant to Section 4 of Article XIII A of the California Constitution, Government Code sections 50077, 53970 et seq., 53722, and 53724, the Council hereby orders the Ballot Ordinance attached hereto as Exhibit A to be submitted to the qualified voters of the City at the general election to be held on November 4, 2014, and requests the Registrar of Voters of Los Angeles County (the “Registrar of Voters”) to conduct the general election, at which it shall submit to the qualified voters of the City the measure as set forth in Section 4 hereof and the Ballot Ordinance set forth in Exhibit A hereof.

**SECTION 4. Ballot Measure.** The Council, pursuant to its right and authority, does hereby order that the ballot measure shall be presented and printed upon the ballot submitted to the qualified voters in the manner and form set forth in this Section 4. On the ballot to be submitted to the qualified voters at the general election to be held on November 4, 2014, in addition to any other matters required by law, there shall be printed substantially the following:

<b>MEASURE _____ SPECIAL LIBRARY TAX:</b> To provide revenue dedicated solely for the Pomona Public Library, shall \$42.00 per parcel be assessed commencing 7/1/2015? Restores Library hours to 38 hours/week minimum and provides for professional staff. Assessment expires in 10 years. Revenue raised is additional to monies from City's General Fund. Ensures City’s annual contribution to Library remains no less than current general fund allocations. Revenue use is subject to annual audit and citizen oversight.	<b>YES</b>
	<b>NO</b>

**SECTION 5. Specific Purposes.** The specific purposes of the special parcel tax is to  
 Resolution No. 2014-90

provide additional funds to pay for library services provided at the Pomona Library no fewer than 38 hours per week, including, but not limited to, the cost of obtaining, furnishing, operating, and maintaining equipment, and paying the salaries, benefits, and all other necessary and related expenses of library personnel, equipment and facilities as deemed necessary by the Council or as required by law, regulation or contractual obligation of the City, and any incidental expenses incurred in the administration of the tax, including, but not limited to, the costs of the election, and the cost of collection. A Library Director and no fewer than two (2) librarians with master's degrees in Library Science or equivalent shall be on the full time staff of the library. Revenues from the special parcel tax shall not be used to supplant the current allocation of the Pomona Library budget in the General Fund for Fiscal Year 2014/15. In the event that non-public safety budgets of the General Fund are reduced, the Library budget shall not be reduced on a proportional basis more than any other non-safety General Fund budget. The proceeds of the special parcel tax shall be used only for the specific purposes identified herein. The proceeds of the special parcel tax shall be deposited in a special fund, to be created and maintained by the City.

**SECTION 6. Accountability Measure.** If the ballot measure authorizing the City's special parcel tax for library services is approved by the qualified voters of the City, for so long as any proceeds of the special parcel tax are collected and remain unexpended, the City Finance Director shall cause a report to be prepared by an independent auditor for each calendar year, ending December 31, and be filed with the Library Board of Trustees and the City Council at the first regularly scheduled meeting, respectively, following completion of the annual audit, commencing with the calendar year ending December 31, 2015, stating (1) the amount of special parcel tax revenues collected and expended in such year; (2) the status of any projects or description of any services or programs funded from proceeds of the special parcel tax; and (3) evidence of library services being provided at least 38 hours per week. The report may relate to the calendar year, fiscal year, or other appropriate annual period, as the Finance Director shall determine, and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the Council.

**SECTION 7. Annual Report.** If the ballot measure authorizing the City's special parcel tax for library services is approved by the qualified voters of the City, the City shall annually adopt a written report which shall contain a description of each lot or parcel of taxable property subject to the special parcel tax, the amount of the special parcel tax for each lot or parcel for each fiscal year, and the basis and schedule for the special parcel tax authorized pursuant to the Ballot Ordinance attached hereto as Exhibit A and approved by the qualified voters of the City.

For purposes of the special parcel tax, "taxable property" shall be defined as any unit of real property in the City which receives a separate tax bill for *ad valorem* property taxes from the Treasurer-Tax Collector of Los Angeles County. All property which is otherwise exempt from or on which are levied no *ad valorem* property taxes in any year shall also be exempt from the special parcel tax in such year. The Los Angeles County Assessor's determination of exemption or relief for any reason of any parcel from taxation shall be final and binding for the purposes of the special parcel tax. Taxpayers wishing to challenge the County Assessor's determination must do so under the procedures for correcting a misclassification of property pursuant to section 4876.5 of the California Revenue and Taxation Code or other applicable procedures. Taxpayers seeking a refund of the special parcel tax shall follow the procedures applicable to property tax refunds pursuant to the California Revenue and Taxation Code. In the event that the City reduces library hours below 38 hours per week, except in the event of a natural disaster or other state of emergency declared by the

City Council preventing the operation of the library services, the City shall not levy the special parcel tax until such time the level of services are restored.

**SECTION 8. Computation and Collection of Special Parcel Tax.** If the ballot measure authorizing the City's special parcel tax for library services is approved by the qualified voters of the City, the City Finance Director or his/her authorized designee or employee is hereby authorized and directed each fiscal year, commencing with the fiscal year 2013-2014, to determine the special parcel tax amount to be levied for the next ensuing fiscal year for each taxable parcel of real property within the City, in the manner and as provided in accordance with Ballot Ordinance attached hereto as Exhibit A and the authorizations set forth therein, including the annual increases for inflation to such special parcel tax. The special parcel tax shall be collected on behalf of the City by the County of Los Angeles in the same manner and subject to the same penalties as, or with, other charges and taxes fixed and collected by the City, or by the County on behalf of the City. Unless otherwise required by the City Council, no Council action shall be required to authorize the annual collection of the special parcel tax as herein provided.

**SECTION 9. Interest and Penalties.** If the ballot measure authorizing the City's special parcel tax for library services is approved by the qualified voters of the City, the special parcel tax shall be collected in the same manner as ordinary *ad valorem* taxes are collected provided, however, that the City Council may authorize other appropriate methods of collection of the special parcel tax by appropriate resolution(s). The special parcel tax shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency, as provided for *ad valorem* taxes.

**SECTION 10. Election Procedures.**

a. Pursuant to the requirements of Elections Code section 10400 *et seq.*, the Council hereby requests the Board of Supervisors of the County of Los Angeles to conduct a general election for the proposed ballot measure.

b. The election on the ballot measure shall be held and conducted as provided for herein. In all particulars not prescribed in this Resolution, the election shall be held as provided by law for the holding of City elections, and otherwise in accordance with the Elections Code, or as determined by the Registrar of Voters in accordance with the Elections Code.

c. The Board of Supervisors of Los Angeles County is hereby requested to instruct and permit the Registrar of Voters to render all services to the City as needed relating to the general election on the ballot measure, and the City hereby agrees to reimburse the county in full for the services performed, upon presentation of a bill to the City. The Board of Supervisors of the County of Los Angeles is authorized to canvas the returns of that election with respect to the votes cast in the City and certifies the results to the Council. The City recognizes that additional costs will be incurred by the County by reason of the general election measure and agrees to reimburse the County for all costs. The City Clerk is directed to file a certified copy of this Resolution, including the Ballot Ordinance attached hereto as Exhibit A, with the Board of Supervisors of Los Angeles County and the Registrar of Voters of Los Angeles County. The City of Pomona recognizes that the election will be held and conducted in the manner proscribed under California Elections Code section 104018.

d. The City Clerk is hereby authorized and directed to cooperate with the Registrar of Voters and to follow the procedures and meet all deadlines established by the Registrar of Voters.

e. At the next regular meeting of the Council occurring after the returns of the election for the ballot measure have been canvassed and certified, the Council shall cause to be entered in its

minutes a statement of the results of the election.

**SECTION 11.**            Arguments and Analysis.

a. Pursuant to Elections Code section 9316, the City Clerk shall fix and determine a reasonable date prior to the election for the submission to the City Clerk of an argument in favor of and against the ballot measure, and additional rebuttal arguments pursuant to Elections Code section 9317. Direct arguments shall not exceed three hundred words and shall be signed by not more than five persons.

b. Pursuant to Elections Code section 9317, when the City Clerk has selected the arguments for and against the ballot measure, which will be printed and distributed to the voters, the City Clerk shall send copies of the argument in favor of the ballot measure to the authors, if any, of the arguments against, and copies of the argument against the ballot measure to the authors, if any, of the arguments in favor. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument, which it seeks to rebut.

c. The City Attorney shall prepare an impartial analysis of the ballot measure, not to exceed five hundred words, showing the effect of the measure on existing law and the operation of the ballot measure.

**SECTION 12.**            Placement on the Ballot. The City Clerk is hereby authorized and directed to take all steps necessary to place the ballot measure on the ballot and to cause the ballot measure to be printed and shall act as the filing authority for arguments. The full text of the Ballot Ordinance shall be printed in the voter pamphlet, and a statement shall be printed in the ballot pursuant to Section 9312 of the Elections Code advising voters that they may obtain a copy of this Resolution, the Ballot Ordinance and/or ballot measure, at no cost, upon request made to the City Clerk.

**SECTION 13.**            Notice. Notice of the time and place of holding the election is hereby given, and the City Clerk is authorized, instructed and directed to give such further or additional notice, in the time, form and manner required by law. The Registrar of Voters is hereby requested to publish any further or additional notice as required by law.

**SECTION 14.**            Delivery of Resolution and Ballot Ordinance to County. The Council directs the City Clerk to deliver copies of this Resolution, including the Ballot Ordinance attached hereto as Exhibit A, to the Clerk of the Board of Supervisors of the County of Los Angeles and to the Registrar of Voters of the County of Los Angeles.

**SECTION 15.**            Severability. If the ballot measure authorizing the City's special parcel tax for library services is approved by the qualified voters of the City, the special parcel tax shall not apply to any person, entity, or property as to whom or which it is beyond the power of the City to impose the tax herein provided. If for any reason any provision of this Resolution, the Ballot Ordinance, or the application thereof is found to be invalid, or if the special parcel tax is found inapplicable to any particular parcel within the City by a Court of competent jurisdiction, the balance of this Resolution, the Ballot Ordinance and the application of the special parcel tax to the remaining parcels within the City shall not be affected and, to this end, the provisions of this Resolution and the Ballot Ordinance are severable.

**SECTION 16.** Successors. To the fullest extent permitted by law, the Ballot Ordinance, if approved by the qualified voters of the City, and its special tax authorization and authority shall be binding upon any successors in interest to the City or any successors in interest to the City's library service functions.

**SECTION 17.** Effective Date of Special Tax. Pursuant to California Constitution article XIII C section (2)(d) and California Government Code section 53724, if two-thirds of the qualified voters voting in the election on the Proposition to adopt the Ballot Ordinance authorizing the special parcel tax for library services, attached hereto as Exhibit A, vote in favor of the adoption of such Proposition, the provisions regarding the proposed special parcel tax as set forth therein shall be deemed valid and binding. The proposed special parcel tax as set forth in the Ballot Ordinance shall be considered as adopted upon the date that the vote is declared by the Council, and shall go into effect July 1, 2015.

**SECTION 18.** Effective Date of Appropriations Limit. Pursuant to California Constitution article XIII B section 4, if a majority of the qualified voters voting in the election on the Proposition to establish the appropriations limit for the City vote in favor of the adoption of such Proposition, the appropriations limit authorized thereto shall be valid and binding for a period of ten years. The increase of the appropriations limit shall be considered as adopted upon the date that the vote is declared by the Council, and shall go into effect ten (10) days after that date.

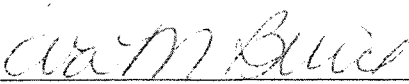
**SECTION 19.** CEQA. Special tax monies raised pursuant to the Ballot Ordinance are exempt from environmental analysis under the California Environmental Quality Act pursuant to Public Resources Code Section 21080 (b)(8) since the proceeds of the special tax will be used for: (a) meeting operating expenses, including employee wage rates and fringe benefits; (b) purchasing or leasing supplies, equipment or materials; (c) meeting applicable financial reserve needs and requirements; and (d) obtaining funds for capital projects necessary to maintain service within existing service areas.

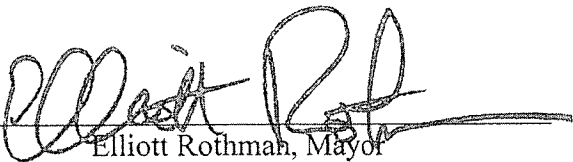
**SECTION 20.** Resolution. This Resolution shall take effect immediately upon its adoption. This Resolution shall be published in a newspaper of general circulation within ten (10) days of its adoption.

**Passed, Approved and Adopted this 21<sup>st</sup> day of July 2014.**


**ATTEST:**

**CITY OF POMONA:**

  
\_\_\_\_\_  
Eva M. Buice, City Clerk

  
\_\_\_\_\_  
Elliott Rothman, Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Arnold M. Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF POMONA

I, EVA M. BUICE, 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 21<sup>st</sup> day of July, 2014 by the following vote:

AYES: COUNCILMEMBERS: Nolte, Robledo, Carrizosa, Lantz, Martin, Mayor Rothman  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: Escobar  
ABSTAIN: COUNCILMEMBERS: None

  
\_\_\_\_\_  
Eva M. Buice, City Clerk

This document is a full, true and correct copy of the original on file in the Pomona City Clerks Office.

ATTEST:   
\_\_\_\_\_  
City of Pomona City Clerk



EXHIBIT "A"

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF POMONA ADOPTING A  
SPECIAL PARCEL TAX FOR LIBRARY SERVICES AND  
ADDING ARTICLE XI TO CHAPTER 50 OF THE POMONA  
CITY CODE**

**WHEREAS**, the City Council (the "Council") of the City of Pomona (the "City"), County of Los Angeles, State of California is authorized to impose a special tax for library service pursuant to Government Code sections 53717-53717.6; and

**WHEREAS**, the City has an interest in providing adequate funding for its library services to ensure that there is sufficient staffing and equipment to service City residents and members of the public; and

**WHEREAS**, the City General fund has experienced a significant decrease in revenues for the past several years, causing the severe reduction in library services; and

**WHEREAS**, the City desires to (i) adopt a new special parcel tax pursuant to Government Code section 53717, *et seq.*, at the rate of \$42.00 for all parcels within the City, commencing July 1, 2015, for a period of ten (10) years; and (ii) establish of an appropriations limit for the City; and

**WHEREAS**, the new special parcel tax will be used for the purpose of providing funding for the City's library services.

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF POMONA,  
CALIFORNIA DO ORDAIN AS FOLLOWS:**

**Section 1**      Recitals. The Recitals set forth above are incorporated herein and by this reference.

**Section 2.**      Special Parcel Tax for Library Services. Article XI of Chapter 50 of the Pomona City Code is hereby added to read as follows:

**Article XI.      Special Parcel Tax for Library Services**

**Section 50-500      Parcel Tax Imposed**

- (a) There is hereby adopted and established for the City a special parcel tax on taxable property. The specific purposes of the special parcel tax are to pay for library services provided at the Pomona Library no fewer than 38 hours per week, including, but not limited to, the cost of obtaining, furnishing, operating, and maintaining equipment, and paying the salaries, benefits, and all other necessary and related expenses of library personnel, equipment and facilities as deemed necessary by the Council or as required by law, regulation or contractual obligation of the City, and any incidental expenses incurred

in the administration of the tax, including, but not limited to, the costs of the election, and the cost of collection.

- (b) A Library Director and no fewer than two (2) librarians with masters degrees in Library Science or equivalent shall be on the full time staff of the library. Revenues from the special parcel tax shall not be used to supplant the current allocation of the Pomona Library budget in the General Fund for Fiscal Year 2014/15.
- (c) In the event that non-public safety budgets of the General Fund are reduced, the Library budget shall not be reduced on a proportional basis more than any other non-safety General Fund budget. The proceeds of the special parcel tax shall be used only for the specific purposes identified herein.
- (d) For purposes of this Article in levying the special parcel tax, “taxable property” shall be defined as any unit of real property in the City which receives a separate tax bill for *ad valorem* property taxes from the Treasurer-Tax Collector of Los Angeles County. All property which is otherwise exempt from or on which are levied no *ad valorem* property taxes in any year shall also be exempt from the special parcel tax in such year. The Los Angeles County Assessor’s determination of exemption or relief for any reason of any parcel from taxation shall be final and binding for the purposes of the special parcel tax. Taxpayers wishing to challenge the County Assessor’s determination must do so under the procedures for correcting a misclassification of property pursuant to section 4876.5 of the California Revenue and Taxation Code or other applicable procedures. Taxpayers seeking a refund of the special parcel tax shall follow the procedures applicable to property tax refunds pursuant to the California Revenue and Taxation Code.

**Section 50-501            Special Account**

The proceeds of the special parcel tax shall be deposited in a special account, created and maintained by the City, and used only for the specific purposes identified in Section 50-500.

**Section 50-502            Accountability Measure**

- (a) Annual Audit. For so long as any proceeds of the special parcel tax are collected and remain unexpended, the City shall cause a report to be prepared by an independent auditor and filed with the City Council no later than December 31 of each year, stating (i) the amount of special parcel tax proceeds collected and expended in such year; (ii) the status of any projects or description of any services or programs funded from proceeds of the special parcel tax; and (iii) evidence of library services being provided at least 38 hours per week. In the event that the City reduces library hours below 38 hours per week, except in the event of a natural disaster or other state of emergency declared by the City Council preventing the operation of the library services, the City shall not levy the special parcel tax until such time as the level of services are restored
- (b) Annual Report. If the ballot measure authorizing the City’s special parcel tax for library services is approved by the qualified voters of the City, the City shall annually adopt a written report which shall contain a description of each lot or parcel of taxable property

subject to the special parcel tax, the amount of the special parcel tax for each lot or parcel for each fiscal year, and the basis and schedule for the special parcel tax authorized pursuant to the Ballot Ordinance attached hereto as Exhibit A and approved by the qualified voters of the City.

**Section 50-503      Application of Special Parcel Tax**

The special parcel tax shall be assessed to the owner of each parcel within the City, unless the owner is by law exempt from taxation, in which case, the tax imposed shall be assessed to the holder of the possessory interest in such parcel, unless such holder is also by law exempt from taxation.

**Section 50-504      Rate and Imposition of Special Parcel Tax**

- (a) Levy. The special parcel tax shall be levied each year, commencing July 1, 2015, on all taxable parcels of property, improved or unimproved, within the boundaries of the City, at the rate of \$42.00 per parcel.
- (b) Computation. The City Finance Director or his/her authorized designee or employee is hereby authorized and directed each fiscal year, commencing with the fiscal year 2015-2016, to determine the special parcel tax amount to be levied for the next ensuing fiscal year for each taxable parcel of real property within the City, in the manner and as provided herein.
- (c) Collection, Interest and Penalties. The special parcel tax shall be collected on behalf of the City by the County of Los Angeles in the same manner and subject to the same penalties as, or with, other charges and taxes fixed and collected by the City, or by the County on behalf of the City. Unless otherwise required by the City Council, no Council action shall be required to authorize the annual collection of the special parcel tax as herein provided. The special parcel tax shall be collected in the same manner as ordinary *ad valorem* taxes are collected provided, however, that the City Council may authorize other appropriate methods of collection of the special parcel tax by appropriate resolution(s). The special parcel tax shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency, as provided for *ad valorem* taxes.

**Section 50-505      Severability**

The special parcel tax shall not apply to any person, entity, or property as to whom or which it is beyond the power of the City to impose the tax herein provided. If for any reason any provision of this Ordinance or the application thereof is found to be invalid, or if the special parcel tax is found inapplicable to any particular parcel within the City by a Court of competent jurisdiction, the balance of this Ordinance and the application of the special parcel tax to the remaining parcels within the City shall not be affected and, to this end, the provisions of this Ordinance are severable.

**Section 50-506      Successors**

To the fullest extent permitted by law, this Ordinance and its special tax authorization and

authority shall be binding upon any successors in interest to the City or any successors in interest to the City's library service functions.

**Section 3.** Authorization. The Mayor is hereby authorized to attest to the adoption of this Ordinance by the voters of the City by signing where indicated below.

I hereby certify that the foregoing Ordinance was PASSED, APPROVED and ADOPTED by the people of the City of Pomona voting on the 4th day of November, 2014.

ATTEST

CITY OF POMONA

\_\_\_\_\_  
Eva Buice, City Clerk

\_\_\_\_\_  
Elliott Rothman, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Arnold M. Alvarez-Glasman, City Attorney

**RESOLUTION NO. 2014-91**

**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 4, 2014, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE.**

**WHEREAS**, on May 19, 2014, the City Council of the City of Pomona called a General Municipal Election to be held on November 4, 2014 for the purpose of the election of three (3) Members of the City Council for Districts 2, 3 and 5, pursuant to Resolution No. 2014-050;

**WHEREAS**, the City Council further desires to submit a question to the voters relating to a special library parcel tax; 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 Election Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of General Municipal Election with the Statewide General Election on Tuesday, November 4, 2014, for the purpose of the election of three (3) Members of the City Council for District 2, 3, and 5 for the full term of four (4) years. This resolution hereby supersedes Resolution No. 2014-050.

**SECTION 2.** That a measure is to appear on the ballot as follows:

<b>MEASURE _____ SPECIAL LIBRARY TAX:</b> To provide revenue dedicated solely for the Pomona Public Library, shall \$42.00 per parcel be assessed commencing 7/1/2015? Restores Library hours to 38 hours/week minimum and provides for professional staff. Assessment expires in 10 years. Revenue raised is additional to monies from City's General Fund. Ensures City's annual contribution to Library remains no less than current general fund allocations. Revenue use is subject to annual audit and citizen oversight.	<b>YES</b>
	<b>NO</b>

The vote requirement for passage of this measure shall be as follows: two-thirds (2/3 plus 1) of the votes cast to authorize the special parcel tax for library services (pursuant to California

Constitution article XIII C section (2)(d) and California Government Code section 53724) and a majority of the votes cast (50% plus 1) to establish the appropriations limit for the City. 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. The above-referenced measure shall be in addition to, and shall not be construed to replace, any other measures previously submitted for the November 4, 2014 General Municipal Election.

**SECTION 3.** That the County Election Department is authorized to canvass the returns of the General 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. The election will be held and conducted in accordance with the provisions of law regulating the statewide or special election.

**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 of Pomona recognizes that the election will be held and conducted in the manner proscribed under California Elections Code section 104018.

**SECTION 7.** 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 8.** 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 21st DAY OF JULY, 2014.**


**ATTEST:**

  
\_\_\_\_\_  
Eva M. Buice, City Clerk

**CITY OF POMONA:**

  
\_\_\_\_\_  
Elliott Rothman, Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Arnold M. Alvarez-Glasman, City Attorney

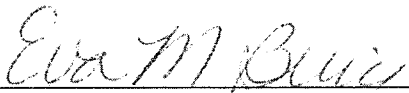
//

//

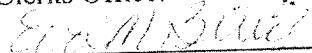
STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF POMONA

I, EVA M. BUICE, 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 21<sup>st</sup> day of July, 2014 by the following vote:

AYES: COUNCILMEMBERS: Nolte, Robledo, Carrizosa, Lantz, Martin, Mayor Rothman  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: Escobar  
ABSTAIN: COUNCILMEMBERS: None

  
\_\_\_\_\_  
Eva M. Buice, City Clerk

This document is a full, true and correct copy of the original on file in the Pomona City Clerks Office.

ATTEST:   
City of Pomona City Clerk

## Navarro, Vibiana

---

**From:** Buice, Eva <Eva\_Buice@ci.pomona.ca.us>  
**Sent:** Monday, July 28, 2014 9:19 AM  
**To:** Submit  
**Subject:** City of Pomona - Request for Consolidation/Addition of Measure  
**Attachments:** City of Pomona - Consolidate.pdf

**Categories:** Orange Category

Attached are the letter and resolutions requesting consolidation with the County of Los Angeles for the upcoming November election, by the City of Pomona. This request supersedes our previously approved request for consolidation, as we now have added a ballot measure. .

*Eva M. Buice, MMC  
City Clerk  
City of Pomona  
(909) 620-2452*

*City of Pomona...Vibrant..Safe..Beautiful*