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By Anjanette Allen at 11:37 am, May 16, 2024

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

98 September 10, 2024

RESOLUTION NO. 24-2975

Edward Yen
EDWARD YEN
EXECUTIVE OFFICER

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARTESIA, CALIFORNIA, SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF ARTESIA ON THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION BALLOT AN INITIATIVE MEASURE AMENDING THE ARTESIA GENERAL PLAN 2030, THE ARTESIA BOULEVARD CORRIDOR SPECIFIC PLAN, AND THE ARTESIA MUNICIPAL CODE TO REQUIRE "MAJOR MODIFICATIONS" TO THE ARTESIA BOULEVARD CORRIDOR SPECIFIC PLAN TO BE APPROVED BY VOTERS; REQUESTING THE COUNTY OF LOS ANGELES TO CONSOLIDATE SAID ELECTION WITH THE PRESIDENTIAL GENERAL ELECTION OF EVEN DATE; AND SETTING RULES AND DEADLINES FOR ARGUMENTS AND REBUTTALS FOR AND AGAINST THE MEASURE

WHEREAS, pursuant to authority provided by the California Elections Code, a petition has been filed with the City Council of the City of Artesia, seeking to enact an initiative measure/ordinance which would amend the Artesia General Plan 2030, the Artesia Boulevard Corridor Specific Plan, and the Artesia Municipal Code to require "major modifications" to the Artesia Boulevard Corridor Specific Plan to be approved by voters, (the "Measure" or "Ordinance");

WHEREAS, pursuant to California Elections Code section 9215, an initiative petition must be in filed with the City in valid form and signed by not less than ten percent (10%) of the registered voters of the City in order to qualify the Measure for the ballot;

WHEREAS, according to Los Angeles County voter records, the minimum signature requirement in order to qualify the Measure for the ballot is 871 registered City voters;

WHEREAS, the City Clerk, through the Los Angeles County Registrar of Voters, has certified that the form of the petition complies with California law and, based upon an examination of voter registration records, has ascertained that the petition is signed by the requisite number of voters to qualify the Measure for the ballot under the Elections Code;

WHEREAS, the City Council has not voted in favor of adoption of the Measure without alteration;

WHEREAS, the City Council is therefore authorized and required by California Elections Code Sections 1405 and 9215 to submit the proposed Measure to the voters at its "next regularly scheduled election occurring not less than 88 days after the date of the order of election";

WHEREAS, the next "regularly scheduled election" is the City's General Municipal Election to be held on Tuesday, November 5, 2024;

WHEREAS, the specific terms of the Measure are attached hereto as Exhibit "A" and by this reference made an operative part hereof, and in accordance with all applicable laws;

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Presidential General Election to be held on the same date, that within the City the precincts, polling places, voting centers and election officers of the two elections be the same, that the Los Angeles County election department canvass the returns of the General Municipal Election, and that the election be held in all respects as if there were only one election; and

WHEREAS, it is also desirable to establish deadlines and rules for the submission of written arguments and rebuttals for and against the Measure in accordance with applicable California Elections Code procedures.

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

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

SECTION 2. Submission of Ballot Measure. The City Council of the City, pursuant to its right and authority as contained in California Elections Code Sections 1405 and 9215, hereby orders the Measure attached hereto as Exhibit "A" to be submitted to the qualified voters of the City at a General Municipal Election to be held on **Tuesday, November 5, 2024**. The proposed Measure shall be in the form attached hereto as Exhibit "A" to this Resolution and is incorporated by this reference as if fully set forth herein.

SECTION 3. Ballot Question. The City Council, pursuant to its right and authority, does hereby order that the ballot question for the Measure shall be presented and printed upon the ballot submitted to the qualified voters in the manner and form set forth in this Section 3. On the ballot to be submitted to the qualified voters at the General Municipal Election to be held on Tuesday, November 5, 2024, in addition to any other matters required by law, there shall be printed substantially the following ballot question:

"Shall a measure be adopted to amend the Artesia General Plan 2030, the Artesia Boulevard Corridor Specific Plan, and the Artesia Municipal Code to require "major modifications" to the Artesia Boulevard Corridor Specific Plan to be approved by voters?"	YES	
	NO	

SECTION 4. Election Procedures.

- A. The ballots to be used at the election shall be in the form and content as required by law.
- B. 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 Presidential General Election on Tuesday, November 5, 2024, for the purpose of submitting to the voters the questions relating to the City's Measure.
- C. The election services which the City of Artesia requests the Registrar of Voters, or such other official as may be appropriate, to perform and which such officer is hereby authorized and directed to perform, if said Board of Supervisors consents, include: the preparation, printing and mailing of sample ballots; the establishment or appointment of precincts, polling places, voting centers and election officers; the preparation, printing, mailing and furnishing of vote-by-mail ballots; making such publications as are required by law in connection therewith; the furnishing of ballots, voting booths, and other necessary supplies or materials for polling places or voting centers; the canvassing of the returns of the election and the furnishing of the results of such canvassing to the City Clerk of the City of Artesia; and the performance of such other election services as may be requested by the City Clerk.
- D. The City Clerk is authorized, instructed and directed to procure and furnish, or cause to be procured and furnished through the County of Los Angeles, 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.

- E. The polls, voting centers and/or vote-by-mail drop-off boxes shall be open and the procedures for submitting votes-by-mail or votes at polls and vote centers shall be in accordance with those times and procedures established by the County of Los Angeles, except as otherwise provided in the Elections Code of the State of California.
- F. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections in the City.
- G. 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.
- H. All ballots shall be tallied at a central counting place and not at the precincts. Said central counting place shall be at a County center as designated by the Registrar of Voters.
- I. The Los Angeles County Registrar of Voters is hereby authorized to canvass the returns of said election.
- J. The City Clerk of the City of Artesia shall receive the canvass from the County as it pertains to the election on the Measures, and shall certify the results to the City Council, as required by law.

SECTION 5. Arguments and Impartial Analysis.

- A. The City Council authorizes (i) the City Council or any member(s) of the City Council, (ii) the proponents of the above Measure, (iii) any individual voter eligible to vote on the above Measure, (iv) a bona fide association of such citizens or (v) any combination of voters and associations, to file a written argument in favor of or against the Measure, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, which arguments may be changed until and including **Friday, August 16, 2024**, after which no arguments for or against the Measure may be submitted to the City Clerk. Arguments in favor of or against the Measure shall each not exceed 300 words in length. Each argument shall be filed with the City Clerk, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.
- B. The City Clerk shall comply with all provisions of law establishing priority of arguments for printing and distribution to the voters, and shall take all necessary actions to cause the selected arguments to be printed and distributed to the voters.
- C. Pursuant to Section 9280 of the Elections Code, the City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the Measure. The City Attorney shall transmit such impartial analysis to the City Clerk, who shall cause the analysis to be published in the voter information guide along with the Measure as provided by law. The Impartial Analysis shall be filed by the deadline set for filing of primary arguments as set forth in Subsection 5(A) above. The impartial analysis shall include a statement indicating whether the Measure was placed on the ballot by a petition signed by the requisite number of voters or by the City Council. In the event the entire text of the Measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-font bold type, the following: **“The above statement is an impartial analysis of Ordinance or Measure _____. If you desire a copy of the Ordinance or Measure, please call the**

election official's office at (562) 865-6262 and a copy will be mailed at no cost to you."

- D. The provisions of this Section 5 shall apply only to the election to be held on November 5, 2024, and shall then be repealed.

SECTION 6. Rebuttals.

- A. Pursuant to Section 9285 of the Elections Code of the State of California, when the Clerk has selected the arguments for and against the various City initiated measures which will be printed and distributed to the voters, the Clerk shall send copies of the argument in favor of the measures to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The authors or persons designated by them may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than **Monday, August 26, 2024**. 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.
- B. The provisions of this Section 6 shall apply only to the election to be held on November 5, 2024, and shall then be repealed.

SECTION 7. Placement on the Ballot. The full text of the Measure shall not be printed in the voter information guide, and a statement shall be printed in the ballot pursuant to Section 9223 of the Elections Code advising voters that they may obtain a copy of the Measure at no cost, upon request made to the City Clerk.

SECTION 8. Delivery of Resolution to County. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions. The City Council directs the City Clerk to deliver copies of this Resolution, including the Measure attached hereto as Exhibit "A," to the Clerk of the Board of Supervisors of Los Angeles County and to the Registrar of Voters of Los Angeles County.

SECTION 9. Public Examination. Pursuant to California Elections Code section 9295, the Measure will be available for public examination for no fewer than ten (10) calendar days prior to being submitted for printing in the voter information guide. The Clerk shall post notice in the Clerk's office of the specific dates that the examination period will run.

SECTION 10. CEQA. The City Council hereby finds and determines that placement of the Measure on the ballot is not a discretionary action of the City Council within the meaning of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines and is, therefore, not subject to CEQA review. See, *Tuolumne Jobs and Small Business Alliance v. Superior Court*, (2014) 59 Cal. 4th 1029.

SECTION 11. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

SECTION 12. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED this 8th day of April, 2024.



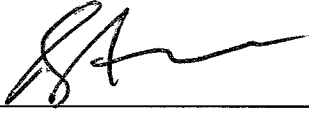
TONY LIMA, MAYOR

ATTEST:



JENNIFER ALDERETE, CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY, BEST, BEST AND KRIEGER

I, Jennifer Alderete, City Clerk of the City of Artesia, do hereby certify that the foregoing Resolution was adopted at the Regular City Council Meeting held on the 8th day of April 2024, by the following vote:

AYES: COUNCILMEMBERS: MANALO, RAMOSO, TREVINO, TAJ, LIMA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE



JENNIFER ALDERETE, CITY CLERK

EXHIBIT "A"

ORDINANCE NO. 24-_____

AN ORDINANCE OF THE PEOPLE OF THE CITY OF ARTESIA, CALIFORNIA, AMENDING THE ARTESIA GENERAL PLAN 2030, THE ARTESIA BOULEVARD CORRIDOR SPECIFIC PLAN, AND THE ARTESIA MUNICIPAL CODE TO REQUIRE "MAJOR MODIFICATIONS" TO THE ARTESIA BOULEVARD CORRIDOR SPECIFIC PLAN TO BE APPROVED BY VOTERS.

THE PEOPLE OF THE CITY OF ARTESIA, CALIFORNIA, DO ORDAIN AS FOLLOWS:

SECTION 1. TITLE. This initiative measure will be known as the "City of Artesia No New Taxes/Strengthen Our Economy Initiative." It will sometimes be referred to as the "Initiative."

SECTION 2. PURPOSE AND EFFECT. The purpose of this Initiative is to provide a better plan to protect existing local businesses, attract new retail and commercial development into the City, to retain existing jobs and create new job opportunities, and to help avoid the need to increase taxes on City residents and local businesses.

SECTION 3. FINDINGS. The voters of the City of Artesia find that this Initiative promotes the health, safety, welfare, and quality of life of the City's residents based upon the following:

(a) This measure is badly needed to help the people of Artesia cope with the ever-rising costs of living and to forestall a planned City tax increase.

(b) Since at least 2018, the City Manager and City Council have failed to balance the City's expenses with existing revenues. To solve this problem, rather than reduce expenses and improve fiscal responsibility, the City Manager and City Council have announced their intent to raise the sales tax for consumer purchases at every business in the City to cover their budget deficit. The residents of Artesia are already hurting from the high costs of housing, gasoline, and other necessities. Raising taxes will only make it more difficult for people in Artesia who are struggling to make ends meet. Furthermore, raising the sales tax only in the City of Artesia will drive people to shop elsewhere, where costs will be lower, thereby hurting local businesses and actually shrinking the tax base.

(c) At the same time, the City Manager and City Council are supporting changes to City planning documents, including the Artesia General Plan 2030 and the Artesia Boulevard Corridor Specific Plan, that would harm the City's ability to attract new retail and commercial development, and thereby increase the City's reliance on new taxes to fund City government and public services.

(d) Eliminating development opportunities for new retail and commercial businesses would permanently harm the City's ability to generate new tax revenues. The City is largely built out, with only limited areas remaining that can be developed or redeveloped with new retail, commercial, restaurant, and similar businesses. Besides creating local shopping and job opportunities, these types of businesses are the primary source of revenues for the City. Local businesses, not housing, pay for the City's expenses and public services. Without local businesses, the City will never be able to generate sufficient revenue to cover the City budget.

(e) If allowed to proceed, the sales tax increase and the loss of local businesses and retail development opportunities will be permanent. However, unless the City Manager and City Council can manage the City budget more effectively, there is no guarantee that these measures will permanently solve the City's ongoing budget deficit.

(f) This Initiative is intended to address these problems. Specifically, this Initiative would ensure that City residents have control over the City's key retail, commercial, and business center along Artesia Boulevard. This petition will help protect the City's ability to attract new retail development to build stores, restaurants, or other commercial enterprises on vacant or underutilized parcels along Artesia Boulevard, including the site of the former California Dairies plant. Attractive retail development at that site and others will generate increased sales taxes for the City thereby helping to

eliminate the need to raise the sales tax. By doing so, this Initiative will strengthen City finances, expand the tax base, and generate new jobs that will help the local economy.

SECTION 4. DEFINITIONS. As used in this Initiative:

Filing Date: The date the Notice of Intent to Circulate Petition for this Initiative was presented to the City.

Initiative: The City of Artesia No New Taxes/Strengthen Our Economy Initiative placed upon the ballot and adopted by the voters of the City of Artesia.

SECTION 5. GENERAL PLAN AMENDMENT. This Initiative hereby amends the Artesia General Plan 2030 (“General Plan”) as described below. The General Plan amendments set forth in this Section 5 may be changed only by a vote of the people. Text to be amended in the General Plan is indicated as follows: deleted text is shown in ~~strike through~~ text, and new text is shown in underline text.

Page I-7 of the General Plan is amended to read:

“I. ADMINISTERING THE GENERAL PLAN

The Artesia General Plan is a policy document that provides guidance for the City’s vision towards a sustainable urban area. The City Council adopts the Plan as the primary development guidance tool. Zoning Ordinances, Specific Plans, design guidelines, and other documents are designed to implement the General Plan. These documents, therefore, must be consistent with the General Plan (including both the required and optional Elements). In addition, all future programs and projects will seek policy guidance from the General Plan.

The General Plan is intended to be a dynamic document. An annual review of the General Plan is required by the State of California to ensure that it remains relevant. The implementation program is derived from strategies and actions in the General Plan. This program will be reviewed annually as a means of completing the mandated Annual Report. The Implementation Program also includes a Mandated Mitigation Monitoring Program for tracking impact mitigations identified in the Environmental Impact Report.

Moreover, the General Plan may be amended to respond to changing community needs up to four times per year. Requests for amendments may be submitted by individuals or initiated by the City itself. Any proposed amendment will be reviewed by the Planning Commission and City Council to ensure that the change is in the public interest and would not be detrimental to the public health, safety, and welfare. Environmental review is also required for all General Plan Amendments.

As noted above and discussed elsewhere in this General Plan, Specific Plans are designed to implement the General Plan. One current Specific Plan, the Artesia Boulevard Corridor Specific Plan, has been specifically ratified and affirmed by City voters. Major modifications to the Artesia Boulevard Specific Plan, including but not limited to increases in density, increases in height, reductions in setbacks, changes of use in a manner that is inconsistent with the intent of the Specific Plan, and changes in the uses permitted by quadrant as specified in Table 2-2 of the Artesia Boulevard Corridor Specific Plan, shall require a Specific Plan amendment approved by a vote of the people.”

Pages H-4 and H-5 of the General Plan are amended to read:

“c. Specific Plans

Specific Plans are customized regulatory documents that provide focused guidance and regulations for a particular area to address the specific characteristics or needs for that area. They generally include a land use plan, circulation plan, infrastructure plan, zoning classifications, development standards, design implementation. The City has ~~three~~ the following Specific Plans listed guidelines, and plan approved below.

- Pioneer Specific Plan
- South Specific Plan

- Artesia Boulevard Industrial Area Specific Plan
- Artesia LIVE Specific Plan
- Artesia Boulevard Corridor Specific Plan
- Arkansas Street Specific Plan

The City is also currently drafting the Downtown Specific Plan.

The Artesia Boulevard Corridor Specific Plan has been specifically ratified and affirmed by City voters. Major modifications to the Artesia Boulevard Specific Plan, including but not limited to increases in density, increases in height, reductions in setbacks, changes of use in a manner that is inconsistent with the intent of the Specific Plan, and changes in the uses permitted by quadrant as specified in Table 2-2 of the Artesia Boulevard Corridor Specific Plan, shall require a Specific Plan amendment approved by a vote of the people.

SECTION 6. SPECIFIC PLAN AMENDMENT.

This Initiative hereby amends the Artesia Boulevard Corridor Specific Plan (“Specific Plan”) as described below. The Specific Plan amendments set forth in this Section 6 may be changed only by a vote of the people. Text to be amended in the Specific Plan is indicated as follows: deleted text is shown in ~~strikethrough~~ text, and new text is shown in underline text.

Page 162 of the Specific Plan is amended to read:

“6.4.3 Major Modifications

Major modifications ~~constitute~~ include but are not limited to increases in density, increases in height, reductions in setbacks, ~~or~~ changes of use in a manner that is inconsistent with the intent of the Specific Plan, and changes in the uses permitted by quadrant as specified in Table 2-2. Major modifications shall require a Specific Plan amendment approved by a vote of the people.”

SECTION 7. MUNICIPAL CODE AMENDMENT. This Initiative hereby amends the City of Artesia Municipal Code (“Municipal Code”) as described below. The Municipal Code amendments set forth in this Section 7 may be changed only by a vote of the people. Text to be amended in the Municipal Code is indicated as follows: deleted text is shown in ~~strikethrough~~ text, and new text is shown in underline text.

Section 9-2.3454 of the Municipal Code is amended to read:

“9-2.3454 Amendments to Specific Plans.

Unless otherwise indicated in the applicable specific plan, all amendments to an adopted specific plan shall require Planning Commission review and recommendation and City Council review and approval in accordance with the procedures specified by law.

The Artesia Boulevard Corridor Specific Plan has been specifically ratified and affirmed by City voters. Major modifications to the Artesia Boulevard Specific Plan, including but not limited to increases in density, increases in height, reductions in setbacks, changes of use in a manner that is inconsistent with the intent of the Specific Plan, and changes in the uses permitted by quadrant as specified in Table 2-2 of the Artesia Boulevard Corridor Specific Plan, shall require a Specific Plan amendment approved by a vote of the people.”

SECTION 8. EFFECTIVE DATE. This Initiative shall be binding and effective as of the earliest date allowed by law (the “Effective Date”). Pursuant to California Elections Code section 9217, this Ordinance shall be deemed adopted and take effect only if approved by a majority of the eligible voters of the City of Artesia voting at the General Municipal Election of November 5, 2024. It shall be deemed adopted when the City Council has certified the results of that election by resolution and shall take effect ten (10) days thereafter.

SECTION 9. GENERAL PLAN DESIGNATIONS AS OF FILING DATE. The City's General Plan in effect on the Filing Date, as amended by this Initiative, comprises an integrated, internally consistent, and compatible statement of policies for the City of Artesia. In order to ensure that nothing in this Initiative measure would prevent the General Plan from being an integrated, internally consistent, and compatible statement of the policies of the City, as required by State law, and to ensure that the actions of the voters in enacting this Initiative are given effect, any amendment or update to the General Plan that is adopted between the Filing Date and the date that the General Plan is amended by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with the General Plan amendments adopted by this Initiative, be amended as soon as possible to ensure consistency between the provisions adopted by this Initiative and other provisions of the General Plan.

SECTION 10. OTHER CITY PLANS, ORDINANCES AND POLICIES. The City of Artesia is hereby authorized and directed to amend the General Plan, the City Municipal Code (including its zoning ordinances), and any other City plans, ordinances and policies affected by this Initiative as soon as possible and periodically thereafter as necessary to ensure consistency between the provisions adopted in this Initiative and other sections of the City General Plan, Municipal Code and other City plans, ordinances and policies.

SECTION 11. REORGANIZATION. The General Plan may be reorganized or updated, or readopted in different format, and individual provisions may be renumbered or reordered, in the course of ongoing updates of the General Plan in accordance with the requirements of State law, provided that the provisions of Section 5 of this Initiative shall remain in the General Plan unless repealed or amended by vote of the people of the City of Artesia.

SECTION 12. CONSTRUCTION. This Initiative shall be interpreted liberally to further its stated purpose. Nothing herein shall be construed to make illegal any lawful use being made of any land in accordance with City land use and zoning regulations in force before the effective date of this ordinance.

SECTION 13. CONFLICTS WITH STATE AND FEDERAL LAW. The provisions of this Initiative shall not apply to the extent that they would violate state or federal laws. This Initiative shall not be applied in a manner that would result in an unconstitutional taking of private property.

SECTION 14. RELATIONSHIP TO MUNICIPAL CODE. If any provision of this Initiative conflicts with other provisions contained in the City of Artesia Municipal Code, the provisions of this Initiative shall supersede any conflicting provision of the Municipal Code.

SECTION 15. CONSISTENCY WITH OTHER BALLOT MEASURES. If another ballot measure is placed on the same ballot as this Initiative and deals with the same subject matter, and if both measures pass, the voters intend that both measures shall be put into effect, except to the extent that specific provisions of the measures are in direct conflict. In the event of a direct conflict, the measure which obtained more votes will control the directly conflicting provisions only. The voters expressly declare this to be their intent, regardless of any contrary language in any other ballot measure.

SECTION 16. AMENDMENTS. This Initiative may be amended or repealed only by City of Artesia voters. The City Council may make technical, non-substantive modifications to the provisions of this Initiative for clarity. However, such modifications or amendments must be fully consistent with the intent and purpose of this Initiative. The City Council may amend this Initiative to designate additional locations for new housing and to enhance the protection of downtown area parking areas, however, such amendments must be fully consistent with the purpose and intent of this Initiative.

SECTION 17. SEVERABILITY. If any section, subsection, clause, phrase, part, word or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative, and each

section, subsection, sentence, clause, phrase, part, word or portion of this Initiative would have been adopted or passed even if one or more section, subsection, sentence, clause, phrase, part, word, or portion of this Initiative are declared invalid or unconstitutional. If any provision of this Initiative is declared invalid as applies to any person or circumstance, such invalidity shall not affect the application of this Initiative that can be given effect without the invalid application.

SECTION 18. JUDICIAL ENFORCEMENT. Any aggrieved person shall have the right to bring an action to enjoin any violation of this Initiative or to enforce the duties imposed on the City of Artesia by this Initiative. The proponents of this Initiative may defend the provisions of this Initiative in any litigation brought to challenge the Initiative.

SECTION 19. ATTESTATION OF ORDINANCE. The Mayor is hereby authorized to attest to the adoption of this Ordinance by the People voting thereon on November 5, 2024, by signing where indicated below.

PASSED, APPROVED AND ADOPTED by the People of the City of Artesia this 5th day of November, 2024.

TONY LIMA, MAYOR

ATTEST:

JENNIFER ALDERETE, CITY CLERK

RESOLUTION NO. 24-3004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARTESIA, CALIFORNIA, CALLING FOR THE PLACEMENT OF A GENERAL TAX MEASURE ON THE BALLOT FOR THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF AN ORDINANCE TO ENACT A GENERAL TRANSACTIONS AND USE TAX (SALES TAX) AT THE RATE OF THREE-QUARTERS CENT ($3/4\phi$)

WHEREAS, the City of Artesia ("City") is authorized to levy a Transactions and Use Tax ("TUT") for general purposes pursuant to California Revenue and Taxation Code section 7285.9, subject to approval by a majority vote of the electorate pursuant to Article XIII C, section 2 of the California Constitution ("Proposition 218"); and

WHEREAS, pursuant to California Elections Code section 9222, the City Council has authority to place local measures on the ballot to be considered at a Municipal Election; and

WHEREAS, the City Council would like to submit to the voters at the November 5, 2024 General Municipal Election a measure establishing a general TUT of three-quarters cent ($3/4\phi$) on the sale and/or use of all tangible personal property sold at retail in the City until it is repealed by voters, as more specifically set forth in the attached proposed ordinance adding Article 6 to Chapter 5 to Title 3 of the City's Municipal Code; and

WHEREAS, the three-quarters cent ($3/4\phi$) TUT is a general tax, the revenue of which will be placed in the City's general fund and will be used to pay for general City services; and

WHEREAS, prior to this year's rainy season, independent engineers rated over one-third of Artesia's streets as "poor" or "very poor" and it has gotten worse this winter; and

WHEREAS, funds from this measure could be used to repair our streets and fill potholes and it will be less expensive to repair the streets now than waiting until later; and

WHEREAS, in the last 11 years, Sacramento politicians have taken millions of dollars in local tax revenue away from the City; and

WHEREAS, all funds raised by this measure would be required to be locally controlled, spent in Artesia, and provide funding for city services that cannot be taken by Sacramento; and

WHEREAS, this measure incorporates accountability provisions such as public disclosure of all spending and annual independent financial audits; and

WHEREAS, after engaging hundreds of residents around the City's budget and service priorities, the funds of this measure could be used for resident identified priorities, such as maintaining 911 emergency response, repairing streets and potholes, cleaning and maintaining public areas, maintaining crime prevention programs involving thefts and burglaries, and addressing local homelessness; and

WHEREAS, on November 6, 1996, the voters of the State of California approved Proposition 218, an amendment to the State Constitution which requires that all general taxes which are imposed, extended or increased must be submitted to the electorate and approved by a majority vote of the qualified electors voting in the election; and

WHEREAS, pursuant to Proposition 218 (California Constitution, Article XIII C, section 2(b)), the general rule is that any local election for the approval of an increase to a general tax must be consolidated with a regularly scheduled general election for members of the governing body of the local government; and

WHEREAS, the next regularly scheduled general election at which City Council

members will be elected is November 5, 2024; and

WHEREAS, pursuant to Revenue and Taxation Code section 7285.9, a two-thirds (2/3) vote of all members of the City Council is required to place the Measure on the November 5, 2024 ballot; and

WHEREAS, the ordinance to be considered by the qualified voters and the terms of approval, collection and use of the general TUT are described and provided for in the ordinance/measure attached hereto as Exhibit "A" (the "Measure") and by this reference made an operative part hereof, in accordance with all applicable laws.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARTESIA:

SECTION 1. Incorporation of Recitals. The foregoing recitals are true and correct and are hereby incorporated and made an operative part of this Resolution.

SECTION 2. Submission of Ballot Measure. Pursuant to California Elections Code section 9222, Revenue and Taxation Code section 7285.9 and any other applicable requirements of the laws of the State of California relating to the City, the City Council, by a two-thirds (2/3) vote of all members, hereby orders the Measure to be submitted to the voters of the City at the General Municipal Election to be held on Tuesday, November 5, 2024.

SECTION 3. The City Council, pursuant to California Elections Code section 9222, hereby orders that the ballot question for the Measure shall be presented and printed upon the ballot submitted to the qualified voters in the manner and form set forth in this Section 3. On the ballot to be submitted to the qualified voters at the General Municipal Election to be held on Tuesday, November 5, 2024, in addition to any other matters required by law, there shall be printed substantially the following ballot question:

"CITY OF ARTESIA PUBLIC SAFETY/ CITY SERVICES MEASURE Shall the measure funding Artesia general services such as maintaining 911 emergency response, crime prevention programs involving thefts/burglaries, neighborhood sheriff patrols; repairing streets/potholes/sidewalks; cleaning/maintaining public areas; maintaining safe routes to schools programs, youth gang prevention programs and street lighting by enacting a $\frac{3}{4}\phi$ sales tax providing approximately \$2,500,000 annually until ended by voters; requiring audits/public spending disclosure/all funds benefit Artesia residents, be adopted?"	YES
	NO

SECTION 4. Conduct of Election. The City Clerk is authorized, instructed, and directed to procure and furnish any and all official ballots, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the 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 5. Pursuant to Elections Code section 9280, the City Council hereby directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the Measure, and transmit such impartial analysis to the City Clerk not later than the deadline for submittal of primary arguments for or against the Measure.

The impartial analysis shall include a statement indicating whether the Measure was placed on the ballot by a petition signed by the requisite number of voters or by the

City Council. In the event the entire text of the Measure is not printed on the ballot, nor in the voter information guide, there shall be printed immediately below the impartial analysis, in no less than 10-font bold type, the following: "The above statement is an impartial analysis of Ordinance or Measure _____. If you desire a copy of the ordinance or measure, please call the Office of the City Clerk at (562) 865-6262 and a copy will be mailed at no cost to you."

SECTION 6. Notice of the election is hereby 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 7. Placement on the Ballot. The full text of the Measure shall not be printed in the voter information guide, and a statement shall be printed on the ballot pursuant to Elections Code section 9223 advising voters that they may obtain a copy of this Resolution and the Measure, at no cost, upon request made to the City Clerk.

SECTION 8. Filing with County. The City Clerk shall, not later than the 88th day prior to the General Municipal Election to be held on Tuesday, November 5, 2024, file with the Board of Supervisors and the Registrar of Voters of the County of Los Angeles, State of California, a certified copy of this Resolution.

SECTION 9. Public Examination. Pursuant to Elections Code section 9295, this Measure will be available for public examination for no fewer than ten (10) calendar days prior to being submitted for printing in the voter information guide. The City Clerk shall post notice in the Clerk's office of the specific dates that the examination period will run.

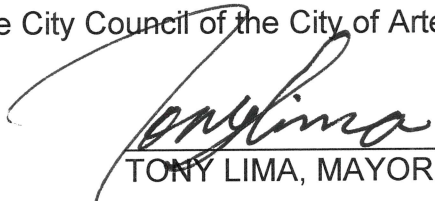
SECTION 10. The City Council hereby finds and determines that the Measure relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, section 15378(b)(5).

SECTION 11. Severability. The provisions of this Resolution are severable and if any provision of this Resolution is held invalid, that provision shall be severed from the Resolution and the remainder of this Resolution shall continue in full force and effect, and not be affected by such invalidity.

SECTION 12. This Resolution shall become effective upon its adoption.

SECTION 13. The City Clerk shall certify to the adoption of this Resolution.

PASSED AND ADOPTED by the City Council of the City of Artesia this 29th day of July, 2024.


TONY LIMA, MAYOR

ATTEST: 

JENNIFER ALDERETE, CITY CLERK

APPROVED TO FORM:

BEST BEST & KRIEGER, CITY ATTORNEY

I, Jennifer Alderete, City Clerk of the City of Artesia, do hereby certify that the foregoing Resolution was adopted at the Special City Council Meeting held on the 29th day of July, 2024, by the following roll call vote:

AYES: COUNCILMEMBERS: MANALO, RAMOSO, TREVINO, TAJ, LIMA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE



JENNIFER ALDERETE, CITY CLERK

Exhibit "A"
Transactions and Use Tax Ordinance

[attached behind this page]

ORDINANCE NO. 24-

AN ORDINANCE OF THE PEOPLE OF THE CITY OF ARTESIA, CALIFORNIA, ADDING ARTICLE 6 TO CHAPTER 5 TO TITLE 3 OF THE ARTESIA MUNICIPAL CODE TO ENACT A THREE-QUARTERS PERCENT (3/4%) GENERAL TRANSACTIONS AND USE TAX (SALES TAX) TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

WHEREAS, pursuant to California Revenue and Taxation Code section 7285.9 the City of Artesia ("City") is authorized to levy a Transactions and Use Tax for general purposes, subject to majority voter approval; and

WHEREAS, the People of the City desire add Article 6 to Chapter 5 of Title 3 of the Artesia Municipal Code establishing a general Transactions and Use Tax ("TUT") until ended by voters, on the sale and/or use of all tangible personal property sold at retail in the City, at a rate of three-quarters percent (3/4%).

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ARTESIA DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title and Text. This Ordinance shall be known as the "Artesia General Transactions and Use Tax", the full text of which is set forth in Attachment "1", attached hereto and incorporated herein by reference.

SECTION 2. Approval by the City Council. Pursuant to California Government Code section 53724 and Revenue and Taxation Code section 7285.9, this Ordinance was duly approved for placement on the ballot by a minimum two-thirds (2/3) supermajority of all members of the City Council on July 29, 2024.

SECTION 3. Approval by the Voters. Pursuant to California Elections Code section 9217, this Ordinance shall be deemed adopted and take effect only if approved by a majority of the eligible voters of the City of Artesia voting at the General Municipal Election of November 5, 2024. It shall be deemed adopted when the City Council has certified the results of that election by resolution and shall take effect ten (10) days thereafter.

SECTION 4. Operative Date. "Operative Date" for the Transactions and Use Tax means the first day of the first calendar quarter commencing more than 110 days after the date this Ordinance is adopted, as set forth in Section 3 above.

SECTION 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

I hereby certify that the Artesia General Transactions and Use Tax Ordinance was **PASSED, APPROVED, AND ADOPTED** by the People of the City of Artesia on the 5th day of November, 2024.

CITY OF ARTESIA



TONY LIMA, MAYOR

ATTEST:

JENNIFER ALDERETE, CITY CLERK

ATTACHMENT 1

Article 6 – GENERAL TRANSACTIONS AND USE TAX

Sections:

- 3-5.601 - Title.**
- 3-5.602 - Purpose.**
- 3-5.603 - Contract With State.**
- 3-5.604 - Transactions Tax Rate.**
- 3-5.605 - Place of Sale.**
- 3-5.606 - Use Tax Rate.**
- 3-5.607 - Adoption of Provisions of State Law.**
- 3-5.608 - Limitations on Adoption of State Law and Collection of Use Taxes.**
- 3-5.609 - Permit Not Required.**
- 3-5.610 - Exemptions and Exclusions.**
- 3-5.611 - Amendments.**
- 3-5.612 - Enjoining Collection Forbidden.**
- 3-5.613 - Duration of Tax**

Sections:

3-5.601 – Title.

This ordinance shall be known as the “City of Artesia General Transactions and Use Tax Ordinance.” The City of Artesia hereinafter shall be called “City.” This ordinance shall be applicable in the incorporated territory of the City.

3-5.602 – Purpose.

This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

- A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.
- B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.
- C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.
- D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record-keeping upon persons subject to taxation under the provisions of this ordinance.

3-5.603 - Contract With State.

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

3-5.604 - Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of three-quarters percent (3/4%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

3-5.605 - Place of Sale.

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

3-5.606- Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of three-quarters percent (3/4%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

3-5.607 - Adoption of Provisions of State Law.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

3-5.608 - Limitations on Adoption of State Law and Collection of Use Taxes.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, California Victim Compensation Board, California Department of Tax and Fee Administration, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance;
 3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:
 - a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;
 - b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.
 4. In reference to Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.
- B. The word "city" shall be substituted for the word "state" in the phrase "retailer engaged in business in this state" in Section 6203 of the Revenue and Taxation Code and in the definition of that phrase in Section 6203.
1. "A retailer engaged in business in the City" shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars (\$500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

3-5.609 - Permit not Required.

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Ordinance.

3-5.610 - Exemptions and Exclusions.

- A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.
- B. There are exempted from the computation of the amount of transactions tax the gross receipts from:
 1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.
 2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee

at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

- a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and
 - b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.
3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.
 4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.
 5. For the purposes of subparagraphs (3) and (4) of this subsection, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
- C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:
1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.
 2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.
 3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.
 4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this Ordinance.
 5. For the purposes of subparagraphs (3) and (4) of this subsection, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for, a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

3-5.611 - Amendments.

All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this Ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Ordinance.

3-5.612 - Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

3-5.613– Duration of Tax.

The tax imposed by this chapter shall continue until this ordinance is repealed.

RESOLUTION 24-3005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARTESIA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO §10403 OF THE ELECTIONS CODE

WHEREAS, on July 29, 2024, the City Council of the City of Artesia adopted Resolution No. 24-3004, calling a General Municipal Election to be held on November 5, 2024; for the purpose of submitting to the voters the question relating to the General Transactions and Use Tax; and

WHEREAS, it is therefore 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 elections be the same, and that the 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 election.

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

SECTION 1. Request for Consolidation. Pursuant to the requirements of §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 5, 2024, for the purpose of submitting to the voters the following question relating to the Transactions and Use Tax.

SECTION 2. Measure Language. A measure is to appear on the ballot as follows:

"CITY OF ARTESIA PUBLIC SAFETY/ CITY SERVICES MEASURE Shall the measure funding Artesia general services such as maintaining 911 emergency response, crime prevention programs involving thefts/burglaries, neighborhood sheriff patrols; repairing streets/potholes/sidewalks; cleaning/maintaining public areas; maintaining safe routes to schools programs, youth gang prevention programs and street lighting by enacting a $\frac{3}{4}\phi$ sales tax providing approximately \$2,500,000 annually until ended by voters; requiring audits/public spending disclosure/all funds benefit Artesia residents, be adopted?"	Yes
	No

SECTION 3. Canvass of Returns. The County election department is authorized to canvass the returns and perform all other proceedings incidental to and connected with 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. Pursuant to California Elections Code Sections 10403 and 10418, the election will be held and conducted in accordance with the provisions of law regulating the Statewide General Election.

SECTION 4. Necessary Steps. 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. Costs. The City Council determines and declares that the City will pay to the County the reasonable and actual expenses incurred by the County by the consolidation of the General Municipal Election with the Statewide General Election. The City shall reimburse the County for services performed when the work is completed

and upon presentation to the City of a properly approved bill. The City Manager of the City of Artesia is authorized and directed to pay for the expenses incurred after receiving a statement from the County of Los Angeles.

SECTION 6. Filing of Resolution. The City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the election department of the County of Los Angeles.

SECTION 7. Certification. 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 this 29th day of July, 2024.



TONY LIMA, MAYOR

ATTEST:



JENNIFER ALDERETE, CITY CLERK

APPROVED TO FORM:

BEST BEST & KRIEGER, CITY ATTORNEY

I, Jennifer Alderete, City Clerk of the City of Artesia, do hereby certify that the foregoing Resolution was adopted at the Special City Council Meeting held on the 29th day of July, 2024, by the following roll call vote:

AYES: COUNCILMEMBERS: MANALO, RAMOSO, TREVINO, TAJ, LIMA
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE



JENNIFER ALDERETE, CITY CLERK

RESOLUTION NO. 24-3006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARTESIA, CALIFORNIA, PROVIDING FOR THE FILING OF PRIMARY AND REBUTTAL ARGUMENTS AND SETTING RULES FOR THE FILING OF WRITTEN ARGUMENTS REGARDING A CITY MEASURE TO BE SUBMITTED AT THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION

WHEREAS, a General Municipal Election is to be held in the City of Artesia, California on November 5, 2024, at which there will be submitted to the voters the following measure:

"CITY OF ARTESIA PUBLIC SAFETY/ CITY SERVICES MEASURE Shall the measure funding Artesia general services such as maintaining 911 emergency response, crime prevention programs involving thefts/burglaries, neighborhood sheriff patrols; repairing streets/potholes/sidewalks; cleaning/maintaining public areas; maintaining safe routes to schools programs, youth gang prevention programs and street lighting by enacting a $\frac{3}{4}\phi$ sales tax providing approximately \$2,500,000 annually until ended by voters; requiring audits/public spending disclosure/all funds benefit Artesia residents, be adopted?"	Yes
	No

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

SECTION 1. Primary Arguments. That the City Council authorizes (i) the City Council or any member(s) of the City Council, (ii) any individual voter eligible to vote on the above measure, (iii) a bona fide association of such citizens or (iv) any combination of voters and associations, to file a written argument in favor of or against the City measure, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, and to change the argument until and including the date fixed below by the City Clerk, after which no arguments for or against the City measure may be submitted to the City Clerk.

The deadline to submit arguments for or against the City Measure pursuant to this Resolution is declared by the City Clerk to be August 16, 2024. Each argument shall not exceed 300 words and shall be filed with the City Clerk, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

SECTION 2. Rebuttal Arguments. Pursuant to Section 9285 of the Elections Code of the State of California, when the City Clerk has selected the primary arguments for and against the City Measure which will be printed and distributed to the voters, the Clerk shall send copies of the primary argument in favor of the Measure to the authors of the primary argument against, and copies of the primary argument against to the authors of the primary argument in favor. The authors or persons designated by them may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than August 26, 2024. Rebuttal arguments shall be printed in the same manner as the primary arguments. Each rebuttal argument shall immediately follow the primary argument which it seeks to rebut.

SECTION 3. Prior Resolutions. That all previous resolutions providing for the filing of primary and rebuttal arguments related to City measures are repealed.

SECTION 4. November 5, 2024 Election. That the provisions of Sections 1 and 2 shall apply only to the election to be held on November 5, 2024, and shall then be repealed.

SECTION 5. Certification. 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 this 29th day of July, 2024.



TONY LIMA, MAYOR

ATTEST:



JENNIFER ALDERETE, CITY CLERK

APPROVED TO FORM:

BEST BEST & KRIEGER, CITY ATTORNEY

I, Jennifer Alderete, City Clerk of the City of Artesia, do hereby certify that the foregoing Resolution was adopted at the Special City Council Meeting held on the 29th day of July, 2024, by the following roll call vote:

AYES: COUNCILMEMBERS: MANALO, RAMOSO, TREVINO, TAJ, LIMA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE



JENNIFER ALDERETE, CITY CLERK

RECEIVED

By Anjanette Allen at 6:45 pm, Jun 18, 2024

RESOLUTION NO. 24-2980

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARTESIA, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, FOR THE ELECTION OF TWO (2) MEMBERS OF THE CITY COUNCIL AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, the City Council is required to call and give notice of a General Municipal Election for the election of Municipal Officers.

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

SECTION 1. That 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 Artesia, California, on Tuesday, November 5, 2024, a General Municipal Election for the purpose of electing two (2) Members of the City Council for the full term of four years.

SECTION 2. That the ballots to be used at the General Municipal Election shall be in form and content as required by law.

SECTION 3. That the City Clerk is authorized, instructed and directed to coordinate with the Los Angeles County Registrar-Recorder/County Clerk 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 4. That the precincts, ballot drop box locations and hours of operations, vote center locations and hours of operations, vote-by-mail procedures and timing, and election officers, and all other persons and procedures for the General Municipal Election shall be the same as those utilized by the County of Los Angeles; and

SECTION 5. That in all particulars not recited in this Resolution, the General Municipal Election shall be held and conducted as provided by law for holding municipal elections.

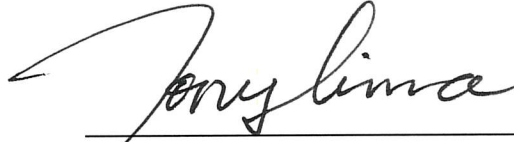
SECTION 6. That notice of the time and place of holding the General Municipal Election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the General Municipal Election, in time, form, and manner as required by law.

SECTION 7. That in the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the Los Angeles County Registrar-Recorder/County Clerk, the City Council, in accordance with Elections Code Section 15651(a), shall set a date, time and place and summon the candidates who have received the tie votes to appear and will determine the tie by lot.

SECTION 8. That the City Clerk is authorized and directed to file a certified copy of this Resolution with the Board of Supervisors of the County of Los Angeles and the Los Angeles County Registrar of Voters.

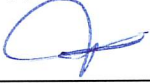
SECTION 9. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 17th day of June, 2024.



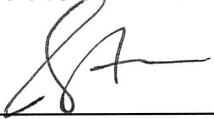
TONY LIMA, MAYOR

ATTEST:



JENNIFER ALDERETE, CITY CLERK

APPROVED TO FORM:



BEST BEST & KRIEGER, CITY ATTORNEY

I, Jennifer Alderete, City Clerk of the City of Artesia, do hereby certify that the foregoing Resolution was adopted at the Adjourned Regular City Council Meeting held on the 17th day of June, 2024, by the following roll call vote:

AYES: COUNCILMEMBERS: MANALO, RAMOSO, TREVINO, TAJ, LIMA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE



JENNIFER ALDERETE, CITY CLERK

RECEIVED

By Anjanette Allen at 6:45 pm, Jun 18, 2024

RESOLUTION NO. 24-2981

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARTESIA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE

WHEREAS, a General Municipal Election is to be held in the City of Artesia, California, on November 5, 2024, for the purpose of electing persons to two (2) seats on the Artesia City Council; 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 elections be the same, and that the Los Angeles County Registrar-Recorder/County Clerk canvass the returns of the General 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 ARTESIA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the California 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 5, 2024, for the purpose of the election of two (2) Members of the City Council.

SECTION 2. That the Los Angeles County Registrar-Recorder/County Clerk is authorized to canvass the returns of the General Municipal Election for the City of Artesia. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. Pursuant to Elections Code Section 10418, the election will be held and conducted in accordance with the provisions of law regulating the Statewide General Election.

SECTION 3. That the Board of Supervisors of the County of Los Angeles is requested to issue instructions to the Los Angeles County Registrar-Recorder/County Clerk to take any and all steps necessary for the holding of the consolidated election.

SECTION 4. That the City of Artesia recognizes that additional costs will be incurred by the County of Los Angeles by reason of this consolidation and agrees to reimburse the County of Los Angeles for any costs upon presentation of reasonably detailed invoices.

SECTION 5. That the City Clerk is hereby directed to forward without delay a certified copy of this resolution to both the Board of Supervisors of the County of Los Angeles and the Los Angeles County Registrar-Recorder/County Clerk.

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 this 17th day of June, 2024.



TONY LIMA, MAYOR

ATTEST:



JENNIFER ALDERETE, CITY CLERK

APPROVED TO FORM:



BEST BEST & KRIEGER, CITY ATTORNEY

I, Jennifer Alderete, City Clerk of the City of Artesia, do hereby certify that the foregoing Resolution was adopted at the Adjourned Regular City Council Meeting held on the 17th day of June, 2024, by the following roll call vote:

AYES: COUNCILMEMBERS: MANALO, RAMOSO, TREVINO, TAJ, LIMA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE



JENNIFER ALDERETE, CITY CLERK

RECEIVED

By Anjanette Allen at 6:45 pm, Jun 18, 2024

RESOLUTION NO. 24-2982

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARTESIA, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024

WHEREAS, Section 13307 of the California Elections Code provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate's statement;

WHEREAS, the Los Angeles Registrar-Recorder/County Clerk implemented an Online Candidate Statement Pilot dated February 8, 2023, and implemented and conducted the Online Candidate Statement Pilot for the 2022 Statewide Direct Primary Election and the 2022 General Election;

WHEREAS, the Los Angeles County Board of Supervisors voted to authorize the Registrar-Recorder/County Clerk (Department) implement an Online Candidate Statement Program, extending the program to cities that consolidate elections with the County and authorized the charge a fee of \$279.60 per each candidate statement requested for the purpose of cost-recovery to be established effective November 29, 2023.

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

SECTION 1. GENERAL PROVISIONS. That pursuant to Section 13307 of the California Elections Code, each candidate for elective office to be voted for at the General Municipal Election to be held in the City of Artesia on November 5, 2024 may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate themselves. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the Office of the City Clerk at the time the candidate's nomination papers are filed. Except as provided in Section 13309 of the California Election Code, the candidate's statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period. All requirements that apply to the traditional printed candidate statements apply to online statements.

SECTION 2. ONLINE STATEMENTS. Pursuant to Section 13307(c) of the California Elections Code, the governing body of the City of Artesia authorizes the preparation of candidate statements for nonpartisan elective office for the purpose of electronic distribution. Candidates will prepare statements for electronic distribution pursuant to Section 13307(a) of the Elections Code. A statement prepared pursuant to this subdivision shall be posted on the internet website of the County Elections Official. Pursuant to Section 13307.7(a) of the Elections Code, candidates shall provide payment of the requisite fee to cover the duties and procedures set forth in Sections 13307(b) and (d) of the Elections Code.

SECTION 3. FOREIGN LANGUAGE POLICY.

- A. That the County of Los Angeles must translate all candidate's statements into Chinese, Hindi, Japanese, Khmer, Spanish, Tagalog, Thai, Vietnamese, and Korean pursuant to Section 203 of the federal Voting Rights Act of 1965 (as amended) (42 U.S.C. § 1973 *et seq.*), as enforced by the United States Department of

Justice, and state law.

- B. That the County of Los Angeles will mail separate voter information guides and candidate's statements in Chinese, Hindi, Japanese, Khmer, Spanish, Tagalog, Thai, Vietnamese, and Korean to only those voters who are on the County voter file as having requested a voter information guide in a particular language. The County of Los Angeles will make the voter information guides and candidates statements in the required languages available at all polling places, vote centers, on the County of Los Angeles's website, in the Office of the Los Angeles County Registrar-Recorder/County Clerk, and in the Office of the City Clerk of the City of Artesia.

SECTION 3. PAYMENT.

A. Translations

1. That each candidate shall be required to pay for the cost of translating the candidate's statement into the required foreign languages as specified in Subsection A of Section 2 above, pursuant to the federal Voting Rights Act of 1965 (as amended) and/or state law.
2. That each candidate shall be required to pay for the cost of translating the candidate's statement into any foreign language requested by the candidate that is not required as specified in Subsection A of Section 2 above pursuant to the federal Voting Rights Act of 1965 (as amended) and/or state law.

B. Printing

1. That each candidate shall be required to pay for the cost of printing the candidate's statement in English in the main voter information guide.
2. That each candidate shall be required to pay for the cost of printing the candidate's statement in the required foreign languages as specified in Subsection A of Section 2 above, pursuant to the federal Voting Rights Act of 1965 (as amended) and/or state law, in the main voter pamphlet.
3. That each candidate shall be required to pay for the cost of printing the candidate's statement in any foreign language requested by the candidate that is not required as specified in Subsection A of Section 2 above pursuant to the federal Voting Rights Act of 1965 (as amended) and/or state law, in the main voter pamphlet.
4. That the Los Angeles County Registrar-Recorder/County Clerk shall provide the City Clerk with estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to the Elections Code, including costs incurred as a result of complying with the federal Voting Rights Act of 1965 (as amended), and the City Clerk shall require each candidate filing a candidate's statement to pay in advance to the City of Artesia an amount equaling their estimated pro rata share as a condition of having their statement included in the main voter pamphlet. In the event an advance payment is required, the estimation of the

advance payment will be an approximation of the actual cost, which approximation varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the City Clerk is not bound by the estimate and may, on a pro rata basis, bill each candidate for additional actual expense or refund any excess amount paid depending on the final actual cost. In the event of underpayment, the City Clerk may require the candidate to pay the balance of the cost incurred within thirty (30) calendar days of the date of the invoice. In the event of overpayment, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) calendar days of the General Municipal Election to be held on November 5, 2024.

C. Online Candidate Statement publication is available for a fixed fee of \$279.60 per each candidate statement.

SECTION 4. MISCELLANEOUS

- A. That all translations shall be provided by professionally-certified translators as set forth in Elections Code 13307(b).
- B. That candidate's statement shall comply with the formatting and submission guidelines provided by the City Clerk and the Los Angeles County Registrar-Recorder/County Clerk.
- C. That the City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to elections.

SECTION 5. ADDITIONAL MATERIALS. No candidate shall be permitted to include additional materials in the sample ballot package.

SECTION 6. That the City Clerk shall provide each candidate or the candidate's representative with a copy of this Resolution at the time nominating petitions are issued.

SECTION 7. That all previous Resolutions establishing Council policy on payment for candidate's statements are hereby repealed.

SECTION 8. That this Resolution shall apply only to the General Municipal Election to be held on November 5, 2024, and shall thereafter be repealed.

SECTION 9. 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 this 17th day of June, 2024.



TONY LIMA, MAYOR

ATTEST:



JENNIFER ALDERETE, CITY CLERK

APPROVED TO FORM:



BEST BEST & KRIEGER, CITY ATTORNEY

I, Jennifer Alderete, City Clerk of the City of Artesia, do hereby certify that the foregoing Resolution was adopted at the Adjourned Regular City Council Meeting held on the 17th day of June, 2024, by the following roll call vote:

AYES: COUNCILMEMBERS: MANALO, RAMOSO, TREVINO, TAJ, LIMA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE



JENNIFER ALDERETE, CITY CLERK