

RESOLUTION NO. 8494

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PLACERVILLE AMENDING RESOLUTION No. 7880 AND
ESTABLISHING THE MEASURE L TRANSACTIONS AND USE TAX COMMITTEE**

WHEREAS, on November 2, 2010 the Electorate of Placerville passed Measure H, a 30-year local transactions and use tax of one-quarter cent (0.25%); and

WHEREAS, the purpose of the tax is to create an additional source of revenue to assist with the repayment of wastewater treatment plant debt and to fund water and wastewater improvement projects; and

WHEREAS, Section 5-26-15 of Ordinance No. 1639 required the adoption of a resolution establishing a five (5) member Citizens Oversight Committee by the Operative Date of the measure which was established as April 1, 2011; and

WHEREAS, City Council of the City of Placerville Resolution No. 7880 established the Measure H Sales Tax Committee; and

WHEREAS, on November 8, 2016, the Electorate of Placerville passed Measure L, a 20 year local transactions and use tax for one-half cent (0.5%) to fund water, sewer, storm drain and street repairs and maintenance; and

WHEREAS, Section 5-27-15 of Ordinance No. 1685 (Measure L) requires the adoption of a resolution establishing a five (5) member Citizens Oversight Committee by the Operative Date of the measure which has been established as April 1, 2017; and

WHEREAS, the purpose of said Citizens Oversight Committee pursuant to Measures H and L is to review and report on the revenue and expenditure of funds from the tax adopted; and

WHEREAS, the Measure H Sales Tax Committee was established in April, 2011 and has acquired substantial expertise and knowledge regarding capital improvements projects and the expenditure of local transactions and use tax proceeds; and

WHEREAS, the City Council of the City of Placerville has determined that combining the Measure H and Measure L Sales Tax Committees would best utilize the expertise of the current Measure H Sales Tax Committee, promote efficiency, coordinate capital projects and would be in the best interests of the citizens of Placerville; and

WHEREAS, the City Council of the City of Placerville desires to amend Resolution No. 7880 and establish the Measure L Committee and combine it with the Measure H Committee.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby establish the Measure L Transactions and Use Tax Committee (Committee) by combining it with the existing Measure H Sales Tax Committee to form a committee to be known as the City of Placerville Measures H/L Sales Tax Committee and specifies the following as it relates to said committee:

1. Committee Title: This combined Committee shall be officially known as the City of Placerville Measures H/L Sales Tax Committee.
2. Membership: The membership shall consist of five (5) members and one (1) alternate member appointed by the City Council in a manner herein described. The five members shall be composed as follows: three citizens who are residents of the City and no more than one of the three shall be a renter, two commercial property or business owners within the City.
3. Committee Alternate: The City Council shall appoint one alternate who shall be a resident of the City. The alternate shall be required to attend all meetings and meet the same attendance requirements as all other members, as defined in the Placerville Committee, Commission & Board Policy Manual as adopted by City Council Resolution No. 7578 on December 11, 2007. The alternate may participate in all discussions of the Committee but shall only vote if a regular Committee member is absent.
4. Appointment: The Mayor shall appoint two members of the City Council to interview Committee applicants and make recommendation of appointment to the City Council. Confirmation of appointment shall be by a majority vote of the City Council at a regularly scheduled City Council Meeting.
5. Terms of Office: The term of office shall be four (4) years, and shall expire on March 1 of odd numbered years. The terms of three (3) members of the Committee shall run simultaneous to the same year in which a City Council election is held for three seats. The terms of the other two (2) members and the alternate member of the Committee shall run simultaneous to the same year in which a Council election is held for two seats.
6. Vacancy: Vacancies on the Committee shall be filled by appointment by the City Council members who made the original appointment. If one or both of those members is unavailable, the Mayor shall appoint up to two members of the Council to make the appointments to fill such vacancy. Such appointments shall be subject to Council confirmation by majority. All vacancies on the Committee shall be immediately reported to the City Council.

7. Officers: The Committee shall elect one of its members as Chairperson, Vice-Chairperson and Secretary, who shall hold office for a term of one (1) year and until the election of their successors. The Chairperson and Vice-Chairperson shall not serve for more than two (2) consecutive terms.
8. Meetings: The Committee shall meet not less than annually during the City's Budget Process at a time designated. All meetings shall be held open to the general public and proper notices shall be given for all meetings in accordance with the Ralph M. Brown Act, State Government Code Section 54950. Additional meetings may be called by the Chairperson as necessary.
9. Organization: The Committee shall follow the applicable protocols described in the City of Placerville Committee, Commission & Board Policy Manual as adopted by City Council Resolution No. 7578 on December 11, 2007, and as may be amended from time to time. The Committee may make and alter all rules and regulations governing its organization and procedures not inconsistent with this Resolution or any other ordinance of the City. Three (3) of the five (5) members shall constitute a quorum. The affirmative vote of a majority of the quorum is required to take any action. The Committee shall keep an accurate record of its proceedings and actions. A copy of the adopted minutes shall be forwarded to the City Clerk in accordance with the Public Records Act.
10. Staff Liaison to the Measure H/L Sales Tax Committee: The City Manager or his/her designee shall act as staff liaison to the Committee.
11. Purpose: The purpose of the Committee shall be to review revenue and expenditure of funds collected from the Tax. The Committee shall act in an advisory capacity to the City Council. The Committee shall not have authority to approve expenditure of tax funds, but may make recommendations for expenditures to the City Council.
12. Duties: The Committee's major function is to ensure the accurate collection, accounting and expenditure of Measure H and Measure L Tax funds. The duties of the Committee may include the following:
 - A. Act in an advisory capacity to the City Council in all matters pertaining to the Measure H and Measure L Sales Tax.
 - B. The Committee shall prepare a written or oral report of findings and/or recommendations to the City Council following at least annually.

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C. To perform any other functions that may be designated by resolution or motion of the City Council.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Placerville held on February 14, 2017, by Vice-Mayor Thomas, who moved its adoption. The motion was seconded by Councilmember Acuna. A poll vote was taken which stood as follows:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins

NOES: None

ABSENT: None

ABSTAIN: None



Mayor John Clerici

ATTEST:



Regina O'Connell, City Clerk