Filed JULY 09, 2024

No. 55-24

By RACHEL GUMMERSON
Chief Deputy Clerk of the Board of Supervisors

RESOLUTION
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TUOLUMNE

WHEREAS, Tuolumne County has been structurally, financially challenged when compared to most other counties by having 77% public land ownership which does not contribute to local property tax revenues, and federal and state policy changes in the last half century have burdened or decimated local industry sectors such as agriculture and timber, leading to losses in exports, revenues, employment, and businesses; and

WHEREAS, Tuolumne County also has the lowest sales tax rate in the State of California at 7.25% where 6 cents per dollar goes to the State of California, 0.25 cents go to regional transportation, and just 1 cent returns to County; and

WHEREAS, while the economy of Tuolumne County is growing with new business and infrastructure projects proposed, the mandated expenses from the policies and requirements of the State of California have driven cost increases that outpace this revenue growth, while other costs such as insurance, fuel, labor, and construction have also gone up in some cases exponentially; and

WHEREAS, decades of austerity measures cutting costs created a situation in 2020 where Tuolumne County Sheriff's Deputies were the lowest paid in the region and struggling to recruit, the county fire system lacked needed infrastructure and equipment investments, despite far higher risks, several hundred million dollars of outstanding deferred road maintenance was left without long-term financial options to fix them without new revenue, and a standing average 17% staff vacancy rate in county government with a high level of turnover; and

WHEREAS, since 2020, the County of Tuolumne has allocated funding primarily into competitive law enforcement compensation, closing vacancy rates in patrol, three new county fire stations, and over $6 million of additional road projects but has shown that even financially prioritizing these areas, there still has not been enough revenue to keep up with mandated costs and expenses; and

WHEREAS, most of Tuolumne County's Fiscal Year 24-25 $286 million Recommended budget is restricted to specific purposes, with only 23% or $65 million in the General Fund with local discretion, and with most of this going to core, constitutionally mandated services like law enforcement, county fire services, operational positions; limited local revenue has left Tuolumne County leaders with limited local control and self-determination; and

WHEREAS, In January 2024, as a Board of Supervisors with diverse backgrounds and philosophies, affirmed public safety, fire services and road and infrastructure maintenance as three of the top priority areas and directed those priorities be incorporated into the 2024-25

Recommended budget.

WHEREAS, California Revenue and Taxation Code Section 7285 authorizes the Board of Supervisors to levy a Transactions and Use Tax ("Sales Tax") for unrestricted general revenue purposes, subject to approval by a majority of the electorate pursuant to Article XIII C, Section 2, of the California Constitution ("Proposition 218");

WHEREAS, in response to the above circumstances and authority, the Board of Supervisors desires to place a ballot measure before the voters at the November 5, 2024, general election to adopt a Sales Tax of one percent (1%) on the sale of all tangible personal property sold at retail in the unincorporated areas of Tuolumne County as set forth in the proposed Ordinance attached hereto as Exhibit A and incorporated herein (the "Ordinance");

WHEREAS, additionally, the Board of Supervisors intends to propose an accompanying advisory measure to obtain voter input concerning revenue expenditure should the voters approve the Sales Tax increase;

WHEREAS, additionally, the Board of Supervisors intends to direct staff to establish an review committee to provide a public forum to review the expenditures associated with the revenue, should the voters approve the Sales Tax increase;

WHEREAS, in order for the Sales Tax to become effective, it must be approved by a majority of voters as required by Section 7285 of the Revenue and Taxation Code;

WHEREAS, the Sales Tax is a general tax, the revenue from which will be placed in the County's general fund to be used for unrestricted general revenue purposes;

WHEREAS, the Board of Supervisors desires to consolidate the election with the next scheduled general election to be held November 5, 2024.

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Tuolumne, State of California, as follows:

1. Pursuant to its right and authority, the Board of Supervisors submits to the voters at the general election on November 5, 2024, the proposed measure adopting a Transactions and Use Tax of one percent (1%) on the sale of all tangible personal property sold at retail in the unincorporated areas of the County of Tuolumne. All proceeds from this general tax shall be placed in the County's general fund and to be used for unrestricted general governmental purposes.

2. The Board of Supervisors hereby orders that the election on the measure shall be consolidated with the statewide general election to be held on November 5, 2024.

3. The ballot question for the proposed measure shall be submitted for a "Yes" or "No" vote as follows:

   "To support essential Tuolumne County services including law enforcement, fire services, and road maintenance, shall the measure increasing the Sales Tax (Transactions and Use Tax) rate from 7.25% to 8.25% in the unincorporated areas of Tuolumne County, providing approximately $6,200,000 in annual revenue that cannot be taken by the

State, subject to an annual audit, and expiring in 20 years, be adopted?
Yes ____ No ____"

4. The full text of the measure entitled the "Tuolumne County Essential Services Transactions and Use Tax," an Ordinance Enacting Chapter 3.29 Of The Tuolumne County Ordinance Code Imposing A Transactions And Use Tax To Be Administered By The California Department Of Tax and Fee Administration attached hereto as Exhibit A is adopted by the Board of Supervisors on July 9, 2024, and approved for submission to the voters at the November 5, 2024, general election as required by Revenue and Taxation Code Section 7285. If a simple majority of the qualified voters voting on the Ordinance vote in favor thereof, the Ordinance shall be deemed adopted and shall be effective in accordance to its terms.

5. The election shall be conducted within the unincorporated areas of the County of Tuolumne.

6. The Clerk of the Board is directed to forward to the County Clerk a copy of this resolution.

7. The County Clerk is authorized and directed to call for arguments for and against said measure, and to conduct said election according to applicable election laws.

8. The County Counsel for the County of Tuolumne shall prepare an impartial analysis of the measure pursuant to Election Code § 9160(b).

9. The Auditor/Controller for the County of Tuolumne shall prepare a fiscal impact statement pursuant to Election Code § 9160(c).

ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF TUOLUMNE ON JULY 9, 2024.

AYES:	1st Dist. DAVID GOLDEMBERG	NOES:	______	Dist.
	2nd Dist. RYAN CAMPBELL		______	Dist.
	3rd Dist. DANIEL ANAIAH KIRK	ABSENT:	______	Dist.
	4th Dist. KATHLEEN HAFF		______	Dist.
	5th Dist. JARON BRANDON	ABSTAIN:	______	Dist.

[signature]
CHAIR OF THE BOARD OF SUPERVISORS

ATTEST: Rachel Gummerson
~~Chief~~ Deputy Clerk of the Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.
RACHEL GUMMERSON
Board Clerk
By: Rachel Gummerson