

RESOLUTION NO. 34/2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA CALLING FOR AND GIVING NOTICE OF THE HOLDING OF THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022 TO ELECT THREE COUNCILMEMBERS; SUBMITTING TO THE VOTERS OF THE TOWN A MEASURE TO AUTHORIZE RENEWAL OF A SPECIAL TAX FOR PARAMEDIC SERVICES; AND REQUESTING THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN CONSOLIDATE SAID ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, California Government Code Section 36503 and California Elections Code Section 1000(e) provide that a General Municipal Election may be conducted on November 8, 2022; and

WHEREAS, the voters of the Town of Corte Madera must elect three members of the Town Council for the term of office in which three vacancies will be created in December 2022 and which will end in 2026; and

WHEREAS, the Town of Corte Madera desires to continue a special tax in the amount specified herein for paramedic and emergency medical services in the Town and to submit this special tax, as Ordinance No. 1021, to the Town's voters at the November 8, 2022 election; and

WHEREAS, Sections 10002 and 10403 of the California Elections Code provide that the Town Council may request the County of Marin Board of Supervisors to permit the County Elections Official to render specified services relating to the conduct of the election on a reimbursable basis; and

WHEREAS, it is desirable that the election on three Councilmember seats and this special tax be consolidated with the general election to be held on the same date and that within the Town, the precincts, polling places and election officers of the two elections be the same; and

WHEREAS, it is desirable that the County Election Department of the County of Marin 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, BE IT RESOLVED, by the Town Council of the Town of Corte Madera that:

SECTION 1. Election Called. Pursuant to its right, power, and authority under the laws of the State of California and the Town of Corte Madera Municipal Code, there is hereby called and ordered to be held in the Town of Corte Madera, California, on Tuesday, November 8, 2022 a General Municipal Election for the election of three Town Councilmembers for the full term of four years each and to submit to the voters Ordinance No. 1021, continuing a special parcel tax for the provision of paramedic and/or emergency medical services. Ordinance No. 1021 is attached hereto as Exhibit A and is incorporated herein by reference.

SECTION 2. Candidate Filing Deadline. Candidates for the Corte Madera Town Council shall file nomination papers with the Corte Madera Town Clerk between July 18, 2022,

and August 12, 2022. Should any incumbent officer of the Town not file during this period, the filing period will be extended through August 17, 2022 for non-incumbents only.

SECTION 3. Approval of Ordinance. The Town Council hereby approves Ordinance No. 1021, the form thereof, and its submission to the voters of the Town at the November 8, 2022 election. Ordinance No. 1021, hereby proposed pursuant to Article XI of the California Constitution, states the type of tax, the rate and maximum amount of tax, the specific limitations on the uses of the tax, and the method of collection. The entire text of the ordinance shall be made available to the public upon request.

SECTION 4. Ballot Question. The special parcel tax measure shall be submitted to the voters on the ballot in the form of the following question:

Town of Corte Madera	
<i>Shall the special tax for paramedic and/or emergency medical services be continued for four years at an annual amount of \$78 per residence and per 1,000 square feet of floor area for nonresidential uses for fiscal years 2023-2024, and thereafter increased by \$3 per year up to \$87, with anticipated annual revenues of \$504,400, and with the appropriations limit increasing by the amount of the tax, be adopted?</i>	YES
	NO

SECTION 5. Effective Date of Ordinance. Should the ordinance be approved by a two-thirds vote of the voters voting on the measure, Ordinance No. 1021 shall go into effect ten days after the vote is declared by the Town Council.

SECTION 6. Impartial Analysis. The Town Attorney is hereby directed to prepare an impartial analysis of the ballot measure pursuant to Elections Code Section 9280, showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the Town Clerk.

SECTION 7. Ballot Argument. Pursuant to Article 4, Chapter 3, Division 9 of the Elections Code, Councilmembers Beckman and Casissa are hereby authorized to prepare a written argument in support of the ballot measure, not to exceed 300 words, on behalf of the Town Council, and to select three or four community members to sign the argument, at least one of whom must be a Councilmember. The deadline for filing arguments for and against the ballot measure with the Town Clerk shall be August 22, 2022. The arguments may be changed or withdrawn until and including that date.

SECTION 8. Rebuttal Argument. The Town Council hereby adopts Elections Code Section 9285(a), permitting the filing of rebuttal arguments. When the Town Clerk has selected

the arguments for and against the ballot measure, which will be printed and distributed to the voters, the Town Clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. Rebuttal arguments shall be filed with the Town Clerk by August 29, 2022 and shall not exceed 250 words in length.

SECTION 9. Ballot Format. The ballots to be used at the election shall be in the same form and content as required by law.

SECTION 10. Requesting the Consolidation of Elections. Pursuant to Elections Code Section 10403, the Board of Supervisors of the County of Marin is hereby requested to consolidate the General Municipal Election on Tuesday, November 8, 2022, provide all services necessary for this election, and print ballots including the Councilmember elections and ballot measure hereinabove set forth, provided that no person not a qualified elector of the Town of Corte Madera shall be permitted to vote for the Councilmembers or ballot measure. Within the Town of Corte Madera, the election precincts, polling places, and voting booths shall in every case be the same as those selected and designated by the County of Marin Registrar of Voters. The Town of Corte Madera agrees to reimburse the County of Marin for costs incurred by reason of this consolidation.

SECTION 11. Notice to County of Marin. The Town Clerk shall file a certified copy of this Resolution with the Board of Supervisors of the County of Marin and the Registrar of the County of Marin, pursuant to Elections Code Section 10403.

SECTION 12. Notice of Election. The Town Clerk is authorized and directed to give notice of the election as required by law. In accordance with Sections 12110 and 12111 of the Elections Code and Section 6061 of the Government Code, the Town Clerk shall cause notice of the Councilmember election and ballot measure to be published once in the Marin Independent Journal, a newspaper of general circulation, printed, published, and circulated in the Town of Corte Madera and hereby designated for that purpose by the Town Council of Corte Madera. The Town Clerk may request that the County of Marin Elections Department prepare and publish the required notice.

SECTION 13. Hours of Polling. The polls for said election shall be opened at 7:00 a.m. on the day of said election and shall remain open continuously from said time until 8:00 p.m. of the same day when said polls shall be closed, except as provided in Section 14401 of the Elections Code.

SECTION 14. Other Procedures. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 15. Certification. The Town Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 16. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution or its application to any person or circumstance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution or its application to other persons and circumstances. The Town Council of the Town of Corte Madera

hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

SECTION 17. Compliance with the California Environmental Quality Act. The adoption of this Resolution is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq. (“CEQA”) and 14 Cal. Code Reg. §§ 15000 et seq. (“CEQA Guidelines”). The calling and noticing of a Special Municipal Election is not a project within the meaning of CEQA Guidelines section 15378, subsection (b)(3).


* * * * *

I, the undersigned, hereby certify that the foregoing is a full, true and complete copy of a resolution duly passed and adopted by the Council of the Town of Corte Madera at a regular meeting thereof held on the 7th day of June, 2022, by the following vote:

Ayes, and in favor thereof, Councilmembers: Beckman, Casissa, Lee, Mongan, Ravasio
Noes, Councilmembers: - None -
Abstain, Councilmembers: - None -
Absent, Councilmembers: - None -

Dated: 6/7/2022

Approved:



Fred Casissa, Mayor

ATTEST:



Rebecca Vaughn, Town Clerk