

RESOLUTION NO. 3901

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO CALLING AND GIVING NOTICE OF THE HOLDING OF AN ELECTION TO BE HELD JUNE 8, 2010 AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN TO CONSOLIDATE SAID ELECTION; AND AUTHORIZE THE TOWN CLERK OR HER DULY AUTHORIZED OFFICERS AND AGENCY TO CARRY OUT ALL THE NECESSARY PROCEDURES FOR SAID ELECTION SUBMITTING TO THE VOTERS THE QUESTION RELATING TO A SPECIAL LIBRARY SERVICES TAX.

Whereas, an initiative petition was filed with the Town Clerk requesting that a Special Library Services tax of \$49 per year per real estate parcel be presented to the voters to fund enhanced Library services; and

Whereas, Joanne Kessel, Administrative Services Technician, submitted a Certificate of Sufficient Petition Signatures regarding the initiative petition; and

Whereas, under the provisions of the laws relating to general law cities in the State of California, an election shall be held on June 8, 2010 for the submission to the voters of the question relating to a Special Library Services Tax of \$49 per year per parcel;

Whereas, it is desirable that the election be consolidated with the statewide election to be held on the same date and that within the Town, the precincts, polling places, and election officers of the two elections to be the same; and

Whereas, it is desirable that the county election department of County of Marin canvass the returns of the Primary Election and that the election be handled in all respects as if there were only one election; and

Whereas, the Town Council desires to submit to the voters at the election a question relating to a Special Library Services Tax.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO, 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 an election to be held in the Town of San Anselmo, California, on Tuesday, June 8, 2010.

Section 2. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Marin is hereby requested to consent and agree to the consolidation of said election.

Section 3. That the Town Council, pursuant to its rights and authority, does order submitted to the voters at the election the following question:

<p>In order to increase San Anselmo Library open hours, improve children's services at the Library including hiring a special children's librarian, and enhance general Library services, shall an ordinance be adopted approving a Special Library Services Tax of \$49.00 per year per real estate parcel located in the Town of San Anselmo, for a period of five (5) years, to be used to augment the money from the Town of San Anselmo's General Fund currently used to fund library services in San Anselmo?</p>	Yes
	No

Section 4. Pursuant to Elections Code Section 9203, the Town Attorney prepared the following Title and Summary:

TITLE: AN ORDINANCE ESTABLISHING AN ANNUAL \$49.00 TAX ON EACH REAL ESTATE PARCEL IN THE TOWN OF SAN ANSELMO FOR FIVE YEARS FOR THE EXCLUSIVE PURPOSE OF ENHANCING FUNDING FOR CHILDREN'S AND GENERAL SERVICES AT THE TOWN LIBRARY.

Summary: The purpose of this initiative is to place on the ballot a proposed ordinance that would establish an annual tax in the amount of \$49.00 (forty nine dollars) on each real estate parcel in the Town of San Anselmo exclusively to enhance funding for the Town Library. The proposed ordinance includes a sunset provision that terminates the tax after a period of five (5) years. The proposed ordinance requires that all revenue generated by the tax be used exclusively for purposes of increasing San Anselmo Library open hours, improving children's services at the library including hiring a children's librarian, and enhancement of general Library services. The proposed ordinance is intended to generate revenue that would augment the funding already budgeted for the Library. The proposed ordinance provides, therefore, for immediate termination of the tax should the Town Council, during the five year period of the tax, adopt a budget that reduces Library funding below 90% (ninety percent) of the amount budgeted for the Library in the 2008-2009 Town budget.

Section 5 Pursuant to Elections Code Section 9280, the Town Clerk shall transmit a copy of the measure to the Town Attorney who shall prepare an impartial analysis of the measure in accordance with said Section 9280. Arguments for and against said measure may be filed in accordance with applicable provisions of the law. Pursuant to Section 9285 of the Elections Code of the State of California, (the provisions of which are hereby adopted), when the clerk has selected the arguments for and against the measure which will be printed and distributed to the voters, the 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. The rebuttal arguments shall be filed with the Town Clerk not more than 10 days after the final date for filing direct arguments. 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. The text of the measure shall be printed on the ballot in the voter information portion of the sample ballot.

Section 6. That the County Election Department is authorized to canvass the returns of said 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.

Section 7 That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated election.

Section 8. That the Town Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

Section 9. That the polls for the election shall be open at 7:00 a.m. of the election and shall remain open continuously from that time until 8:00 p.m. of the same day, when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

Section 10. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 11. That notice of the time and place of holding the election is given and Town 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 12. That the Town 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 Marin.

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 San Anselmo at a regular meeting thereof held on the 23rd day of February 2010, by the following vote:

AYES: Coleman, Greene, Kroot, McInerney, Thornton
NOES: None
ABSENT: None
ABSTAIN: None


Barbara Thornton, Mayor

ATTEST:


Barbara Chambers, Town Clerk