

**RESOLUTION NO. 16-089**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, CALLING FOR AN ELECTION TO PRESENT TO THE VOTERS OF THE COUNTY AN URGENCY ORDINANCE OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING ENACTING LANGUAGE TO ALLOW THE STATE BOARD OF EQUALIZATION TO ADMINISTER THE TRANSACTIONS AND USE TAX THAT MAY BE IMPOSED BY A VOTER SPONSORED INITIATIVE ON THE NOVEMBER 8, 2016, MENDOCINO COUNTY BALLOT**

WHEREAS, the people of Mendocino County circulated a petition titled "An Initiative to Add a Temporary Half-Cent Sales Tax to Fund Facilities in Mendocino County to Assist in the Diagnosis and Treatment of Mental Health and Drug Dependency" ("the Initiative"), which would adopt a five (5) year, one-half cent (0.5%) special purpose sales tax (transactions and use tax) in all parts of Mendocino County; and

WHEREAS, said tax, if adopted, shall be used to fund the construction of a facility to be used for mental health treatment, education and training;

WHEREAS, on June 24, 2016, the Initiative was filed with the Mendocino County Registrar of Voters with a total of 4,238 signatures to place the Initiative on the November 8, 2016 election ballot; and

WHEREAS, on July 12, 2016, the County Registrar of Voters verified the minimum number of signatures to place the Initiative on the November 8, 2016 election ballot; and

WHEREAS, a special purpose sales requires the approval of two-thirds vote of the qualified voters of the County; and

WHEREAS, to effectuate the collection of a transactions and use tax, specific enactment language is required by the State Board of Equalization to be included in the proposed ordinance that will be put before the voters of the County; and

WHEREAS, the Board of Supervisors desires to effect the will of the voters of Mendocino County and ensure that if the Initiative is adopted by the qualified voters of the County of Mendocino by a two-thirds (2/3) vote that the Initiative will effect its intended purpose of imposing a sales tax; and

WHEREAS, without the required enactment language the State Board of Equalization will not collect taxes pursuant to the Initiative.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Mendocino does hereby declare and order that the proposed ordinance, attached hereto as exhibit A and incorporated herein by this reference, to be submitted to a vote of the qualified electors of the County of Mendocino on the November 8, 2016, election, as follows:

1. There shall be included on the ballot to be marked by all Mendocino County voters, in addition to any other matters required by law, a ballot measure in substantially the following form:

Measure ____ (County Clerk to fill in the blank). Shall an ordinance be adopted containing specific enactment language that will allow for the collection of taxes pursuant to the Initiative to Add a Temporary Half-Cent Sales Tax to Fund Facilities in Mendocino County to Assist in the Diagnosis and Treatment of Mental Health and Drug Dependency, if said initiative is passed by the voters at the November 8, 2016 election, without which, no taxes will be collected pursuant to said initiative.	Yes	
	No	

A mark in the voting square after "YES" shall be counted in favor of the adoption of the proposed ordinance. A mark placed in the voting square after "NO" shall be counted against the adoption of the proposed ordinance.

2. This Measure shall be placed on the ballot immediately following the Initiative to Add a Temporary Half-Cent Sales Tax to Fund Facilities in Mendocino County to Assist in the Diagnosis and Treatment of Mental Health and Drug Dependency.

3. The ballot to be used at the election shall be, both as to form and matter contained therein, such as may be required by law.

4. The County Clerk is hereby authorized, instructed and directed to provide 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 this election.

5. The County Clerk shall fix and determine dates for submission of arguments for or against said proposed ordinance pursuant to the provisions of the Elections Code

6. The County Clerk is further directed to take the necessary and appropriate action to provide the election officers, polling places and voting precincts.

7. In accordance with Elections Code section 9160, the County Clerk shall transmit a copy of the measure to the County Auditor and County Counsel.

8. In accordance with the provisions of the Elections Code of the State of California, County Counsel is directed to prepare an impartial analysis of the measure and the County Auditor is directed to prepare a fiscal impact statement.

9. The polls for this election shall be open during the hours required by law and this election, with respect to the foregoing ballot measure, shall be held and conducted as provided by law for the holding of County initiative elections.

10. Notice of the time and place of holding this election together with any other notices required by law shall be given by the County Clerk.

11. Arguments for or against the measure may be submitted in conformity with Elections Code section 9161, *et seq.*

12. The Clerk of the Board and the Chief Executive Officer are hereby authorized

and directed to take any and all actions necessary under law to prepare for and conduct the general election and appropriate all monies necessary for the Clerk of the Board, County Executive Officer and County Clerk to prepare and conduct the general election in a manner consistent with state and local laws.

BE IT FURTHER RESOLVED, that this Ordinance shall become effective only if the people of the County of Mendocino adopt the Initiative to Add a Temporary Half-Cent Sales Tax to Fund Facilities in Mendocino County to Assist in the Diagnosis and Treatment of Mental Health and Drug Dependency by a two-thirds (2/3) vote of the qualified voters of the County;

The foregoing Resolution introduced by Supervisor McCowen, seconded by Supervisor Hamburg, and carried this 2nd day of August, 2016, by the following vote:

AYES: Supervisors Brown, McCowen, Woodhouse, Gjerde, Hamburg  
NOES: None  
ABSENT: None

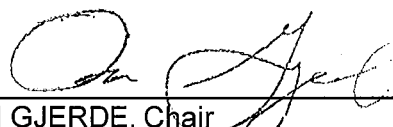
WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

  
Deputy

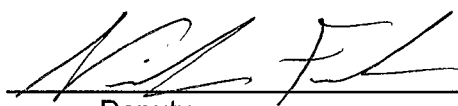
APPROVED AS TO FORM:  
KATHARINE L. ELLIOTT, County Counsel

  
Deputy

  
DAN GJERDE, Chair  
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code section 25103, delivery of this document has been made.

BY: CARMEL J. ANGELO  
Clerk of the Board

  
Deputy