

RESOLUTION NO. 07-25

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY AT THE
NOVEMBER 6, 2007 GENERAL MUNICIPAL ELECTION A MEASURE
RELATED TO THE CITY'S UTILITY USERS' TAX**

WHEREAS, pursuant to Chapter 3.42 of the Los Altos Municipal Code, the City currently levies a Utility Users' Tax; and

WHEREAS, the City Council desires to reduce the rate of the telecommunications and video portion of the Utility Users' Tax; to consolidate such utilities into a single communications tax; and to make other revisions to the method of calculating and collecting the tax to reflect technological advances and changes in state and federal law; and

WHEREAS, a proposed Ordinance attached hereto and incorporated herein by reference as Attachment "A" (the "Ordinance") would implement these proposed revisions to the Utility Users' Tax; and

WHEREAS, at its duly noticed and regular meeting on June 12, 2007 the City Council called a general municipal election for November 6, 2007 (the "Election"), which date is at least eighty-eight (88) days before the Election, as set forth in Resolution No. 2007-48; and

WHEREAS, pursuant to Government Code Section 53724 and Election Code Section 9222, the City Council desires to submit the Ordinance relating to the City's Utility User's Tax to the qualified electors of the City at the Election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT:

1. The City Council hereby calls a special election to be held in the City of Los Altos, California, in consolidation with the City of Los Altos general municipal election on November 6, 2007.

2. The City Council proposes to impose the general taxes set forth in the Ordinance. The proposed type of tax, the rate of the tax, and the method of tax collection are as set forth in Sec. 3.42.104 of the Ordinance. As set forth in Section 3 of this Resolution, the ballot measure ("Measure") will be presented to the voters on November 6, 2007 at the Election.

3. Pursuant to California Elections Code Section 9222, the City Council hereby orders that the following question shall be submitted to the qualified electors of the City of Los Altos at the Election.

Measure ___: Communication Users' Tax		
Shall an Ordinance be adopted to reduce the rate of the City of Los Altos's Communications Users' Tax from 3.5% to 3.2%; to revise the method for calculating and collecting the Utility Users' Tax to reflect technological advances and changes in state and federal law; and to ratify and approve the past collection of the Tax?	YES	
	NO	

This question requires the approval of a majority of those casting votes.

4. The Ordinance for the above-referenced Measure to be submitted to the voters shall be in the form attached to this Resolution as Attachment "A" and incorporated hereby by this reference.

5. Notice of the time and place of holding the election is hereby given, and the City Clerk is authorized, instructed and directed to give further or additional notice of the Election, in the time, form and manner as required by law.

6. Pursuant to Section 10403 of the California Elections Code, the City Clerk is hereby directed to file with the Board of Supervisors and the Registrar of Voters of the County of Santa Clara certified copies of this Resolution at least eighty-eight (88) days prior to the herein referenced Election.

7. Pursuant to California Election Code Sec. 9280, the City Council hereby directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the Measure, and transmit such impartial analysis to the City Clerk within ten (10) days of the adoption of this Resolution.

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

9. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED AND ADOPTED this 24th day of July 2007, by the following vote:

AYES: PACKARD, CARPENTER, CASAS, BECKER, COLE

NOES: NONE

ABSENT: NONE



Robert C. Cole, MAYOR

ATTEST:



Susan Kitchens, CITY CLERK