

**MEASURE G**  
**City of Fortuna**  
**Full Text**

**AN ORDINANCE OF THE CITY OF FORTUNA  
TO EXTEND THE EXISTING CITY OF FORTUNA TRANSACTIONS AND USE TAX  
TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION, SUBJECT TO  
APPROVAL OF A MAJORITY OF THE ELECTORS VOTING ON THE TAX  
MEASURE AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY,  
NOVEMBER 3, 2020**

**WHEREAS**, pursuant to California Revenue and Taxation Code § 7285.9, the City of Fortuna ("City") has the authority to levy a local transactions and use tax for general purposes ("TUT"); and

**WHEREAS**, at the General Municipal Election on Tuesday, November 8, 2016, the qualified voters of the City of Fortuna approved Measure E, which imposed a three-quarters cent TUT for an eight (8) year period through and including March 31, 2025, to ensure a reliable, locally-controlled source of funds to address, plan, and prepare for community priorities including increasing police protection services; maintaining 9-1-1 response; nuisance abatement; repairing and maintaining streets, sidewalks, and drainage; maintaining parks; maintaining programs for youth and seniors; and maintaining other essential services; and

**WHEREAS**, the revenues derived from Measure E are essential to maintain and continue to improve essential city services; and

**WHEREAS**, the City desires to amend Chapter 3.13 of the Fortuna Municipal Code to extend the current expiration date of the sales tax beyond March 31, 2025, to ensure a reliable, locally-controlled source of funds to address, plan, and prepare for community priorities and maintain essential services; and

**WHEREAS**, after study of the financial issues facing the City, and after extensive efforts to gauge the public's opinions and priorities, the City Council has determined that the most prudent, reasonable, and financially responsible action it can take to preserve the fiscal stability of the City and to protect vital services and facilities in our City is to place before the voters a ballot measure to extend the existing three-quarters cent TUT termination date to March 31, 2033 and to recommend its adoption to the voters; and

**WHEREAS**, the proposed extension of the City's TUT will be submitted to the voters at the general municipal election on November 3, 2020; and

The People of the City of Fortuna do ordain as follows:

**SECTION 1. APPROVAL OF TAX EXTENSION.** The qualified votes of the City of Fortuna hereby approve and adopt an ordinance extending the currently imposed

transaction and use tax, as codified in Chapter 3.13 of Title 3 of the Fortuna Municipal Code through and including March 31, 2033, unless sooner repealed by the City Council or by the voters.

**SECTION 2. AMENDMENT TO THE MUNICIPAL CODE.** Section 3.13.200 of Chapter 3.13 of Title 3 of the Fortuna Municipal Code is hereby deleted and replaced in its entirety as follows:

**3.13.200 Termination of tax.**

The authority to levy the tax imposed by this chapter shall expire March 31, 2033, unless sooner repealed by the City Council or by the voters.

**SECTION 3. EFFECTIVE DATE.** This ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect only if approved by a majority of the voters voting on the measure at the November 3, 2020 General Municipal Election and shall become effective ten (10) days after the City Council declares and certifies by resolution the results of the election and that the measure was approved by a majority of the voters voting thereon.

**SECTION 4. CERTIFICATION: PUBLICATION.** Upon approval by the voters, the City Clerk shall certify to the passage and adoption of this ordinance and shall cause it to be published according to law and transmitted to the Board of Equalization.

**SECTION 5. COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.** The approval of this Ordinance 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 transactions and use tax enacted by this Ordinance is a general tax that can be used for any legitimate governmental purpose; it is not a commitment to any particular action. As such, under CEQA Guidelines section 15378(b)(4), the tax is not a project within the meaning of CEQA because it creates a government funding mechanism that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment. If revenue from the tax were used for a purpose that would have either such effect, the city would undertake the required CEQA review for that particular project. Therefore, pursuant to CEQA Guidelines section 15060 CEQA analysis is not required.