

EXHIBIT A

NOT OPERATIVE UNTIL ENACTED BY THE VOTERS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING CHAPTER 3.28 OF THE YUCCA VALLEY MUNICIPAL CODE TO CONTINUE FOR TEN YEARS THE TOWN OF YUCCA VALLEY SEWER IMPLEMENTATION AND ASSESSMENT ASSISTANCE TRANSACTIONS AND USE TAX ORDINANCE

WHEREAS, the Town of Yucca Valley provides excellent community services and maintains a strong quality of life for local residents; and

WHEREAS, Chapter 3.28 of the Yucca Valley Municipal Code was approved by the voters at the November 2016 general election (“Measure Z”) and establishes the Town of Yucca Valley’s Sewer Implementation and Assessment Assistance Transactions and Use Tax Ordinance (the “Tax”) and provides that the Tax will expire soon, ten years after the initial operative date, which was April 1, 2017; and

WHEREAS, Measure Z provides funds that must be spent in Yucca Valley for water/sewer infrastructure, and by law, can’t be taken by the State; and

WHEREAS, Measure Z provides funding to pay for the sewer system that ensures a safe, clean, reliable water supply, and without reauthorization, the cost of sewer assessment would increase by approximately 50% for residents; and

WHEREAS, if continued, this measure will not raise tax rates. It simply continues existing voter-approved funding passed by voters in 2016 and continues existing fiscal accountability provisions: citizens’ oversight, independent audits, and public disclosure of how all funds are spent; and

WHEREAS, Measure Z sales tax is not applied to food purchased as groceries or prescription medicine; and

WHEREAS, According to economist Dr. John Husing’s 2016 Yucca Valley’s Retail Sales & Impact of Sales Tax Revenues Report, approximately one-half of the money raised by Measure Z comes from out-of-town visitors who make purchases in Town, which ensures they contribute toward the cost of infrastructure and services they use while in the Town; and

WHEREAS, the Tax is levied on the retail sale of tangible personal property and the storage, use or other consumption of tangible personal property in the Town and provides funding that is dedicated toward subsidizing assessments levied upon Town citizens for sewer project

implementation; and

WHEREAS, the proposed ballot measure would continue the current expiration date of March 31, 2027 for the Tax to March 31, 2037; and

WHEREAS, the existing Tax is levied at the rate of one-half cent per dollar (0.5%) and the proposed ballot measure does not change the Tax rate; and

WHEREAS, Article XIIC, section 2(d) of the California Constitution requires that any special tax, such as the Tax, must be approved by a two-thirds vote of the voters voting on the issue.

THE PEOPLE OF THE TOWN OF YUCCA VALLEY, CALIFORNIA HEREBY ORDAIN AS FOLLOWS:

SECTION 1. CHAPTER 3.28 AMENDED. The following amendments are made to Chapter 3.28 of the Yucca Valley Municipal Code, with deletions shown in strikethrough and additions shown in underline:

A. Section 3.28.190 (Termination Date) is amended as follows:

“The authority to levy the special tax imposed by this chapter shall expire ~~ten~~ twenty (~~10~~) years from the operative date.”

SECTION 2. CEQA. This activity is not a “Project” as defined under Section 15378(b)(4) of the California Environmental Quality Act (CEQA) Guidelines because it is a financing decision without commitment to a specific project that may result in a potentially significant physical impact on the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the actions proposed are not subject to CEQA.

SECTION 3. SEVERABILITY. If any provision of this Ordinance is held invalid, such invalidity shall not affect the remaining provision of this Ordinance, which shall remain in effect absent the provision held to be invalid, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 4. ELECTION REQUIRED; EFFECTIVE DATE. This ordinance shall be submitted to the voters at the regular municipal election to be held on November 5, 2024. This ordinance shall not become operative unless and until two-thirds of the electors voting on the measure vote to approve this ordinance, in which case this ordinance shall go into effect ten (10) days after the date on which the election results are declared by the Town Council.

PASSED, APPROVED, AND ADOPTED BY THE PEOPLE OF THE TOWN OF YUCCA VALLEY AT THE REGULAR MUNICIPAL ELECTION HELD ON THE 5TH DAY OF NOVEMBER, 2024.

ATTEST:

Lesley Copeland, Town Clerk