

RESOLUTION NO. 6795

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND, CALIFORNIA AMENDING RESOLUTION NO. 6788 AND, IN PARTICULAR, THE LANGUAGE IN THE BALLOT LABEL OF THE GENERAL TAX MEASURE — KNOWN AS THE CITY OF UPLAND 1% SALES TAX FOR GENERAL CITY SERVICES ALSO KNOWN AS MEASURE N ON THE BALLOT FOR THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF AN ORDINANCE TO ENACT A GENERAL TRANSACTIONS AND USE TAX (SALES TAX) AT THE RATE OF ONE PERCENT (1%)

FILED

AUG 29 2024

BY DEPUTY REGISTRAR OF VOTERS

**WHEREAS**, on August 9, 2024, the City Council adopted Resolution No. 6788 calling for the placement of a General Tax Measure – known as the City of Upland Infrastructure, Public Safety and City Services Measure – on the ballot for the November 5, 2024 General Municipal Election for the submission to qualified voters of an Ordinance to enact a General Transactions and Use Tax (sales tax) at the rate of one-cent (1¢) and

**WHEREAS**, on August 19, 2024, the City was served with a writ of mandate and injunctive relief in the matter of Lois Sicking ("Plaintiff") v. City of Upland et al., San Bernardino Superior Court Case No. CIV SB 2424468 (the "Lawsuit"), in which the petitioner alleged certain defects in the language of the ballot label for Measure N as specified in Resolution No. 6788; and

**WHEREAS**, on August 28, 2024, the Plaintiff and City settled on a revision to the ballot label in which the label was revised to read as stated in Section 2 of this Resolution.

**NOW, THEREFORE**, the City Council of the City of Upland hereby finds, determines and resolves as follows:

**Section 1.** Incorporation of Recitals. The foregoing recitals are true and correct and are hereby incorporated and made an operative part of this Resolution.

**Section 2.** The City Council, hereby approves the ballot label for the City of Upland 1% Sales Tax for General City Services, also known as Measure N, as revised by the Court to read as follows:

<p><b>"City of Upland 1% Sales Tax for General City Services.</b>          Shall the measure establishing a one-percent retail transactions and use (sales) tax, generating approximately \$20,000,000 annually, until ended by voters, for general city services, such as the improvement and maintenance of infrastructure and provision of public safety services, be adopted?"</p>	<b>YES</b>
	<b>NO</b>

**Section 3.** Reaffirmation of Provisions of Resolution No. 6788. Except as amended in this Resolution, all terms and provisions of Resolution No. 6788 shall remain in full force and effect.

**Section 4.** Certification & Election Coordination. The City Clerk shall certify the adoption of this Resolution. The City Clerk is further authorized, instructed and directed to take such actions as are necessary or appropriate to ensure that the revised ballot label for Measure N set forth in Section 2 of this Resolution is incorporated into all official ballots and in any other manner necessary in order to properly and lawfully conduct the election.


**Section 5.** Filing with County. The City Clerk shall file with the Board of Supervisors and the County Clerk – Registrar of Voters of the County of San Bernardino, State of California, a certified copy of this Resolution.

**Section 6.** The City Council hereby finds and determines that the Measure relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, section 15378(b)(5).

**Section 7.** Severability. The provisions of this Resolution are severable and if any provision of this Resolution is held invalid, that provision shall be severed from the Resolution and the remainder of this Resolution shall continue in full force and effect, and not be affected by such invalidity.

**Section 8.** This Resolution shall become effective upon its adoption.

**PASSED, APPROVED and ADOPTED** this 29th day of August, 2024.

  
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Bill Velto, Mayor

I, Jennifer Rodriguez, Deputy City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a special meeting of the City Council held on the 29th day of August, 2024, by the following vote:

AYES: Mayor Velto, Councilmembers Breitling, Garcia, Maust, Zuniga  
NOES: None  
ABSENT: None  
ABSTAINED: None

ATTEST:   
\_\_\_\_\_  
Jennifer Rodriguez, Deputy City Clerk

I, Jennifer Rodriguez, Deputy City Clerk in and for the City of Upland, County of San Bernardino, hereby certify that the attached ORDINANCE NO. \_\_\_\_\_ RESOLUTION NO. 6795 MINUTES dated August 29, 2024 is a true and correct copy of the original on file in the City Clerk's Office.

\_\_\_\_\_  
Deputy City Clerk of the City of Upland, California

Executed on August 29, 2024