



MEMO

To: Honorable Mayor, Members of the City Council of the City of Bradbury
From: Kevin Kearney, City Manager
Re: **Official Cancellation of Measure CC – Utility User Tax – on the June 5, 2018 Election**

Dear Mayor and City Council,

During the December 2017 meeting, the City Council decided to move forward with the calling of an election to renew the City's Utility User Tax during the June 5, 2018 General Municipal Election. The City Council moved to adopt the following ordinances and resolutions to call an election for Measure CC:

- Ordinance No. 327
- Resolution 17-22
- Resolution 17-23
- Resolution 17-24

The perceived passage of the ordinance and resolutions occurred with a council majority 3 to 2 vote. According to Government Code Section 53723, "*No tax subject to the vote requirement prescribed by Section 53723 shall be presented at an election unless the ordinance or resolution proposing such tax is approved by a two-thirds vote of all members of the legislative body of the local district.*" Since the vote to place the measure on the June ballot was a 3 to 2 vote, or 60%, it does not meet the 2/3rds, or 66%, requirement.

Consequently, the passage of the ordinance and resolutions have been deemed null and void, and this memorandum serves as the official cancellation of the election on June 5, 2018 specifically for Measure CC, renewal of the City's Utility User Tax.

Respectfully,

Kevin Kearney
City Manager