

RESOLUTION NO. 2026-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON
CALIFORNIA, SUBMITTING A TRANSACTIONS AND USE TAX
MEASURE TO THE VOTERS AT THE NOVEMBER 3, 2026 GENERAL
MUNICIPAL ELECTION AND TAKING CERTAIN RELATED ACTIONS

WHEREAS, the City's aging infrastructure, is in critical need of improvement and maintenance; and

WHEREAS, the City's streets and roads, many of which are developing potholes, are especially in need of repaving and other improvement and maintenance; and

WHEREAS, by its Ordinance No. 3284, adopted by the City Council on July 7, 2020, the Council created an Infrastructure Fund for the City; required that at least 50% of property tax revenues and sales tax revenues above a baseline level be transferred to the Infrastructure Fund; and limited expenditure of moneys in the Infrastructure Fund to certain infrastructure uses: and

WHEREAS, the Infrastructure Fund has been insufficient to restore the City's streets and infrastructure to the desired condition; and

WHEREAS, Section 7285.91 of the Revenue & Taxation Code authorizes the City Council to give the City's voters the opportunity to approve an ordinance adopting a transactions and use tax; and

WHEREAS, transactions and use taxes are generally collected by retailers along with the sales tax, are administered on a city's behalf by the California Department of Tax and Fee Administration, and are commonly referred to as "local sales taxes;" and

WHEREAS, a 0.5% transactions and use tax is commonly referred to as a "half-cent local sales tax;" and

WHEREAS, while the City Council must, by a two-thirds vote of all of its members, adopt the ordinance imposing a transactions and use tax, the tax does not become effective unless the voters also approve the ordinance by a two-thirds vote; and

WHEREAS, the proceeds of a transactions and use tax adopted pursuant to Section 7281.91 of the Revenue & Taxation Code may be spent solely on the purpose authorized in the ordinance adopting the tax; and

WHEREAS, by prior resolutions, the City Council called a General Municipal Election (the "Election") for November 3, 2026 and requested that that election be consolidated with the Statewide General Election conducted on the same date by the Orange County Registrar of Voters; and

WHEREAS, the City Council desires to submit an ordinance to the voters at the Election that will adopt a transactions and use tax dedicated to funding the maintenance, repair and replacement of certain public infrastructure, with an emphasis on funding of local streets, arterials, alleys and sidewalks.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, RESOLVES AS FOLLOWS:

1. The above recitals are true and correct and are a substantial part of this resolution.
2. The City Council hereby orders, pursuant to Section 9222 of the Elections Code and Section 7281.91 of the Revenue & Taxation Code, that the ordinance attached hereto as Exhibit "A" and incorporated herein by reference (the "Ordinance") be submitted to the voters at the Election as the Fullerton Streets and Infrastructure Restoration Measure. Adoption of the Ordinance requires a two-thirds vote of the qualified voters of the city voting on the matter.
3. The question submitted shall appear on the ballot as follows:

Fullerton Street Improvement and Infrastructure Measure. To repair and pave Fullerton's streets, roads, and potholes and improve and maintain aging infrastructure; ensure funds from this measure be restricted for these purposes with at least 75% used for street improvements until roads reach good condition citywide; shall Fullerton adopt a 1/2¢ locally controlled sales tax generating approximately \$15,000,000 annually, until ended by voters, requiring independent financial audits, citizens' oversight, and public reporting?	YES	
	NO	

4. The City Clerk is instructed to transmit the Ordinance to the City Attorney along with a request that an impartial analysis be prepared pursuant to Elections Code Section 9280.
5. In all particulars not recited in this Resolution, the Election shall be held and conducted as provided by law for holding municipal elections.
6. Notice of the time and place of holding of the Election is 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. The vote centers for the election shall be open at seven o'clock a. m. of the day of the election and shall remain open continuously from that time until eight o'clock p. m. of the same day when the vote centers shall be closed, pursuant to Elections Code Section 10242, except as provided in Section 14401 of the Elections Code; and the vote centers shall be open any other dates and times as specified by the Orange County Registrar of Voters.

7. Pursuant to Section 10400 et seq. of the Elections Code, the Board of Supervisors of Orange County is requested to consolidate the election on this ballot measure with other elections held on the same day in the County.
8. The Board of Supervisors is authorized to canvass the returns of the Election pursuant to Section 10411 of the Elections Code.
9. Pursuant to Section 10002 of the Elections Code, the Board of Supervisors is requested to permit the County Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the City agrees to reimburse the County, in accordance with current County provisions and allocation procedures.
10. Arguments for and against the measure may be filed in accordance with applicable provisions of the law. The City Clerk shall select arguments for publication in accordance with Sections 9282, 9285 and 9287 of the Elections Code. Pursuant to Section 9285 of the California Elections Code, the provisions of which are hereby adopted, when the City Clerk has selected the arguments for and against the measure which will be printed and distributed to the voters, the City Clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The rebuttal arguments shall be filed with the City Clerk not more than ten (10) days after the final date for filing direct arguments. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.
11. The City Manager is hereby authorized and directed to appropriate the necessary funds to pay for the City's cost of placing the ballot measure on the election ballot.
12. The City Council authorizes the City Clerk to take all actions necessary for the conduct of the Election and the placement of the Ordinance on the ballot and the City shall pay all reasonable and actual election expenses upon presentation of a properly submitted bill.
13. The City Clerk shall file a certified copy of this Resolution with the Board of Supervisors and the Registrar of Voters.
13. The City Clerk shall certify adoption of this Resolution and enter it in the book of original Resolutions.

ADOPTED BY THE FULLERTON CITY COUNCIL ON JULY ____, 2026.

Fred Jung
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

Date

Attachment "A"

Ordinance