

## 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, aging City infrastructure critically needs improvement and maintenance.

WHEREAS, City streets and roads, many of which develop potholes, especially need repaving and other improvement and maintenance.

WHEREAS, City Council adopted Ordinance No. 3284 on July 7, 2020, creating an Infrastructure Fund and requires the City to transfer at least 50% of property tax and sales tax revenues above a baseline level to the Infrastructure Fund and limits expenditure of Infrastructure Fund moneys to certain infrastructure uses.

WHEREAS, the Infrastructure Fund does not provide sufficient funding to restore City streets and infrastructure to the desired condition.

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

WHEREAS, Retailers generally collect transactions and use taxes along with sales tax. The California Department of Tax and Fee Administration administers these taxes, commonly referred to as “local sales taxes”, on behalf of the City.

WHEREAS, a 0.5% transactions and use tax is commonly referred to as a “half-cent local sales tax”.

WHEREAS, City Council must, by a two-thirds vote of all of members, adopt the ordinance imposing a transactions and use tax, however, the tax does not become effective unless voters also approve the ordinance by a two-thirds vote of those casting ballots in the election.

WHEREAS, the City may spend transactions and use tax proceeds adopted pursuant to Revenue and Taxation Code Section 7281.91 solely on the purpose authorized in the ordinance adopting the tax.

WHEREAS, City Council previously called a General Municipal Election (the “Election”) for November 3, 2026 and requested consolidating the election with the Statewide General Election conducted on the same date by the Orange County Registrar of Voters.

WHEREAS, City Council desires to submit an ordinance to the voters at the Election to adopt a transactions and use tax dedicated to funding certain public infrastructure

maintenance, repair and replacement, with an emphasis on funding 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 a substantial part of this resolution.
2. City Council hereby submits the attached ordinance (Exhibit "A") and incorporated herein by reference (the "Ordinance") to the voters at the Election as the Fullerton Streets and Infrastructure Restoration Measure. Ordinance adoption 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:

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| <b>Fullerton Street Improvement and Infrastructure Measure.</b> 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 for 15 years, requiring independent financial audits, citizens' oversight, and public reporting? | YES |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | NO  |  |

4. City Council directs the City Clerk to transmit the Ordinance to the City Attorney with a request to prepare an impartial analysis pursuant to Elections Code Section 9280.
5. In all particulars not recited in this resolution, the City shall hold and conduct the Election as provided by law for holding municipal elections.
6. City Council gives notice of the time and place of holding of the Election and authorizes and directs the City Clerk to give further or additional notice of the election in the time, form and manner required by law. The vote centers for the election shall 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. the same day when the vote centers shall close, pursuant to Elections Code Section 10242, except as provided in Elections Code Section 14401. The vote centers shall open any other dates and times 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.
14. 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.

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Fred Jung  
Mayor

ATTEST:

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Lucinda Williams, MMC  
City Clerk

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Date

Attachment "A"

Ordinance