

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA SUBMITTING TO CITY VOTERS A BALLOT MEASURE RELATING TO RESOLUTION NOS. 2013-143 AND 2013-144 THAT ADOPTED THE FOUR YEAR WATER RATE PLAN, FOR THE NOVEMBER 4, 2014 GENERAL ELECTION

WHEREAS, on August 15, 2013, the City Council of the City of Fresno adopted Resolution Nos. 2013-143 and 2013-144 adopting the Four Year Water Rate Plan; and

WHEREAS, on June 25, 2014, the City Clerk (Elections Official) received an Initiative Petition to repeal Resolution Nos. 2013-143 and 2013-144; and

WHEREAS, after a prima facie review by the City Clerk, the Initiative Petition was deemed filed on June 27, 2014; and

WHEREAS, the Fresno County Clerk/Registrar of Voters examined the petition signatures against the records of registration and submitted the findings of the verification process to the City Clerk; and

WHEREAS, the City Clerk issued a Certificate of Sufficiency for the Initiative Petition as required under the Elections Code; and

WHEREAS, the Council has determined to submit the ordinance to the City voters.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

SECTION 1. The Council submits to the electors of the City of Fresno, at its general municipal election to be consolidated with the statewide general election to be held on November 4, 2014, a ballot measure to repeal Resolution Nos. 2013-143 and 2013-144, that adopted the Four Year Water Rate Plan.

SECTION 2. The question to be submitted to the voters with respect to the ballot measure shall be printed on the election ballot with the title and in the form set forth as follows:

CITY OF FRESNO'S FOUR YEAR WATER RATE PLAN. Shall the ordinance to repeal Resolution Nos. 2013-143 and 2013-144 that established the Four Year Water Rate Plan, be adopted?	Yes
	No

SECTION 3. The following constitutes the synopsis of the measure to be voted on for purposes of meeting the publication requirements of Election Code Section 12111:

**MEASURE TO BE VOTED ON
CITY OF FRESNO'S FOUR YEAR WATER RATE PLAN**

This measure repeals the Four Year Water Rate Plan adopted by City Council on August 15, 2013, after a Proposition 218 hearing, based on the water rate study of the City's water system plans, future planned capital improvement projects, and projected systems operations and maintenance. The repeal of Resolution Nos. 2013-143 and 2013-144 that established the Four Year Water Rate Plan will return the water rates to those in effect before its adoption, reducing the revenues collected from fees into the water enterprise system.

SECTION 4. The full text of the ordinance to be submitted to the voters is attached as Exhibit A. The full text of the measure is not required to be printed in the Sample Ballot and Voters Pamphlet. However, the full text of the measure shall be made available at the Office of the Fresno County Clerk/Registrar of Voters and the Office of the Fresno City Clerk.

SECTION 5. The City Clerk shall file a certified copy of this resolution with the Fresno County Elections Office on or before August 8, 2014.

SECTION 6. The Fresno County Clerk/Registrar of Voters shall give the appropriate notices for the election and shall conduct the election pursuant to appropriate provisions of state law.

SECTION 7. The City shall reimburse the County of Fresno for the above-mentioned services performed by the Fresno County Clerk/Registrar of Voters, upon presentation of the bill to the City.

SECTION 8. The City Attorney shall prepare an impartial analysis of the measure in accordance with Elections Code Section 9280.

SECTION 9. Passage of this measure requires 50% plus 1 vote.

///

///

///

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2014.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2014
Mayor Approval/No Return: _____, 2014
Mayor Veto: _____, 2014
Council Override Vote: _____, 2014

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
Tei Yukimoto [Date]
Assistant City Attorney

TY:pn/elb[65219pn/elb/RESO] Rev. 07-11-14