

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA CALLING A GENERAL ELECTION ON NOVEMBER 6, 2018, FOR A BALLOT MEASURE PROPOSAL TO IMPOSE A PARKS AND PUBLIC SAFETY TRANSACTIONS AND USE TAX; REQUESTING THE COUNTY TO CONDUCT THE ELECTION; AND REQUESTING CONSOLIDATION OF THE ELECTION WITH ANY OTHER ELECTION HELD ON THAT DATE

WHEREAS, the City Council of the City of Fresno (City) desires to provide City residents with outstanding public safety services and exceptional and well-maintained public park and open spaces; and

WHEREAS, current City financial conditions do not provide enough revenue to adequately provide for sufficient police and fire resources and do not allow the City to adequately maintain existing parks or build new parks;

WHEREAS, the City Council has adopted a Parks and Public Safety Transactions and Use Tax Ordinance (Sales Tax Ordinance) to add a new Article 15 to Chapter 7 of the Fresno Municipal Code to impose a one-half percent (0.50%) transactions and use tax in the City pursuant to California Revenue and Taxation Code Sections 7251 et seq. and 7285.9 et seq., the proceeds of which would be used for public safety and parks purposes; and

WHEREAS, the Sales Tax Ordinance is subject to approval by a two-thirds vote of the electorate pursuant to Article XIII C, Section 2 of the California Constitution (Prop. 218); and

WHEREAS, the Charter of the City of Fresno, Article XIV, Section 1400, authorizes the City Council to call a general municipal election; and

WHEREAS, the City Council desires to submit a ballot measure proposal regarding the proposed Sales Tax Ordinance to the electors of the City of Fresno at a General Election to be held on Tuesday, November 6, 2018, and to be consolidated with any other election to be held on that date.

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

1. The City Council hereby finds and determines that the foregoing recitals are true and correct.

2. The City Council hereby calls a General Municipal Election for Tuesday November 6, 2018, (the Election) for the purpose of voting on a ballot measure to add a new Article 15 to Chapter 7 of the Fresno Municipal Code to impose a one-half percent (0.50%) transactions and use tax on retail sales in the City pursuant to California Revenue and Taxation Code Sections 7251 et seq., and 7285.9 et seq.

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

To improve 9-1-1 emergency police, fire and medical response times, hire up to 160 new police officers and firefighters, combat gang violence, properly equip firefighters and police, and to better maintain our existing parks and build new parks, shall the measure be adopted adding a 1/2 cent sales tax, requiring independent citizen audits, providing approximately \$44 million annually for 15 years, with half of the proceeds going to police and fire and half to parks?	YES	
	NO	

4. Pursuant to Section 12111 of the California Elections Code, the City Council hereby directs the City Clerk to cause a synopsis of the proposed measure to be published.

5. The full text of the ordinance 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.

6. The City of Fresno requests that the Fresno County Clerk/Registrar of Voters conduct the Election and canvass the returns, and the City consents to reimburse the Registrar of Voters for all costs incurred by said services. Pursuant to Section 10400 et seq. of the Elections Code, the Board of Supervisors of Fresno County is requested to consolidate the Election with other elections held on the same day in the same territory or in the territory that is in part the same.

7. In all particulars not recited in this resolution, the Election shall be held and conducted as provided by law for holding municipal elections.

8. Arguments in favor or against the proposed measure are permissible and shall be filed with the Fresno County Clerk/Registrar in accordance with Elections Code Section 9282. Councilmembers voting in the majority for this resolution and the Mayor are authorized, but not required, to file arguments in favor of the proposed measure. They are also authorized to provide input to the Fresno County Clerk/Registrar in determining a letter designation for this measure. Rebuttal arguments shall be permitted pursuant to applicable law.

9. Pursuant to Section 2(d) of Article XIII C of the Constitution, this measure requires approval by a two-thirds (2/3) vote.

10. 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.

11. The City Attorney shall prepare an impartial analysis of the measure in accordance with Elections Code Section 9280 and file with the Fresno County Clerk/Registrar of Voters.

12. The City Clerk shall file a certified copy of this resolution with the Fresno County Clerk/Registrar of Voters by August 10, 2018, to ensure the requisite timeframes for holding the special election as required by applicable law.

13. The City Clerk and the City Attorney are authorized to make any typographical, clerical, non-substantive corrections to this resolution as may be deemed necessary by the Fresno County Clerk/Registrar of Voters.

14. This Resolution shall be effective immediately upon adoption.

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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 _____, 2018.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2018
Mayor Approval/No Return: _____, 2018
Mayor Veto: _____, 2018
Council Override Vote: _____, 2018

YVONNE SPENCE, MMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Raj Singh Badhesha Date
Senior Deputy City Attorney

Attachment: Exhibit A – Parks and Public Safety Transactions and Use Tax Ordinance