

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA ADOPTING THE FRESNO CLEAN AND SAFE NEIGHBORHOOD PARKS TAX ORDINANCE AND SUBMITTING THE MEASURE TO CITY VOTERS AT THE NEXT REGULAR MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2018; REQUESTING THE COUNTY TO CONDUCT THE ELECTION; AND REQUESTING CONSOLIDATION OF THE ELECTION WITH ANY OTHER ELECTION HELD ON THAT DATE

WHEREAS, on July 18, 2018, the City Clerk (Elections Official) received an Initiative Petition proposing the Fresno Clean and Safe Neighborhood Parks Tax Initiative; and

WHEREAS, after a prima facie review by the City Clerk, the Initiative Petition was deemed filed on July 18, 2018; and

WHEREAS, the Fresno County Clerk/Registrar of Voters examined the petition signatures against the records of registration pursuant to Elections Code Sections 9114 and 9115, and submitted the findings of the verification process to the City Clerk; and

WHEREAS, the City Clerk has issued a Certificate of Sufficiency for the Initiative Petition as required under Elections Code Section 9115; and

WHEREAS, the Council has determined to adopt the ordinance, without alteration, pursuant to Elections Code Section 9215(a) and submit the ordinance to the City voters in compliance with the requirements of Proposition 218 and Elections Code Section 9215(b).

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 adopts the ordinance, subject to voter approval.
3. There is called and ordered to be held in the City of Fresno, California, a General Municipal Election for Tuesday November 6, 2018, (the Election) for the purpose of submitting a ballot measure to the City voters.

4. 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:

APPROVAL OF FRESNO CLEAN AND SAFE NEIGHBORHOOD PARKS TAX ORDINANCE. Shall the measure imposing a 3/8 percent sales and use tax, estimated to generate \$37.5 million annually for 30 years, funding City parks and cultural arts, with independent oversight, be adopted?	YES	
	NO	

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

MEASURE TO BE VOTED ON

Notice is hereby given that the following measure is to be voted on at the general municipal election to be held in the City of Fresno, on Tuesday, the 6th of November, 2018.

APPROVAL OF FRESNO CLEAN AND SAFE NEIGHBORHOOD PARKS TAX ORDINANCE

The proposed ordinance would impose a 3/8 percent sales and use tax within the City of Fresno for a period of 30 years, which is estimated to raise approximately \$37.5 million annually. Tax proceeds would be utilized to fund specific purposes, including: providing clean and safe neighborhood parks; reducing crime and homelessness in parks; updating and maintaining park bathrooms and playgrounds; reducing graffiti and vandalism in parks; maintaining and improving after-school, youth, and senior recreational programs; providing job training for at-risk youth and veterans; beautifying landscaping and removing weeds and litter along major roads and highways; creating parks in neighborhoods that don't have good park access, including soccer and sports fields; improving walking and biking access to parks and trails, including the San Joaquin River Parkway; and expanding access to local arts and cultural programs. The proposed initiative would also require the City of Fresno to create a new Parks, Recreation and Arts Commission to oversee and provide recommendations to the Mayor and City Council related to expenditure of tax proceeds.

6. 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.

7. 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.

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

9. 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.

10. Passage of this measure requires approval by two-thirds (2/3) vote, unless otherwise required by law.

11. 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.

12. 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.

13. 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.

14. 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.

15. This Resolution shall be effective immediately upon adoption.

* * * * *

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 – Fresno Clean and Safe Neighborhood Parks Tax Ordinance