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RESOLUTION NO. 4640

COUNTY CLERK
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2016 AUG 8 PM 2:56:12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANGER, CALIFORNIA, SUBMITTING TO CITY VOTERS AT THE NEXT REGULAR MUNICIPAL ELECTION TO BE HELD NOVEMBER 8, 2016, A BALLOT MEASURE TO ADOPT AN ORDINANCE EXTENDING THE CURRENT SPECIAL SALES TAX FOR PUBLIC SAFETY, REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION, AND REQUESTING THAT THE BOARD OF SUPERVISORS CONSOLIDATE THE ELECTION WITH THE STATEWIDE ELECTION HELD ON THAT SAME DATE.

WHEREAS, the City of Sanger prides itself on providing essential public safety services to the residents of Sanger; and

WHEREAS, the City Council previously submitted to the voters a special sales tax ballot measure and the voters adopted the "Sanger Police, Fire, Paramedic 9-1-1 Emergency Response and Gang/Drug Prevention Special Transactions and Use Tax Ordinance" (hereafter "Public Safety Sales Tax") in the amount of .75% (3/4 cent); and

WHEREAS, the Public Safety Sales Tax was adopted ten years ago and is set to expire; and

WHEREAS, the City Council has reviewed its economic forecast and determined that without an extension of the Public Safety Special Tax, the City will be unable to provide essential public safety services; and

WHEREAS, the Sanger Police and Fire Chiefs among others have engaged hundreds of Sanger residents to solicit feedback on public safety priorities and needs; and

WHEREAS, needs identified by the public maintaining and preventing cuts to the number of police officers, firefighters and paramedics, maintaining 9-1-1 emergency response times, providing adequate police patrols to protect Sanger's neighborhoods and schools, retaining, recruiting and training qualified public safety officers, and reducing gang and drug-related crimes; and

WHEREAS, the Public Safety Measure provides youth gang and drug prevention programs, and

WHEREAS, without continued funding, the City will have fewer police officers on the street and will reduce gang prevention programs; and

WHEREAS, continued funding is needed to continue to equip first responders with protective clothing, breathing apparatuses, and emergency communications equipment such as radios and life-saving tools such as the "jaws of life;" and

WHEREAS, the Public Safety Measure is not a tax increase, and

WHEREAS, this Public Safety Funding will continue to have strict accountability provisions such as annual independent audits, a citizens' oversight committee and all funds spent on Sanger public safety, and

WHEREAS, the City Council desires to submit to the voters of the City of Sanger a ballot measure proposal to extend the Public Safety Tax for ten years with no increase in existing tax rate, pursuant to California Revenue and Taxation Code Sections 7251 *et seq.*, and 7285.9 *et seq.*; and

WHEREAS, extension of the Public Safety Tax requires adoption of an ordinance adding Section 66-219 to Article VI, Chapter 66 of the Sanger Municipal Code; and

WHEREAS, the extended special sales tax will continue to be dedicated exclusively to public safety as set forth in the original ballot measure and set forth in Article VI, Chapter, 66 of the Sanger Municipal Code; and

WHEREAS, the State Board of Equalization shall collect the tax from retailers subject to the tax and remit the funds to the City; and

WHEREAS, the City desires to consolidate the Public Safety Sales Tax Ballot Measure with the Statewide general election to be held on November 8, 2016.

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

SECTION 1. The City Council submits to the voters of the City of Sanger at its next regular municipal election to be held on November 8, 2016, a ballot measure for extending the Sanger Police, Fire, Paramedic 9-1-1 Emergency Response and Gang/Drug Prevention Special Transactions and Use Tax Ordinance.

SECTION 2. The City Council requests the Fresno County Board of Supervisors that the election for this measure be consolidated with the statewide election also held on November 8, 2016.

SECTION 3. 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:

MEASURE __	YES
SANGER PUBLIC SAFETY SALES TAX EXTENSION ORDINANCE. To reduce gang/drug crimes, maintain 911 emergency response times, provide gang/drug prevention programs; prevent cuts to and retain/maintain police officers, paramedics, firefighters; increase school/neighborhood police patrols; shall the ordinance be adopted continuing the existing voter-approved ¾ cent sales tax with no tax rate increase, providing \$1,900,000 annually, for ten years, requiring citizens' oversight, independent financial audits, all funds for City of Sanger public safety?	NO

SECTION 4. 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 Sanger, on Tuesday, November 8, 2016.

ADOPTION OF ORDINANCE APPROVING EXTENSION OF CURRENT THREE QUARTER CENT (.75%) TRANSACTIONS AND USE (SALES) TAX FOR PUBLIC SAFETY, WITH NO INCREASE IN CURRENT TAX RATE, UNTIL JUNE 30, 2028.

The proposed ordinance would approve the extension of the City's current $\frac{3}{4}$ (.75%) sales tax dedicated and expended only for Police, Fire, Paramedic, 9-1-1 Emergency Response and Gang/Drug Prevention. The authority to levy the tax would continue for ten years. The current sales tax ordinance would otherwise remain unchanged.

City Elections Official

Dated: _____

City of Sanger

SECTION 5. The full text of the ordinance submitted to the voters is attached as Exhibit A. The full text of the proposed ordinance 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 Sanger City Clerk's Office.

SECTION 6. Passage of this measure requires a two-thirds majority of votes.

SECTION 7. The City of Sanger 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.

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

SECTION 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. Mayor Pro Tem Cantu and Councilmember Garza are authorized to prepare and file a written argument in favor of the proposed measure not to exceed 300 words on behalf of the City Council. In the event that an argument is filed against the Measure, they are also authorized to submit a rebuttal argument on behalf of the City Council.

SECTION 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. The City of Sanger acknowledges the Fresno County Clerk/Registrar may conduct the election in accordance with Elections Code 10418.

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

SECTION 12. The City Clerk shall file a certified copy of this resolution with the Fresno County Clerk/Registrar of Voters as required by applicable law. The City Clerk is hereby authorized and directed to work with the Fresno County Clerk/Registrar of Voters and take all steps necessary to cause placement of the Measure on the ballot.

SECTION 13. The City Clerk and 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.

Raul Cantu
Mayor Pro Tem

ATTEST:

The foregoing City of Sanger Resolution No. 4640 was adopted at a regular meeting of the City Council of the City of Sanger held on the 7th day of July, 2016 and passed at said meeting by the following vote:

AYES: COUNCILMEMBERS: CANTU, ONTIVEROS, GARZA, PACHECO

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

ABSTAIN: COUNCILMEMBERS: NONE

The foregoing resolution is hereby approved.

Raul Cantu
Mayor Pro Tem

ATTEST:

Rebeca Hernandez
City Clerk

APPROVED AS TO LEGAL FORM:

Hilda Cantú Montoy, City Attorney

EXHIBIT "A" TO RESOLUTION

ORDINANCE NO. 1173

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER
ADDING SECTION 66-219 TO ARTICLE VI OF CHAPTER 66 OF THE
SANGER CITY CODE RELATING TO EXTENSION OF SANGER POLICE,
FIRE, PARAMEDIC 9-1-1 EMERGENCY RESPONSE AND GANG
PREVENTION SPECIAL TRANSACTIONS AND USE TAX

THE CITY COUNCIL OF THE CITY OF SANGER DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 66 of the Sanger City Code is hereby amended by adding Section 66-219 to read as follows:

66-219. **TERMINATION DATE.** The authority to levy the tax imposed by this ordinance shall continue in effect until June 30, 2028.

SECTION 2. Compliance with the California Environmental Quality Act. The approval of this ordinance is exempt from the California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*, "CEQA," and 14 Cal. Code Reg. Sections 15000 *et. seq.*, "CEQA Guidelines"). This ordinance imposes a special tax that can be used only for any legitimate governmental purpose as specified in the ordinance. It is not a commitment to any specific project that may result in a potentially significant physical impact on the environment.

SECTION 3. Two-Thirds Voter Approval. The tax imposed by this ordinance is a special tax. This tax shall be effective only if approved by two-thirds of the City's voters voting thereon at the November 8, 2016, City election.

SECTION 4. Effective Date. This ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately.

SECTION 5. Certification and Publication. The City Clerk shall certify the final approval of this Ordinance, publish the same as required by law, and forward a copy of the adopted Ordinance to the Board of Equalization.

The foregoing ordinance is hereby approved.

Raul Cantu, Mayor Pro Tem

ATTEST:

I, Rebecca Hernandez, City Clerk of the City of Sanger, California, do hereby certify that the foregoing ordinance was introduced at a regular meeting of the City Council of the City of Sanger

held on July 7, 2016, and was passed and approved for placement on the ballot by a 2/3 vote of the City Council at a regular meeting of the City Council held on August 4, 2016, by the following vote:

AYES: COUNCILMEMBERS: CANTU, ONTIVEROS, GARZA, PACHECO

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

ABSTAIN: COUNCILMEMBERS: NONE

Rebeca Hernandez, City Clerk

APPROVED AS TO LEGAL FORM:

Hilda Cantú Montoy, City Attorney