

FILED

JUL 12 2023

By _____
DEPUTY

RESOLUTION NO. 2023-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE, CALIFORNIA, SUBMITTING TO CITY VOTERS AT THE NEXT SPECIAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 7, 2023, A BALLOT MEASURE RELATING TO ORDINANCE NO. 395 REGARDING THE CONTINUANCE OF A SPECIAL TAX (MEASURE "O") FOR POLICE AND FIRE SERVICES IN THE CITY OF ORANGE COVE.

WHEREAS, the Orange Cove Police Department provides essential public safety services to the citizens of Orange Cove; and

WHEREAS, the City General Fund lacks funds to hire the police officers needed to maintain the necessary level for police protection in the City; and

WHEREAS, fire prevention and protection services in Orange Cove are provided by the Orange Cove Fire Protection District ("Fire Protection District"); and

WHEREAS, the Fire Protection District's revenues are inadequate to serve the City of Orange Cove;

WHEREAS, historically the City has assisted the Fire Protection District with funding for training and equipment to assist in providing fire protection and prevention in the City; and

WHEREAS, State law (including Government Code Section 53978 *et seq.*) authorizes a special tax for the purpose of providing police and fire services; and

WHEREAS, the voters of the City of Orange Cove have previously approved a special tax to help fund police and fire services; and

WHEREAS, the special tax will "Sunset" on November 30, 2024; and

WHEREAS, the Orange Cove City Council wishes to continue the special tax which will fund police and fire services in the City of Orange Cove; and

WHEREAS, the City Council held a public hearing on July 5, 2023; and

WHEREAS, at this hearing the City Council considered a staff report, public testimony, and deliberated on the matter regarding submitting a ballot measure to the voters concerning the continuance of a Special Tax for Police and Fire services; and

WHEREAS, the City Council has determined that a parcel tax is necessary to generate the financial resources necessary for maintaining Police Services and improving Fire Services as set forth above.

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 Orange Cove City Clerk.

SECTION 5. Passage of this measure requires a two-thirds majority of votes.

SECTION 6. The City of Orange Cove 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 7. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 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. The Mayor is 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. The City of Orange Cove requests the Fresno County Clerk/Registrar of voters to assign letter "O" for this Measure.

SECTION 9. The Fresno County Clerk/Registrar of Voters shall give the appropriate notices for the election in the Fresno Bee and shall conduct the election pursuant to appropriate provisions of state law.

SECTION 10. 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 11. The City Clerk shall file a certified copy of this resolution with the Fresno County Clerk/Registrar of Voters as required by applicable law.

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

SECTION 1. The City Council submits to the voters of the City of Orange Cove at its next special municipal election to be held on November 7, 2023, a ballot measure for consideration of an ordinance for establishment of a Special Tax for Police and Fire as set forth in the ordinance attached as Exhibit "A" to this resolution.

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 ORANGE COVE POLICE AND FIRE SPECIAL TAX: Measure O	YES
To continue generating approximately \$263,965 annually to fund police and fire services where 80% of the special tax proceeds shall be used for police services and 20% shall be used for fire services, shall the measure levying \$95/parcel for single-family homes and specified amounts for multifamily, commercial, agricultural, and industrial parcels, known as Measure "O", be adopted without expiration, with all funds generated staying in the City of Orange Cove?	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
APPROVAL OF ORDINANCE NO. 395 ADOPTING A SPECIAL
TAX FOR POLICE AND FIRE AS AUTHORIZED IN
GOVERNMENT CODE SECTION 53978

Ordinance No. 395 amends existing Ordinance No. 368 which added Chapter 3.34 to the Orange Cove Municipal Code. Chapter 3.34 establishes a special parcel tax. Single family residential will be taxed \$95 annual; multi-family residential will be taxed \$65 per unit annually; agricultural parcels will be taxed \$95 annually; commercial parcels will be taxed \$495 annually; and industrial parcels will be taxed \$750 annually.

Currently, Chapter 3.34 has a sunset clause which would cause the special parcel tax to expire on November 30, 2024. Ordinance No. 395 will amend Chapter 3.34 to remove the sunset clause and allow the special parcel tax to continue, without expiration, until repealed. Ordinance No. 395 will not amend the amounts of the parcel tax established in Ordinance No. 368, it only seeks to remove the sunset clause.

SECTION 4. The full text of the ordinance submitted to the voters is attached as Exhibit A. The full text of Ordinance No. 395 is not required to be printed in the Sample Ballot and Voters

CLERK'S CERTIFICATION

I, Dora Silva, City Clerk for the City of Orange Cove, hereby certify that a public hearing was held and that the foregoing Resolution No. 2023-32 was duly approved at a regular meeting of the Orange Cove City Council on July 05, 2023, by the following vote:

AYES:	5	COUNCIL MEMBERS:	Cervantes, Rodriguez, Silva, Garcia, Vacio
NOES:	0	COUNCIL MEMBERS:	
ABSENT:	0	COUNCIL MEMBERS:	
ABSTAIN:	0	COUNCIL MEMBERS:	



ATTEST:

Dora Silva, City Clerk

APPROVED:

Diana G. Silva, Mayor

APPROVED AS TO FORM:

Melan Dodd, City Attorney

