

FILED

AUG 10 2018

By.

DEPUTY

AUG 10 '18 RCVE

CLERK'S CERTIFICATION

I, **YVONNE SPENCE**, City Clerk of the City of Fresno, California, hereby certify the foregoing to be a full, true and correct copy of Resolution No. 2018-191 adopted by the Fresno City Council on August 9, 2018; on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fresno, California, this 10th day of August, 2018.

YVONNE SPENCE,
City Clerk of the City of Fresno

By_

Deputy

RESOLUTION NO. 2018-191

By Fi

DEPUTY

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, SUBMITTING TO CITY ELECTORS A BALANCED BUDGET CHARTER AMENDMENT

AUG 10 18 RCVD

WHEREAS, it is agreed that balanced budgets represent a best practice to maintain prudent and sustainable fiscal administration;

WHEREAS, currently nothing in the Fresno City Charter expressly requires a balanced budget; and

WHEREAS, Charter section 1207 implicitly requires a balanced budget by mandating that the City Council levy additional taxes necessary to meet budgeted appropriations, but section 1207 is preempted by Prop. 218, which requires voter approval of additional tax levies; and

WHEREAS, it is the desire of the City Council that the Charter be amended to mandate the adoption of a balanced budget, whereby the total of proposed expenditures shall not exceed the total of estimated income, estimated unencumbered balances of funds to be carried over from the preceding year and unencumbered available reserves.

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

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 6, 2018, a ballot measure proposing to amend the Charter of the City of Fresno as set forth in Exhibit A attached hereto, and incorporated herein by reference.

Date Adopted: 08/09/2018
Date Approved: 08/10/2018
Effective Date: 08/10/2018

Certified Copy _____ Resolution No. 2018-191
City Clerk's Office
Date 8/10/2018



2. The question to be submitted to the electors with respect to the proposed Charter amendment as set forth in Exhibit A shall be printed on the election ballot with the title and in the form hereinafter set forth:

BALANCED BUDGET AMENDMENT TO THE CITY CHARTER	YES
Shall the City of Fresno Charter §1205 be amended to require the City adopt a balanced budget each fiscal year?	NO

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

**BALANCED BUDGET AMENDMENT TO THE CITY
CHARTER**

An amendment to the City of Fresno Charter that would amend §1205 of the Charter to require the City adopt a balanced budget each fiscal year.

4. 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.

5. The City Clerk shall file a certified copy of this resolution with the Fresno County Elections Office on or before August 10, 2018.

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.



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.

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

9. 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.

* * * * *



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 9th day of August, 2018.

AYES: Bredefeld, Brandau, Chavez, Olivier
 NOES: Baines, Caprioglio, Soria
 ABSENT: None
 ABSTAIN: None

Mayor Approval: August 10, 2018
 Mayor Approval/No Return: N/A, 2018
 Mayor Veto: N/A, 2018
 Council Override Vote: N/A, 2018

YVONNE SPENCE, CRM MMC
 City Clerk

BY: 8/10/18
 Date
 Deputy

APPROVED AS TO FORM:
 DOUGLAS T. SLOAN
 City Attorney

BY: 8-10-18
John W. Hastrup
 Deputy Date

Attachment: Exhibit A

FILED

AUG 10 2018



EXHIBIT A TO RESOLUTION 2018-191

By

¹¹¹¹¹⁷
PROPOSED AMENDMENT TO CHARTER OF CITY OF
FRESNO TO BE SUBMITTED TO THE CITY ELECTORS
AS A BALLOT MEASURE AT THE GENERAL MUNICIPAL
ELECTION TO BE HELD ON NOVEMBER 6, 2018

AUG 10 18 RCVD

Article XII Fiscal Administration, Sec. 1205 Budget, Further Consideration and Adoption, shall be amended as follows:

After the conclusion of the public hearing the Council shall further consider the proposed budget and make any revisions thereof that it may deem advisable and on or before June 30, it shall adopt a **[balanced]** budget. A copy thereof, certified by the City Clerk, shall be filed with the person retained by the Council to perform auditing functions for the Council and a further copy shall be placed and shall remain on file in the office of the City Clerk, where it shall be available for public inspection. The budget so certified shall be reproduced and copies made available for the use of departments, offices and agencies of the City.

August 10, 2018

TO: MAYOR LEE BRAND
FROM: YVONNE SPENCE, MMC
City Clerk

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FRESNO CITY CLERK

Council Adoption: 8/9/18
Mayor Approval:
Mayor Veto:
Override Request:



SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 8/9/18, Council adopted the attached Resolution No. 2018-191 **as amended**, entitled, **Submitting to City Electors a Balanced Budget Charter Amendment**. Item No. 4-E, File ID18-0939, by the following vote:

Ayes : Brandau Bredefeld, Chavez, and Olivier
Noes : Baines, Caprioglio, Soria
Absent : None
Abstain : None

Amendment: 1) Addition of language regarding printing of the ordinance on the ballot; and 2) Addition of City Clerk/City Attorney authority to make technical changes to resolution if required.

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before August 20, 2018. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10th day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

Thank you.

APPROVED/NO RETURN: _____

VETOED for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)

Lee Brand, Mayor

Date: 8-10-18

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes :
Noes :
Absent :
Abstain :

Certified Copy _____
City Clerk's Office
Date 8/10/2018