

FILED

DEC 02 2020

FRESNO COUNTY CLERK

By. [Signature] DEPUTY

**RESOLUTION NO. 2020-36**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE SUBMITTING TO THE CITY OF ORANGE COVE'S QUALIFIED VOTERS AT THE MARCH 2, 2021 SPECIAL MUNICIPAL ELECTION A MEASURE SEEKING VOTER APPROVAL OF A PARCEL TAX UPON PARCELS OF REAL PROPERTY FOR THE PROVISION OF POLICE AND FIRE PROTECTION SERVICES; ESTABLISHING POLICIES AND PROCEDURES IN CONNECTION WITH SUCH AN SPECIAL MUNICIPAL ELECTION; REQUESTING THE FRESNO COUNTY BOARD OF SUPERVISORS TO DIRECT THE COUNTY REGISTRAR OF VOTERS TO CONDUCT THE SPECIAL MUNICIPAL ELECTION, WHICH SHALL BE CONSOLIDATED WITH ANY ESTABLISHED ELECTION ON MARCH 2, 2021; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE; AUTHORIZING ARGUMENTS AND THE FILING OF REBUTTAL ARGUMENTS FOR OR AGAINST THE MEASURE; AUTHORIZING THE CITY MANAGER TO APPROPRIATE THE FUNDS NECESSARY TO PAY THE CITY'S COST OF PLACING THE MEASURE ON THE SPECIAL MUNICIPAL ELECTION BALLOT; AND DIRECTING THE COUNTY CLERK TO TAKE STEPS NECESSARY TO PLACE THE MEASURE ON THE BALLOT AND TO CAUSE THE MEASURE OR ORDINANCE TO BE PRINTED.**

**WHEREAS**, the City Council held a noticed public hearing on October 28, 2020 to consider calling a special municipal election to seek voter approval of a parcel tax to pay for police and fire protection services, as authorized by Government Code Section 53978 et. seq.; and

**WHEREAS**, in the last five years, Orange Cove's population has grown but the number of police officers patrolling the City has remained at the same level for the last five years. We need more officers on the streets to make Orange Cove safer; and

**WHEREAS**, juvenile felonies, including violent crimes, have increased during the last year, and, that maintaining and increasing successful anti-gang activities will help to make our neighborhoods and schools safer; and

**WHEREAS**, preventing gang and drug related crimes is essential to creating safe neighborhoods in Orange Cove; and

**WHEREAS**, expanding neighborhood-based policing will help make areas around our schools and parks safer; and

**WHEREAS**, We need to add more firefighters and paramedics to improve emergency response times; and

**WHEREAS**, police and fire equipment are needed to properly equip police officers and firefighters to ensure that our City remains safe; and

2020 DEC 2 PM 4:10:49

**WHEREAS**, the City Council has evaluated Orange Cove’s safety needs with input from the public; and

**WHEREAS**, after holding the public hearing, the City Council concluded that additional funding is necessary to maintain police and fire protection services; and

**WHEREAS**, the tax to be submitted to the voters, if approved, would be imposed on parcels of real property within the City; and,

**WHEREAS**, Elections Code set forth the procedures for arguments in favor of or in opposition of any City measure; and

**WHEREAS**, Elections Code set forth the procedures for rebuttal arguments; and

**WHEREAS**, based on all of the information presented at the October 28, 2020 meeting, both written and oral, including the staff reports, minutes, and other relevant materials, the City Council finds that under CEQA Guidelines 15060(c)(2) and 15378, subdivisions (2) and (4) of subdivision (b), this tax does not constitute a project under CEQA and therefore review under CEQA is not required.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE COVE, AS FOLLOWS:**

Section 1. The above recitals are true and correct.

Section 2. Pursuant to Elections Code, the City Council of the City of Orange Cove hereby calls special municipal election to be consolidated with any established election, at which it shall submit to the qualified voters of the City of Orange Cove a measure that, if approved, would adopt a parcel tax to fund police and fire protection services, as authorized by Government Code Section 53978 and, if approved by a two-thirds majority of voters, will provide for a citizens oversight committee.

Section 3. This measure shall be designated by letter by the Fresno County Registrar of Voters. Pursuant to Election Code Section 10400 *et seq.*, the special municipal election for this measure shall be consolidated with any scheduled election to be conducted on MARCH 2, 2021.

Section 4. The ballot language for the proposed measure shall be as follows:

<b><u>MEASURE:</u></b>	
<p><b>ORANGE COVE POLICE AND FIRE EMERGENCY SAFETY MEASURE.</b> Shall the measure be adopted to improve local police/fire services, emergency response times; maintain the number of police officers; fight crime/gangs/drugs, provide firefighting equipment; establish an annual special tax, as follows: \$36 parcel tax for each single-family residential and agricultural parcel; \$25 each multifamily unit; \$180 each commercial parcel; \$275 each industrial parcel, raising about \$98,000 annually for four years, with independent Citizen Oversight?</p> <p style="text-align: right;">Yes _____ No _____</p>	

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

SYNOPSIS OF MEASURE

This Measure proposes an ordinance to raise revenue for police and fire protection by authorizing a parcel tax on each parcel of real property in the City. The tax would be paid in addition to current State and local property taxes and would be collected at the same time and in the same manner as the existing real property taxes. \$36 shall be imposed on each single-family residential parcel within the City. A tax of \$25 shall be imposed on each multifamily unit within the City. A tax of \$36 shall be imposed on each agricultural parcel within the City. A tax of \$180 shall be imposed on each commercial parcel within the City. A tax of \$275 shall be imposed on each industrial parcel within the City.

The Measure provides for a citizen’s oversight committee, and the tax is set to expire in four (4) years if approved by two-thirds of the voters on MARCH 2, 2021.

Section 6. The full text of the ordinance submitted to the voters is attached as Exhibit A. The full text of Ordinance No. 388 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 Orange Cove City Clerk.

Section 7. Passage of this measure requires a two-thirds majority of votes.

Section 8. The City of Orange Cove requests that the Fresno County Clerk/Registrar of voters conduct the special municipal election and canvass the returns, and the City consents to reimburse the Registrar of Voters for all costs incurred by said services.

Section 9. The Fresno County Clerk/Registrar is hereby directed to cause notice of the measure to be published once in The Fresno Bee, in accordance with Section 12111 of the Elections Code and Section 6061 of the Government Code.

Section 10. a. A special municipal election on the measure set forth in Section 4 shall be held in the City of Orange Cove on Tuesday, March 2, 2021. The City Council requests that the Board of Supervisors of Fresno County consolidate the special municipal election on the measure with any municipal election on the same day. The City Clerk is directed to file a certified copy of this resolution with the Board of Supervisors of Fresno County and the Registrar of Voters of Fresno County on or before November 5, 2020.

b. The special municipal election on the measure set forth in Section 4 shall be held and conducted, the votes canvassed, and the returns made, and the results ascertained and determined as provided for herein. In all particulars not prescribed in this resolution, the special municipal election shall be held as provided by law for the holding of special municipal elections in the City of Orange Cove, and otherwise in accordance with the Elections Code of the State of California.

c. The special municipal election for the measure set forth in Section 4 shall be held in Fresno County in the City of Orange Cove on March 2, 2021, as required by law, and the Board of Supervisors of the County of Fresno is authorized to canvas the returns of that election with respect to the votes cast in the City of Orange Cove and certify the results to the City Council of the City of Orange Cove.

d. At the next regular meeting of the City Council of the City of Orange Cove occurring after the returns of the special municipal election for the measure set forth in Section 2 have been canvassed and the certification of the results to the City Council, the City Council shall cause to be entered in its minutes a statement of the results of the election.

Section 11.

a. Direct arguments shall not exceed three hundred words and shall be signed by not more than five persons.

b. Rebuttal arguments shall not exceed two hundred fifty words and shall be signed by not more than five persons; those persons may be different persons than the persons who signed the direct arguments.

c. The City Attorney shall prepare an impartial analysis of the measure, not to exceed five hundred words, showing the effect of the measure.



Section 12. The City Manager is hereby authorized and directed to appropriate the necessary funds to pay for the City's cost of placing the Measure on the special municipal election ballot.

Section 13. The City Clerk is authorized to make any non-substantive changes that may be required by the County Elections Official to any legally necessary election material including, but not limited to the ballot question and summary.

Section 14. The County Clerk is hereby authorized and directed to take all steps necessary to place the Measure on the ballot and to cause the Ordinance or Measure to be printed. A copy of the Ordinance or Measure shall be made available to any voter upon request.

PASSED, APPROVED and ADOPTED this 28th day of October 2020 by the following vote:

AYES:	5	Lopez, Silva, Rodriguez, Cervantes, Rodriguez
NOES:	0	COUNCILMEMBERS: None
ABSENT:	0	COUNCILMEMBERS: None
ABSTAIN:	0	COUNCILMEMBERS: None

  
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Victor P. Lopez  
Mayor of the City of Orange Cove

~~ATTEST~~

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June Bracamontes  
City Clerk of the City of Orange Cove

