

FILED

MAR 19 2021

FRESNO COUNTY CLERK

By \_\_\_\_\_

DEPUTY

**RESOLUTION NO. 2021-11**

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**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
PARLIER CALLING AND PROVIDING FOR A SPECIAL MUNICIPAL ELECTION  
TO BE HELD IN THE CITY OF PARLIER ON TUESDAY, JUNE 8, 2021; APPROVING  
ORDINANCE TO BE APPROVED BY THE VOTERS REPEALING SECTION 3.25.070  
THE "SUNSET CLAUSE" OF THE ORDINANCE APPROVED BY THE VOTERS  
IMPOSING A SPECIAL PARCEL TAX FOR POLICE PROTECTION SERVICES; AND  
ORDERING THE SUBMITTAL OF THE ORDINANCE TO THE VOTERS AT THE  
SPECIAL ELECTION**

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**WHEREAS**, the City of Parlier submitted to the voters on November 8, 2016, Measure Q which provided for the assessment of a Special Parcel Tax for police protection and services and the Measure and Ordinance imposing the Special Parcel Tax was approved by at least two-thirds of the registered voters in the City of Parlier casting a vote in that election; and

**WHEREAS**, the Ordinance enacted by the voters as Measure Q became Chapter 3.25 at Title 3 of the Parlier Municipal Code and the Ordinance at Section 3.25.070 contains the following provision:

“Section 3.25.070 Sunset Clause

The special tax described in this section will sunset and expire by operation of law on June 30, 2022.”

**WHEREAS**, passage of the Special Parcel Tax for police protection services has resulted in an increase of police presence, suitable equipment, and a consistent, month to month, decline in all forms of crime occurring in the City of Parlier; and

**WHEREAS**, to continue to maintain public safety as a top priority, the City is proposing to extend the Ordinance adopted as Measure Q by the voters which is codified at Chapter 3.25 of Parlier Municipal Code by eliminating the above quoted Sunset Clause, thereby extending, indefinitely, but not increasing the Special Parcel Tax which will allow the City to maintain public safety service levels it has maintained since Measure Q was adopted by the voters; and

**WHEREAS**, pursuant to the provisions of Elections Code §1003 and 9222 an ordinance may be submitted to the voters for approval on other than an established election date by order of the City Council.

Now, therefore, be it ordered and resolved by the City Council of the City of Parlier as follows:

1. **Recitals incorporated.** The foregoing recitals are true and correct and are incorporated by this reference.

2. Order for election pursuant to California Constitution Article 13A, Section 4 and Elections Code §9222, and 10201, the City Council of the City of Parlier hereby orders that a special municipal election in and for the City of Parlier shall be held on the first Tuesday following the first Monday of June 2021, on June 8, 2021, by a four-fifths supermajority vote of the City Council for the purpose of submitting as Measure \_\_\_\_, the proposed Ordinance No. 2021-01 attached as Exhibit A to this Resolution and incorporated herein by this reference. The measure to be submitted to the voters shall appear and be printed on the ballot as follows:

Shall the Sunset Clause or expiration date set by Section 3.25.070 of the Parlier Municipal Code enacting a Parcel Tax to pay only for the operations of the Parlier Police Department in providing necessary public safety services for the City of Parlier be repealed so that the Parcel Tax adopted by the voters is extended?
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YES	
NO	

3. **Ordinance 2021-01.** The full text of Ordinance No. 2021-01 is attached hereto as Exhibit A. The full text is not required to be printed in the sample ballot and voter’s 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 Parlier City Clerk’s office located 1100 Parlier Avenue, Parlier, California.

4. **Votes Required for Passage.** Passage of this Measure requires a two-thirds majority of votes.

5. **County Registrar of Voter to Conduct Election.** The City of Parlier requests the Fresno County Clerk/Registrar of Voters conduct the election and canvass the results and the City consents to reimburse the Registrar of Voters for all costs incurred for those services.

6. **Incorporation of Applicable Law.** In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

7. **Synopsis and Notice.** Pursuant to California Elections Code §12111 and California Government Code §6061, the City Council hereby directs the City Elections Officer to cause a notice and synopsis of the proposed Measure to be provided to the County Clerk/Registrar of

Voters for publication in a newspaper of general circulation within the County of Fresno and to do all other things required by law to submit the specified Measure to the electors of the City of Parlier at the special election scheduled for June 8, 2021, including causing the full text of the proposed Ordinance to be made available in the office of the City Clerk and posted to the City's website.

8. **Election.** Pursuant to Elections Code §10002 the County Clerk/Registrar of Voters is hereby requested to take all steps incident to preparation for and the holding of the election in accordance with law and these specifications.

9. **Impartial Analysis.** The City Attorney shall prepare an impartial analysis of the Measure in accordance with Elections Code §9280 and file it with the Fresno County Clerk / Registrar of Voters.

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

11. **Arguments in Favor.** Pursuant to California Elections Code §9282-9287, the City Council hereby approves the Mayor and/or designee to prepare and submit a written argument in favor of the proposed Ballot Measure not to exceed 300 words in length which may include up to 5 signatures in accordance with California Elections Code §9283.

12. **Rebuttal Arguments.** Arguments for and against the Ballot Measure and rebuttal arguments may be filed in accordance with California Elections Code §9282-9287 on or before the deadline established by the Fresno County Clerk / Registrar of Voters. The City Council hereby approves the submittal of rebuttal arguments in response to arguments against the Ballot Measure and authorizes the Mayor to author and submit a rebuttal, if any.

13. **Miscellaneous.** The City Clerk and City Attorney are authorized to make any typographical, clerical, or non-substantive corrections or changes to this Resolution or the attached Ordinance as may be deemed necessary by the Fresno County Clerk / Registrar of Voters and the City Administrator is authorized to make changes to the language of this Resolution as required to conform to law.

PASSED AND ADOPTED this 4<sup>th</sup> day of March, 2021, by the

following vote:

AYES: Mayor Pro-tem Pimentel, Council member Maldonado, Council member S. Rodriguez, Council member Solorio

NOES: None

ABSTAIN: None

ABSENT: Mayor Beltran

APPROVED: 

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Alma M. Beltran, Mayor of the City of Parlier

ATTEST:

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Dorothy Garza, City Clerk of the City of Parlier