

RESOLUTION NO. 28837

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ORDERING SUBMISSION OF A BALLOT MEASURE TO APPROVE AN ORDINANCE OF THE CITY OF SANTA ROSA AMENDING SECTION 3-27.130 OF THE SANTA ROSA CITY CODE (ADDED AS PART OF MEASURE P ADOPTED BY CITY VOTERS AT THE NOVEMBER 2010 ELECTION) TO EXTEND, FOR EIGHT YEARS, A ¼-CENT GENERAL TRANSACTION AND USE TAX, APPROVING BALLOT LANGUAGE, PERMITTING THE FILING OF REBUTTAL ARGUMENTS, DIRECTING THE CITY ATTORNEY TO PROVIDE AN IMPARTIAL ANALYSIS, AND PROVIDING DIRECTION REGARDING BALLOT ARGUMENTS IN SUPPORT OF MEASURE

WHEREAS, Santa Rosa needs local control over local funds, for local needs; and

WHEREAS, in November 2010, Santa Rosa voters adopted Measure P, a ¼ cent sales tax, which expires in March 2019; and

WHEREAS, extending existing, voter-approved funding, without raising the tax rate, will continue to help to address city service and delivery needs residents have indicated are important; including protecting and maintaining 9-1-1- police and emergency medical response times, fire protection services, and protecting and maintaining road and street maintenance; and

WHEREAS, extending existing, voter-approved funding, without raising the tax rate, will help maintain the City's long-term financial stability, a constituent priority; and

WHEREAS, extending current, voter-approved funding will help maintain current levels of public safety services, including police and fire protection, 9-1-1 emergency response times, and youth programs like after school tutoring, mentoring, job training and recreation to keep kids in school, off the streets and out of trouble; and

WHEREAS, without extending current sources of revenue, the City will not have the funds to adequately address local streets and roads. Locally-controlled funding will help maintain services such as fixing potholes, repairing sidewalks, and repaving local streets, in order to maintain safety and traffic flow throughout Santa Rosa; and

WHEREAS, this measure as written requires accountability provisions such as mandatory financial audits, requiring all funds remain in Santa Rosa, and publishing financial audits to the community so that the public knows exactly how the funds are being spent; and

WHEREAS, Elections Code Section 9222 and Revenue and Taxation Code Section 7285.9 authorize the City to extend a general transactions and use tax ("sales tax") if the ordinance proposing that tax is approved by a two-thirds vote of the members of the City Council and a majority vote of the qualified voters of the City; and

WHEREAS, at its meetings on August 2, 2016 and August 9, 2016, the City Council approved the ordinance to be submitted by a two-thirds vote of its members.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Santa Rosa resolves as follows:

1. A Special Municipal Election of the City of Santa Rosa is ordered and shall be held in the City of Santa Rosa, California, on Tuesday, the 8th day of November, 2016, for the purpose of submitting to the qualified electors of the City an ordinance entitled “ORDINANCE OF THE CITY OF SANTA ROSA AMENDING SECTION 3-27.130 OF THE SANTA ROSA CITY CODE (ADDED AS PART OF MEASURE P ADOPTED BY CITY VOTERS AT THE NOVEMBER 2010 ELECTION) TO EXTEND, FOR EIGHT YEARS, A ¼-CENT GENERALTRANSACTION AND USE TAX,” as set forth in Exhibit A.

2. The proposed Ordinance shall be submitted to the electors in the form of a measure printed on the ballot as follows:

<p>“Santa Rosa City Services Measure. To maintain financial stability and funding, without increasing taxes, for city services, such as police/fire protection; 9-1-1 emergency response; street/pothole repair; parks/recreation programs; affordable housing/homelessness services; and other general city services, shall the City of Santa Rosa extend an existing, voter-approved ¼ cent sales tax for eight additional years, providing approximately \$8 million annually; requiring independent audits, public spending review, and all funds controlled locally?”</p>	<p>Yes</p> <p>_____</p>	<p>No</p> <p>_____</p>
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3. Pursuant to California Elections Code section 10403, the Board of Supervisors of the County of Sonoma is hereby requested to consent and agree to the consolidation of the Special Municipal Election with the Sonoma County General Election on Tuesday, November 8, 2016, for the purpose of submitting the Ordinance to voters for approval, and for election services to be provided by the County Elections Department in conducting the special municipal election. The vote requirement for the Ordinance’s passage is a majority of votes cast.

4. The City Council recognizes that the consolidated election will be conducted in the manner prescribed by Elections Code section 10418. The County Elections Department is authorized to canvass the returns of the special municipal election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

5. The Board is Supervisors is requested to issue any necessary instructions to the County Elections Department to take any and all steps necessary for the holding of the consolidated election, and the City Clerk is authorized and directed to work with the County Elections Department as necessary and appropriate.

6. The City of Santa Rosa recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

7. The City Attorney’s impartial analysis and written arguments for and against the proposed measure shall be prepared in accordance with the Charter and Election Code of the City of Santa Rosa.

8. Sections 9280 et seq. of the California Elections Code, providing for the filing of ballot arguments and rebuttal arguments, are hereby adopted and shall apply to the special election ordered herein. The City Clerk shall fix the dates for submittal of arguments and rebuttal arguments.

9. The City Clerk shall certify to the passage of this resolution and cause this resolution to be published in the manner provided by law, and shall file a certified copy of this resolution with the Board of Supervisors and the County Elections Department.

10. Arguments for and against the proposition may be submitted to the qualified voters of the City in accordance with sections 9282 through 9287 of the California Elections Code. The deadline date for submitting ballot arguments for or against the proposition shall be set by the City Clerk. Proposed arguments shall not exceed 300 words and shall be submitted to the Office of the City Clerk. The deadline for submitting rebuttal arguments shall be set by the City Clerk. Proposed rebuttal arguments shall not exceed 250 words and shall be submitted to the office of the City Clerk. The provisions of Section 9285(a) of the California Elections Code shall apply to the submittal of rebuttal arguments.

11. The Council does not authorize the Council as a body or any individual member of the Council to file a written argument or any rebuttal argument for or against the measure. The Council authorizes any Santa Rosa voter or association of Santa Rosa residents, to file written arguments in favor or against the proposition, and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the proposition may be submitted to the City Clerk. Any argument filed for or against said proposition not exceeding 300 words shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if filed on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

IN COUNCIL DULY PASSED this 9th day of August, 2016.

AYES: (7) Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Olivares, Wysocky

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

Exhibit A - Ordinance

EXHIBIT A

ORDINANCE NO.

ORDINANCE OF THE CITY OF SANTA ROSA AMENDING SECTION 3-27.130 OF THE SANTA ROSA CITY CODE (ADDED AS PART OF MEASURE P ADOPTED BY CITY VOTERS AT THE NOVEMBER 2010 ELECTION) TO EXTEND, FOR EIGHT YEARS, A ¼-CENT GENERAL TRANSACTION AND USE TAX

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. Section 3-27.130 of the Santa Rosa City Code is hereby amended to read as follows:

“Section 3-27.130. TERMINATION DATE. The authority to levy the tax imposed by this ordinance shall extend only through March 31, 2027.”

Section 2. Environmental Determination. The Council finds that the adoption and implementation of this ordinance are exempt from the provisions of the California Environmental Quality Act under section 15061(b)3 in that the Council finds there is no possibility that the implementation of this ordinance may have significant effects on the environment.

Section 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 4. Effective Date. This ordinance, following its adoption by a two-thirds vote (five members) of the City Council and its publication, shall become effective upon the approval by a majority of the voters of the City voting thereon at an election called for that purpose.

This ordinance was introduced by the Council of the City of Santa Rosa on August 2, 2016.

IN COUNCIL DULY PASSED this 9th day of August, 2016.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST: _____
City Clerk

APPROVED: _____
Mayor

APPROVED AS TO FORM:

Interim City Attorney