

**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA, CALIFORNIA,
CALLING FOR A SPECIAL ALL MAIL
BALLOT ELECTION TO BE CONDUCTED
ON AUGUST 29, 2017 TO ADOPT AN
ORDINANCE ESTABLISHING A SPECIAL
PARCEL TAX FOR PUBLIC SAFETY**

RESOLUTION NO. 17-31

WHEREAS, the City of Mendota (the "City") has a duty to provide for the health, safety and welfare of its residents and members of the public; and

WHEREAS, in 2009, the City of Mendota reestablished the Mendota Police Department, and empowered it with the duty and responsibility to protect and serve the community and citizens of Mendota; and

WHEREAS, allocated staffing of law enforcement officers in the Mendota Police Department total twelve permanent full-time personnel; and

WHEREAS, since 2009, Mendota Police Officers have encountered subjects claiming affiliation or association with known criminal gangs; and

WHEREAS, over the past several years, Mendota Police Officers have noticed an increase in violent crimes associated with criminal gang-affiliated subjects; and

WHEREAS, criminal gang-affiliated subjects who reside or have been contacted in the City of Mendota have been connected to locations within the State of California and nationally where criminal activity is associated to them or their criminal gang; and

WHEREAS, the culture of criminal gangs includes criminal activity and the use of intimidation or violence; and

WHEREAS, limited law enforcement resources has a profoundly negative impact upon the health, safety and welfare of the community as a whole; and

WHEREAS, the City has reviewed its economic forecast and determined that without additional revenue, the City will be unable to provide essential public safety services at the level the citizens of the City deserve; and

WHEREAS, without additional funding, the City will have fewer police officers on the street and will reduce gang and drug prevention programs; and

WHEREAS, article XIII A, section 4 of the California Constitution, and Government Code section 50076 authorize a local government, upon approval of two-thirds of the votes cast by the voters voting upon the measure, to levy a qualified special tax for specified purposes; and

WHEREAS, the City Council wishes to call a special municipal election for the submission of a ballot measure to the voters of the City of Mendota to consider and approve a parcel tax on all non-exempt real property parcels within the City of Mendota to pay for essential police protection services (the "Measure"); and

WHEREAS, the subject Measure is referred to herein as the "2017 Ordinance Establishing a Special Parcel Tax for Public Safety"; and

WHEREAS, it is the purpose and intent of this Measure to authorize the levy of a tax on owners of real property within the city limits of the City of Mendota in order to provide additional funding for police protection services; and

WHEREAS, the Measure, and the parcel tax to be established therein, is submitted for approval by the voters under the Authority of, and in compliance with, Government Code Sections 37100.5, 50075, 50077, 53722, 53724, and 53739; and

WHEREAS, the tax is an excise tax and will not be determined according to, nor in any manner based upon, the value of property; rather, it will be based upon the availability of police protection services to properties within the City of Mendota; and

WHEREAS, article XIII C, section 2, subdivision (d) of the California Constitution requires an election to be conducted before any special tax may be renewed or imposed; and

WHEREAS, the City desires to conduct the Public Safety Special Tax Ballot Measure through special election by mail ballot on August 29, 2017.

WHEREAS, Section 2.40.020 of the Mendota Municipal Code authorizes the City Council to conduct an all-mail ballot election under the terms and conditions set forth therein; and

WHEREAS, section 4000, subdivision (c)(2) of the California Elections Code (the "Elections Code") authorizes the City to conduct an election on a special tax measure wholly by mail on an established mailed ballot election date; and

WHEREAS, an election by all-mail ballot is authorized here because the city has fewer than 5,000 registered voters, and the tax contemplated herein is a special tax within the meaning of Section 4 of Article XIII A and Article XIIC of the California Constitution because it will be used for specific purposes; and

WHEREAS, the revenues raised by this tax are to be used solely for the purposes of providing police protection services; and

WHEREAS, because some residents of the City of Mendota within Community Facilities District 2006-1 presently pay special taxes on property for the purpose of

providing police protection services that would be duplicative of the fees collected under the Measure, the City of Mendota intends, upon enactment of the Measure, to dissolve Community Facilities District 2006-1; and

WHEREAS, the City Council recognizes that residentially and non-residentially-developed properties both use police protection services, and that the City Council has thus determined that the tax should be imposed upon both residentially and non-residentially developed properties; and

WHEREAS, although parcels that are unimproved contain no occupants who may avail themselves of police services, such parcels generally require and benefit from some police protection services, and may be the response site of calls for service, and the City Council has therefore determined that the tax should be imposed upon the owners of unimproved parcels, as well; and

WHEREAS, the funds provided from this increase will have strict accountability provisions such as annual independent audits; and

WHEREAS, the State Board of Equalization shall collect the tax from property owners subject to the tax and remit the funds to the City; and

WHEREAS, the City Council has held a public hearing after due notice regarding the proposed authorization of the qualified special tax.

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

SECTION 1. A special municipal all mail ballot election is hereby called on August 29, 2017.

SECTION 2. The City Council requests of the Fresno County Board of Supervisors that the election for this measure conducted by mail ballot on August 29, 2017, pursuant to Elections Code sections 4000 and 1500.

SECTION 3. At the special municipal all mail ballot election called pursuant to Section One of this Resolution, the following question shall be submitted to the registered voters of the City of Mendota:

MEASURE A ORDINANCE ESTABLISHING SPECIAL PARCEL TAX FOR PUBLIC SAFETY To support local law enforcement activities, shall an ordinance be adopted imposing an annual special parcel tax amounting to: (i) \$400/unit upon developed multi-family residences or apartments; (ii) \$500/unit upon all other developed parcels; (iii) \$100/ unit upon developed parcels for senior citizens; (iv) \$50/unit upon undeveloped parcels for senior citizens; and (v) \$100/ parcel for all other undeveloped parcels?	YES
	NO

SECTION 4. The following constitutes the synopsis of the measure to be voted on for purposes of meeting the publication requirements of Elections Code section 12111:

MEASURE TO BE VOTED ON

Notice is hereby given that the following measure is to be voted on at the special municipal election to be held in the City of Mendota, on August 29, 2017.

ADOPTION OF ORDINANCE ESTABLISHING A SPECIAL TAX FOR PUBLIC SAFETY.

The proposed ordinance would approve the assessment of a new special tax dedicated and expended only for purposes of providing local law enforcement services. The authority to levy the tax would continue in perpetuity. The current property tax ordinance would otherwise remain unchanged.

City Elections Official

Dated: _____

City of Mendota

SECTION 5. The full text of the ordinance submitted to the voters is attached as Exhibit "A." The full text of the proposed ordinance 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 Mendota City Clerk's Office.

SECTION 6. Passage of this measure requires a two-thirds majority of votes.

SECTION 7. The City of Mendota respectfully 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 8. The City of Mendota also respectfully requests that the letter designation "Measure A" be assigned to this Measure by the Registrar if such letter designation is available.

SECTION 9. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

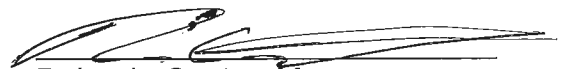
SECTION 10. Arguments in favor or against the proposed measure are permissible and shall be filed with the Fresno County Clerk/Registrar in accordance with Elections Code Section 9282. Mayor Castro and Mayor Pro Tem Victor Martinez are authorized to prepare and file a written argument in favor of the proposed measure not to exceed 300 words on behalf of the City Council. In the event that an argument is filed against the Measure, they are also authorized to submit a rebuttal argument on behalf of the City Council.

SECTION 11. 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. The City of Mendota acknowledges the Fresno County Clerk/Registrar may conduct the election in accordance with Elections Code 10418.

SECTION 12. 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 13. The City Clerk shall file a certified copy of this resolution with the Fresno County Clerk/Registrar of Voters as required by applicable law. The City Clerk is hereby authorized and directed to work with the Fresno County Clerk/Registrar of Voters and take all steps necessary to cause placement of the Measure on the ballot.

SECTION 14. The City Clerk and 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.



Rolando Castro, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said

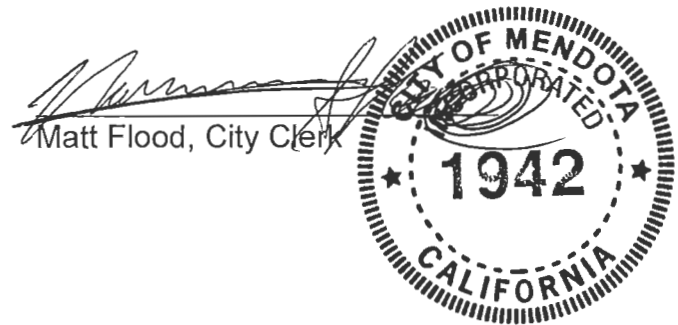
Council, held at the Mendota City Hall on the 23rd day of May, 2017, by the following vote:

AYES: **5 – Mayor Castro, Mayor Pro Tem Martinez, Councilors Mendoza, Rosales, and Silva.**

NOES: **0**

ABSENT: **0**

ABSTAIN: **0**



**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA REQUESTING
THE BOARD OF SUPERVISORS TO RENDER
SPECIFIED SERVICES TO THE CITY OF
MENDOTA RELATING TO THE CONDUCT OF
THE ALL MAIL BALLOT ELECTION TO BE
HELD ON AUGUST 29, 2017: SPECIAL
PARCEL TAX FOR PUBLIC SAFETY**

RESOLUTION NO. 17-32

WHEREAS, a special all mail ballot election is to be held in the City of Mendota on August 29, 2017; and

WHEREAS, in the course of conducting the special election, it is necessary for the City of Mendota to request services of the County of Fresno.

NOW THEREFORE the City Council of the City of Mendota does hereby resolve, declare, determine and order as follows:

Section 1. That pursuant to Section 10002 of the Elections Code of the State of California, the Board of Supervisors of the County of Fresno is hereby requested to permit the Registrar of Voters to render the following services to the City of Mendota, and to the extent the County of Fresno directs the City of Mendota to perform such services, in connection with the conduct of the special election to be held on August 29, 2017, to adopt an Ordinance Establishing a Special Parcel Tax for Public Safety:

- Prepare and furnish to the City of Mendota for use in conducting the election the computer record of the names and addresses of all eligible registered voters in the City of Mendota, to assist the City Clerk for the City of Mendota in conducting an all-mail ballot election; and
- Tabulate and certify the results of the election pursuant to state law; and
- Make available to the City of Mendota additional election equipment and assistance according to state law; and
- Print the official ballot; and
- Supervise and conduct the election; and
- Perform all acts necessary or incidental to the above functions as may be requested from time-to-time by the City Clerk for the City of Mendota.

SECTION 2. That pursuant to Resolution No. 17-31, the City Council for the City of Mendota has directed that this election be conducted as an all-mail ballot election.

SECTION 3. That the City of Mendota shall reimburse the County of Fresno for services performed when the work is completed and upon presentation to the City of Mendota a properly prepared invoice.

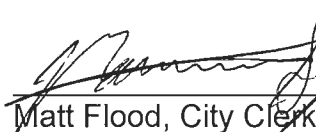
SECTION 4. That the City Clerk for the City of Mendota is directed to forward a certified copy of this Resolution to the Clerk of the County of Fresno Board of Supervisors and the Elections Department of the County of Fresno.


Rolando Castro, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a special meeting of said Council, held at the Mendota City Hall on the 23rd day of May, 2017, by the following vote:

AYES: **5 – Mayor Castro, Mayor Pro Tem Martinez, Councilors Mendoza, Rosales, and Silva.**
NOES: **0**
ABSENT: **0**
ABSTAIN: **0**


Matt Flood, City Clerk



**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA, CALIFORNIA,
ORDERING A SPECIAL ALL MAIL BALLOT
ELECTION TO BE CONDUCTED ON
AUGUST 29, 2017 TO ADOPT AN ORDINANCE
INCREASING THE SALES AND USE TAX
FOR PUBLIC SAFETY**

RESOLUTION NO. 17-34

WHEREAS, the City of Mendota (the "City") has a duty to provide for the health, safety and welfare of its residents and members of the public; and

WHEREAS, in 2009, the City of Mendota reestablished the Mendota Police Department, and empowered it with the duty and responsibility to protect and serve the community and citizens of Mendota; and

WHEREAS, allocated staffing of law enforcement officers in the Mendota Police Department total twelve permanent full-time personnel; and

WHEREAS, since 2009, Mendota Police Officers have encountered subjects claiming affiliation or association with known criminal gangs; and

WHEREAS, over the past several years, Mendota Police Officers have noticed an increase in violent crimes associated with criminal gang-affiliated subjects; and

WHEREAS, criminal gang-affiliated subjects who reside or have been contacted in the City of Mendota have been connected to locations within the State of California and nationally where criminal activity is associated to them or their criminal gang; and

WHEREAS, the culture of criminal gangs includes criminal activity and the use of intimidation or violence; and

WHEREAS, limited law enforcement resources has a profoundly negative impact upon the health, safety and welfare of the community as a whole; and

WHEREAS, the City has reviewed its economic forecast and determined that without additional revenue, the City will be unable to provide essential public safety services at the level the citizens of the City deserve; and

WHEREAS, without additional funding, the City will have fewer police officers on the street and will reduce gang and drug prevention programs; and

WHEREAS, California Revenue and Taxation Code section 7285.9 authorizes the City to levy or increase a sales and use tax for special purposes by ordinance

following approval by two-thirds of the City Council and a majority vote of the qualified electors of the City voting in an election on the issue; and

WHEREAS, the funds provided from this increase will have strict accountability provisions such as annual independent audits; and

WHEREAS, the City Council desires to submit to the voters of the City of Mendota a ballot measure proposal to increase the existing rate of the Sales and Use Tax; and

WHEREAS, increase of the Sales and Use Tax requires adoption of an ordinance amending Section 3.12.020 of the Mendota Municipal Code defining the new rate to be 1.980%; and

WHEREAS, the increased Sales and Use tax will be dedicated exclusively to public safety; and

WHEREAS, the State Board of Equalization shall collect the tax from retailers subject to the tax and remit the funds to the City; and

WHEREAS, any tax measure submitted to voters must be consolidated with a regularly scheduled general election for members of City Council except in cases of emergency as determined by a unanimous vote of the Council pursuant to article XIII C of the Constitution; and

WHEREAS, the City desires to conduct the Public Safety Sales Tax Ballot Measure (the "Measure") through special election by mail ballot on August 29, 2017; and

WHEREAS, the subject Measure is referred to herein as the "2017 Ordinance Increasing the Sales and Use Tax for Public Safety"; and

WHEREAS, Section 2.40.020 of the Mendota Municipal Code authorizes the City Council to conduct an all-mail ballot election under the terms and conditions set forth therein; and

WHEREAS, section 4000, subdivision (c)(2) of the California Elections Code (the "Elections Code") authorizes the City to conduct an election on a special tax measure wholly by mail on an established mailed ballot election date; and

WHEREAS, an election by all-mail ballot is authorized here because the city has fewer than 5,000 registered voters, and the tax contemplated herein is a special tax within the meaning of Section 4 of Article XIII A and Article XIII C of the California Constitution because it will be used for specific purposes; and

WHEREAS, the revenues raised by this tax are to be used solely for the purposes of providing police protection services; and

WHEREAS, the City Council has held a public hearing after due notice regarding the proposed authorization of the qualified special tax.

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

SECTION 1. The City Council submits to the voters of the City of Mendota at the special municipal election to be held on August 29, 2017, a ballot measure for increasing the Sales and Use Tax.

SECTION 2. The City Council requests of the Fresno County Board of Supervisors that the election for this measure conducted by mail ballot on August 29, 2017, pursuant to Elections Code sections 4000 and 1500.

SECTION 3. 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:

MEASURE B ORDINANCE INCREASING THE SALES AND USE TAX FOR PUBLIC SAFETY To provide additional funding for local law enforcement services, shall the ordinance increasing the City's Sales and Use Tax from .980% to 1.980% which will raise approximately \$500,000 annually be adopted?	YES
	NO

SECTION 4. The following constitutes the synopsis of the measure to be voted on for purposes of meeting the publication requirements of Elections Code Section 12111:

MEASURE TO BE VOTED ON

Notice is hereby given that the following measure is to be voted on at the special municipal election to be held in the City of Mendota, on August 29, 2017.

ADOPTION OF ORDINANCE APPROVING INCREASE OF TRANSACTIONS AND USE (SALES) TAX FROM CURRENT RATE .980% TO 1.980% FOR PUBLIC SAFETY.

The proposed ordinance would approve the increase of the City's current sales and use tax rate (.980%) by one percent (1.980%). The funds raised through the one percent increase shall be dedicated to and expended only for purposes of providing local law enforcement services. The authority to levy the tax would continue in perpetuity. Otherwise, the current sales tax ordinance would otherwise remain unchanged.

City Elections Official

Dated: _____

City of Mendota

SECTION 5. The full text of the ordinance submitted to the voters is attached as Exhibit "A." The full text of the proposed ordinance 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 Mendota City Clerk's Office.

SECTION 6. Passage of this measure requires a two-thirds majority of votes.

SECTION 7. The City of Mendota 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 8. The City of Mendota also respectfully requests that the letter designation "Measure B" be assigned to this Measure by the Registrar if such letter designation is available.

SECTION 9. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 10. 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. Mayor Castro and Mayor Pro Tem Victor Martinez are 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. In the event that an argument is filed against the Measure, they are also authorized to submit a rebuttal argument on behalf of the City Council.

SECTION 11. 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. The City of Mendota acknowledges the Fresno County Clerk/Registrar may conduct the election in accordance with Elections Code 10418.

SECTION 12. 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 13. The City Clerk shall file a certified copy of this resolution with the Fresno County Clerk/Registrar of Voters as required by applicable law. The City Clerk is

hereby authorized and directed to work with the Fresno County Clerk/Registrar of Voters and take all steps necessary to cause placement of the Measure on the ballot.

SECTION 14. The City Clerk and 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.


Rolando Castro, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 23rd day of May, 2017, by the following vote:

AYES: **5 – Mayor Castro, Mayor Pro Tem Martinez, Councilors Mendoza, Rosales, and Silva.**
NOES: **0**
ABSENT: **0**
ABSTAIN: **0**


Matt Flood, City Clerk



**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA REQUESTING
THE BOARD OF SUPERVISORS TO RENDER
SPECIFIED SERVICES TO THE CITY OF
MENDOTA RELATING TO THE CONDUCT
OF THE ALL MAIL BALLOT ELECTION
TO BE HELD ON AUGUST 29, 2017:
ORDINANCE INCREASING THE SALES
AND USE TAX FOR PUBLIC SAFETY**

RESOLUTION NO. 17-35

WHEREAS, a special all mail ballot election is to be held in the City of Mendota on August 29, 2017; and

WHEREAS, in the course of conducting the special election, it is necessary for the City of Mendota to request services of the County of Fresno.

NOW THEREFORE the City Council of the City of Mendota does hereby resolve, declare, determine and order as follows:

Section 1. That pursuant to Section 10002 of the Elections Code of the State of California, the Board of Supervisors of the County of Fresno is hereby requested to permit the Registrar of Voters to render the following services to the City of Mendota, and to the extent the County of Fresno directs the City of Mendota to perform such services, in connection with the conduct of the special election to be held on August 29, 2017, to adopt an Ordinance Increasing the Sales and Use Tax for Public Safety:

- Prepare and furnish to the City of Mendota for use in conducting the election the computer record of the names and addresses of all eligible registered voters in the City of Mendota, to assist the City Clerk for the City of Mendota in conducting an all-mail ballot election; and
- Tabulate and certify the results of the election pursuant to state law; and
- Make available to the City of Mendota additional election equipment and assistance according to state law; and
- Print the official ballot; and
- Supervise and conduct the election; and
- Perform all acts necessary or incidental to the above functions as may be requested from time-to-time by the City Clerk for the City of Mendota.

SECTION 2. That pursuant to Resolution No. 17-34, the City Council for the City of Mendota has directed that this election be conducted as an all-mail ballot election.

SECTION 3. That the City of Mendota shall reimburse the County of Fresno for services performed when the work is completed and upon presentation to the City of Mendota a properly prepared invoice.

SECTION 4. That the City Clerk for the City of Mendota is directed to forward a certified copy of this Resolution to the Clerk of the County of Fresno Board of Supervisors and the Elections Department of the County of Fresno.

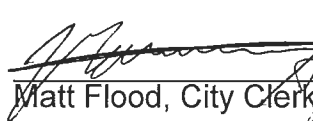


Rolando Castro, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a special meeting of said Council, held at the Mendota City Hall on the 23rd day of May, 2017, by the following vote:

AYES: 5 – Mayor Castro, Mayor Pro Tem Martinez, Councilors Mendoza,
 Rosales, and Silva.
NOES: 0
ABSENT: 0
ABSTAIN: 0



Matt Flood, City Clerk

