

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PROPOSING AND SUBMITTING TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE ELECTION TO BE HELD ON NOVEMBER 6, 2018, A PROPOSAL TO ADOPT AN INITIATIVE ORDINANCE ESTABLISHING A ONE CENT (1%) TRANSACTIONS AND USE (SALES) TAX; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND AUTHORIZING AND SETTING DEADLINES FOR THE FILING OF ARGUMENTS FOR OR AGAINST THE BALLOT MEASURE

WHEREAS, people live in Garden Grove because it offers a better quality of life and better services than other nearby communities; and

WHEREAS, years of state takeaways and changes to state law have severely impacted the City's ability to provide the quality of life services that make Garden Grove a great place to live, work, and raise a family; and

WHEREAS, the State of California has taken millions in local tax dollars from Garden Grove since 1992. The City will continue to lose another \$3.5 million dollars every year in General Fund property tax revenues due to the State's required shift of Education Revenue Augmentation Fund (ERAF) and about \$13.7 million dollars in Redevelopment/Housing Tax Increment; and

WHEREAS, in 2012, the City was forced to return to the State of California \$9.8 million of redevelopment and housing tax increment that has been legally collected for critical economic, redevelopment and housing activities in Garden Grove. In addition, the dissolution of Redevelopment Agencies by the State has required the City's General Fund to pick up prior RDA obligations of \$3.9 million each year starting in 2012; and

WHEREAS, since 2009, the City has been forced to adopt General Fund budgets with structural deficits. For Fiscal Year 2018-19 that structural operating deficit has grown to \$4.2 million and the City has been using reserves to balance its General Fund operations; and

WHEREAS, in order to balance the FY 2018-19 Budget, various cost-reduction programs were implemented including an early-retirement incentive program and 5% budget reduction. Even with these cuts, the City's structural deficit is projected to increase from \$4.2 million to over \$75 million dollars annually within the next seven years; and

WHEREAS, eliminating the structural deficit will require additional deep cuts in all service areas, including police, 9-1-1 emergency response times, street, park, and public facilities maintenance; and

WHEREAS, response times for 9-1-1 calls are critical for stopping crime, protecting victims, and saving lives; and

WHEREAS, this measure will increase funding for neighborhood police patrols, retain officers on the street, and improve law enforcement response times to all neighborhoods in our city; and

WHEREAS, when you have an emergency, seconds count. The majority of calls to the City of Garden Grove's Fire Department are related to medical emergencies; and

WHEREAS, this measure will keep fire stations open and ensure that firefighters and paramedics can quickly respond to emergencies and save lives; and

WHEREAS, public safety is a top priority in Garden Grove and represents 71% of the City's General Fund. However, Public Safety staffing levels have not been restored to pre-recession levels even after making other significant citywide cuts and adding seven additional police officers over the past three fiscal years; and

WHEREAS, due in large part to statewide early prison release laws and voter approved initiatives that have changed many felonies to misdemeanors, overall Part I crimes (e.g., robberies, burglaries, aggravated assault and homicide) have increased by over 45% in Garden Grove since 2015 and homeless/mentally ill calls for service have increased by an alarming 47%; and

WHEREAS, policies enacted by Sacramento politicians like early release from prison and other changes to state laws are putting more criminals back on the street; and

WHEREAS, passing this measure will allow the Garden Grove Police Department to put more officers on the street to patrol neighborhoods and parks, and crack down on drugs and gangs, making our community safer; and

WHEREAS, without a continued local funding source the City will be forced to cut public safety services, including gang and drug prevention; neighborhood police patrols; police officer staffing at local schools; and consider reducing firefighting services. The City needs additional funds to continue to provide citywide crime prevention, gang and youth violence prevention and intervention programs and keep police officers in schools to keep kids off the streets and away from gangs and drugs; and

WHEREAS, this measure will allow the City police department to dedicate officers and resources to keep gang members and drug dealers from nearby communities out of our City, which will keep our neighborhoods safe; and

WHEREAS, the City needs funds to maintain firefighters and paramedics levels, and keep rapid 9-1-1 emergency response times so that people suffering from heart attacks, strokes or other medical emergencies continue to receive the immediate, life-saving care they need; and

WHEREAS, the American Heart Association says that brain deterioration starts six minutes after a person stops breathing, but right now our local paramedics only meet that standard 38% of the time; and

WHEREAS, in 2007, more than 11,000 or 85% of calls to 9-1-1 were related to medical emergencies, like heart attacks, strokes, and car accidents; and

WHEREAS, with an aging population, this measure is needed to provide Garden Grove paramedics and firefighters with the staffing and resources they need to respond quickly and effectively to medical emergencies; and

WHEREAS, over the last few decades the City has used General Fund revenues to help support the maintenance of the community's local streets; fund park and playground equipment at the City's 21 neighborhood parks; and maintain City owned buildings, which include Police public safety buildings and fire stations. Going forward, starting with the FY 2019-20 Fiscal Year budget, none of these vital programs will be funded beyond the City's required allocation for OCTA grant eligibility; and

WHEREAS, an independent analysis of Garden Grove's infrastructure found that nearly 40% of our local streets and roads are in fair/very poor condition; and

WHEREAS, this measure will provide a local source of funding to invest in our roads by fixing potholes, curbs and sidewalks, and repaving streets, which will reduce wear-and-tear on cars and improve safety for drivers and pedestrians; and

WHEREAS, in light of the structural deficit, additional revenues are needed in order to preserve essential city services and the high quality of life in the City of Garden Grove; and

WHEREAS, this measure will help our local property values by making sure Garden Grove has well-maintained streets, safe and clean neighborhoods, and high quality public safety services, keeping our property values strong; and

WHEREAS, additional revenues will be subject to a clear system of accountability, including public audits and disclosures of all funds spent to ensure that all funds are spent properly; and

WHEREAS, this measure includes strict Citizen Oversight, giving an independent voice in overseeing this measure's funds; and

WHEREAS, all additional revenues raised by this measure will be used to fund essential city services in Garden Grove, and cannot be taken away by the state or used for other purposes; and

WHEREAS, a consolidated general municipal election to be held on Tuesday, November 6, 2018, has been called by City Council Resolution No.9505-18, adopted on June 12, 2018; and

WHEREAS, the City Council adopted Resolution No. 9506-18, on June 12, 2018, requesting the Board of Supervisors of the County of Orange to consolidate the General Municipal Election with the Statewide Election; and

WHEREAS, the City Council proposed and desires to submit to the voters the approval of an Ordinance establishing a one cent (1%) transactions and use tax on the sale of all tangible personal property sold at retail in the City, whose revenues may be used for any and all governmental purposes of the City, which may include any general fund services such as police patrols and crime prevention, 9-1-1 emergency response and street maintenance and pothole repair; and

WHEREAS, Article 13C of the California Constitution and section 53724 of the California Government Code provide that no local government may impose, extend or increase any general tax unless and until that tax is proposed by a two-thirds vote of the governing body and submitted to the electorate and approved by a majority vote at an election consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Pursuant to the laws of the State of California relating to General Law Cities, the City Council of the City of Garden Grove hereby calls and orders to be held in the City of Garden Grove, California, on Tuesday, November 6, 2018, a General Municipal Election for the purpose of submitting to the registered voters of the City of Garden Grove the following ballot measure for their adoption or rejection:

Measure ____ : Garden Grove Public Safety/9-1-1 and Vital City Services Measure

To provide effective 9-1-1 emergency response by preventing cuts to police/firefighter/paramedic staffing levels; maintain neighborhood police patrols/gang/drug prevention; protect local drinking water supplies; repair streets/potholes; address homelessness; support affordable housing options, and protect vital city services, shall the City of Garden Grove establish a one-cent sales tax providing \$19,000,000 annually until ended by voters, requiring annual independent audits, citizens oversight, all funds used locally?	YES
	NO

SECTION 2. The text of the proposed Ordinance for the ballot measure submitted to the City's voters is set forth in full in Exhibit "A" attached hereto and incorporated by this reference.

SECTION 3. The City Council hereby orders and directs the City Clerk to cause the proposed Ordinance and notice of the General Municipal Election to be published in the time, form, and manner as required by law.

SECTION 4. In all particulars not expressly recited in this Resolution, the election shall be held and conducted as provided by law for holding general municipal elections.

SECTION 5. The City Council hereby authorizes, instructs, and directs the City Attorney to prepare an impartial analysis of the ballot measure, in accordance with the provisions of the Elections Code section 9280, showing the effect of the measure on existing law and the operation of the measure. The impartial analysis, not exceeding 500 words in length, shall be filed with the City Clerk on or before August 7, 2018.

SECTION 6. Pursuant to Elections Code section 9282, the City Council, or any member or members of the City Council, or any individual voter who is eligible to vote on the measure, or bona fide association of citizens, or any combination of voters and associations, may file a written argument for or against the measure. Pursuant to Elections Code section 9283, any argument filed by the City Council, or any member or members of the City Council, shall be accompanied by the printed name(s) and signature(s) of the author(s) submitting it, or if submitted 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. The argument may not be signed by more than five persons, otherwise the signatures of the first five shall be printed on the sample ballot. Any direct argument shall be accompanied by a signed Form of Statement and in accordance with guidelines for filing of arguments which are available in the Office of the City Clerk. Direct arguments shall be filed with the City Clerk on or before August 7, 2018, and shall be subject to a 10 calendar-day public examination period in accordance with the provisions of Elections Code section 9295.

SECTION 7. Pursuant to Elections Code sections 9282 and 9285, when the City Clerk has selected the arguments for and against the measure which will be printed and distributed to the voters, the City Clerk shall send a copy of the argument in favor of the measure to the authors of the argument against, and a copy of the argument against the measure to the authors of the argument in favor. The author or a majority of the authors of an argument may prepare and submit a rebuttal argument or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument. A rebuttal argument shall be filed with the City Clerk with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. A rebuttal argument may not be signed by more than five persons and shall be printed in the same manner as a direct argument and shall immediately follow the direct argument

which it seeks to rebut. Rebuttal arguments for or against the measure, not exceeding 250 words in length, shall be filed with the City Clerk on or before August 17, 2018. Any rebuttal argument shall be accompanied by a signed Form of Statement and in accordance with guidelines for the filing of arguments which are available in the Office of the City Clerk. Rebuttal arguments shall be subject to a 10-calendar-day public examination period in accordance with the provisions of Elections Code section 9295.

SECTION 8. If more than one argument for or more than one argument against the ballot measure is submitted, the City Clerk shall select one of the arguments in favor and one of the arguments against the measure for printing and distribution to the voters. In selecting the argument, the City Clerk shall give preference and priority to the submitted arguments in accordance with the provisions of Elections Code section 9287.

SECTION 9. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Orange is hereby requested to consent and agree to the consolidation of the General Municipal Election with the Statewide General Election on Tuesday, November 6, 2018, as requested by and subject to Garden Grove City Council Resolution No. 9506-18.

SECTION 10. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

SECTION 11. This Resolution shall take effect upon adoption. The City Clerk is hereby directed to deliver forthwith certified copies of this Resolution to the Registrar of Voters of the County of Orange and to the Clerk of the Board of Supervisors of the County of Orange.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Garden Grove at a regular meeting on the 24th day of June 2018.

Mayor

ATTEST:

City Clerk