

RESOLUTION NO. 16-23

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE TOWN OF A ½ CENT PER DOLLAR (0.5%) TRANSACTIONS AND USE TAX FOR GENERAL FUND PURPOSES TO BE CONSOLIDATED WITH THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, AS CALLED BY RESOLUTION NO. 16-15; REQUESTING THAT THE COUNTY OF SAN BERNARDINO CONSOLIDATE THE ELECTION WITH THE ESTABLISHED ELECTION DATE TO BE HELD ON NOVEMBER 8, 2016; AND DIRECTING THE COUNTY ELECTIONS DEPARTMENT TO CONDUCT THE ELECTION ON THE TOWN'S BEHALF

WHEREAS, the Town has heard a great deal from the community about their desire for better local services, especially public safety and streets and pothole repair; and

WHEREAS, the Citizens for Lower Sewer Costs Committee, along with other community members and town staff, have concluded that the best option available to the Town to address local town service needs is a one-half cent sales tax measure; and

WHEREAS, the Citizens for Lower Sewer Costs Committee recommends the Town Council place a one-half cent sales tax measure for local town services on the November 2016 ballot for voters' consideration; and

WHEREAS, if approved, the proposed Town services measure will provide Yucca Valley with locally-controlled funding for Town services that are protected by law from Sacramento; and

WHEREAS, Town streets are underfunded and they are continuing to deteriorate; and

WHEREAS, more and more parolees and sex offenders are being released early into the local community because of state cuts to prisons, which may threaten public safety in our Town and neighborhoods; and

WHEREAS, local Town service priorities include preventing violent crimes, maintaining youth violence prevention and gang intervention programs, supporting fire protection services, providing additional police officers and neighborhood patrols, fixing streets and potholes, and providing ongoing street maintenance; and

WHEREAS, the proposed Town services measure requires an independent taxpayers' oversight committee, mandatory financial audits, and yearly reports to the community to ensure the funds are spent as promised; and

WHEREAS, many of the Town's neighborhood streets and roads are deteriorated and riddled with cracks, pot holes, loss of structural base, and other characteristics of asphalt deterioration. These deteriorated road conditions are exacerbated by the fact that there are many other streets that are unpaved, or located on steep hillsides, wash-out zones or otherwise regularly

other streets that are unpaved, or located on steep hillsides, wash-out zones or otherwise regularly subjected to extreme weather conditions inherent to the desert environment. While the Town has made major improvements to a number of streets, additional funds are needed to address streets that are in the worst condition; and

WHEREAS, the Town estimates a deferred maintenance liability of approximately \$14 million on Town maintained roads. There is currently no identified funding source to sufficiently address this community need; and

WHEREAS, over the last several years, there has been an increase in crime rates, an increase in the number of calls for police services and an increase in crime in the Town of Yucca Valley, with burglaries increasing 113% in 2015 from the prior year. Nonetheless, the level of police services for the Town has remained the same since 2009 due to constraints on the Town's General Fund, which is the source of funding for police services; and

WHEREAS, Town citizens repeatedly rank general services, like public safety and street maintenance, as their top priorities. However, no sufficiently reliable sources of revenue exist to address the Town of Yucca Valley's critical infrastructure and general service needs, while maintaining the Town's long-term financial viability. Sacramento money grabs and unfunded state mandates continually threaten funding for local services, impacting our quality of life. A local general tax, however, is a guaranteed source of local funding that cannot be taken by Sacramento and requires that our tax dollars are spent locally for Town residents; and

WHEREAS, the Town of Yucca Valley has worked diligently to reduce expenditures by modifying or eliminating various Town programs; reducing employee salary costs and reducing non-public safety staff by almost 20% since 2008, and critically examining all expenditures; and

WHEREAS, the Town of Yucca Valley has implemented local pension reform measures, including a reduced-benefit pension program for new employees and requiring all employees to pay their share towards retirement costs, resulting in significant savings to taxpayers; and

WHEREAS, as stated in presentations by the Joshua Tree National Park, millions of visitors come to the Town of Yucca Valley each year to shop, use local services and traverse the Town as a gateway to the Joshua Tree National Park. To date, no fiscal measures have been taken to ensure that these visitors contribute a fair share for their use of local services, including their use of roads, sidewalks, parks, police and other services they use when they visit the Town; and

WHEREAS, the Town Council received valuable input from the community through the Town's Strategic Planning Outreach activities in support of identifying alternative revenue solutions, and was approached by the Citizen's for Lower Sewer Costs seeking ways to maintain essential Town services and lower sewer costs for Town property owners, and received positive responses from the community in the April 2016 Community Needs Survey indicating potential support for a local revenue measure or measures; and

WHEREAS, a local revenue measure would give Yucca Valley local control over local funds, for local community priorities including but not limited to, maintaining neighborhood

police patrols and 911 response, maintaining and repairing existing neighborhood streets and alleys, and maintaining community requested quality of life programming such as the Town's aquatics program, seniors site programming, and other community participant programming; and

WHEREAS, by taking this step, keeping the Town safe, crime rates low, emergency response times low for all areas of the Town, keeping the Town well maintained with critical public facility infrastructure and maintaining desired quality of life programming, the Town can protect property values and preserve the Town's small town atmosphere; and

WHEREAS, as a solution to the fiscal constraints on general services, the Town Council desires to submit to the voters a proposal to enact a one-half cent per dollar (i.e., 0.5%) transaction and use tax for a period of ten (10) years in the Town of Yucca Valley, with the funds to be deposited in the Town's General Fund and be used for general Town purposes and services, including but not limited to police and crime prevention, fire protection, paramedic and 911 emergency response services, street repair and maintenance, graffiti prevention and abatement, anti-gang activities and other quality of life programs; and

WHEREAS, funds from this proposed measure are subject to strict fiscal accountability and transparency provisions, including annual independent audits, review by a citizens' oversight committee, and the publishing of expenditure reports to confirm that funds are spent efficiently and effectively; and

WHEREAS, California Constitution Article XIIC, Section 2, provides that any general tax must be submitted to the electorate and approved by a majority vote of the electorate; and

WHEREAS, California Constitution Article XIIC, Section 2, provides that an election regarding a general tax must be consolidated with a regularly-scheduled general municipal election for members of the Town Council; and

WHEREAS, a general municipal election on Tuesday, November 8, 2016, has been called by Resolution No. 16-15, adopted on June 7, 2016; and

WHEREAS, on the basis of the foregoing, following a public hearing on August 2, 2016, the Town Council determines it is appropriate to place a measure before the voters at the November 8, 2016, general municipal election regarding adoption of a Town transactions and use tax.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the Town Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election on November 8, 2016, the following question:

To provide funding, that cannot be taken by the State, to maintain Yucca Valley services and help make neighborhoods safer, including: violent crime/burglary/home invasion prevention; youth crime prevention; anti-gang/anti-drug programs; adding police officers/neighborhood patrols; fixing potholes/maintaining Town streets; senior/youth programs; and other general Town services; shall Yucca Valley enact a 0.5% sales tax, for 10 years, providing approximately \$1,500,000 annually, with annual audits, citizens' oversight, and all funds spent in Yucca Valley?	YES
	NO

SECTION 2. Upon approval of the voters of the Town of Yucca Valley, the Yucca Valley Municipal Code shall be amended to add a new Chapter 3.26 to Title 3, establishing a one-half cent per dollar (0.5%) transactions and use tax within the Town. The proposed complete text of the measure submitted to the voters is attached hereto as Exhibit "A". This question requires the approval of a majority of those casting votes. The Town Council hereby approves the ordinance, the form thereof attached hereto as Exhibit "A", and its submission to the voters of the Town.

SECTION 3. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 4. That notice of the time and place of holding the election is hereby given, and the Town Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 5. That pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County of San Bernardino is hereby requested to consent and agree to the consolidation of said election. The Town Council authorizes the Registrar of Voters to consolidate this election with the established election on November 8, 2016, for the ease and convenience of the registered voters and to take advantage of any cost savings possible by such consolidation. The County Election Department is authorized to canvass the returns of said 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. That the San Bernardino County Board of Supervisors is requested to issue instructions to the County Election Department to take

any and all steps necessary for the holding of the consolidated election. The Town Clerk may request the assistance of the County Elections Department in regard to said election, as the Town Clerk deems necessary. The Town shall reimburse the County for services performed when the work is completed and upon presentation to the Town of a properly approved bill.

SECTION 6. That this Resolution shall become effective immediately upon its passage and adoption, and the Town Clerk is directed to send certified copies of this Resolution to the San Bernardino County Board of Supervisors, to the County Clerk-Recorder, and County of San Bernardino Election Department.

PASSED, APPROVED AND ADOPTED ON this 2nd day of August, 2016.



ROBERT LEONE, MAYOR

ATTEST:



TOWN CLERK

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Lesley R. Copeland, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Resolution No. 16-23 as duly and regularly adopted at a meeting of the Town Council of the Town of Yucca Valley, California at a meeting thereof held on the 2nd day of August, 2016, by the following vote:

Ayes:	Council Members Denison, Huntington, Lombardo and Mayor Pro Tem Abel
Noes:	None
Abstain:	None
Absent:	None



Lesley R. Copeland, CMC
TOWN CLERK