RESOLUTION NO. RES-2022-161

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CALLING A SPECIAL ELECTION ON NOVEMBER 8, 2022 TO SUBMIT A BALLOT MEASURE TO THE REGISTERED VOTERS OF THE CITY TO AMEND CHAPTER 3-26 OF THE SANTA ROSA CITY CODE TO EXTEND A QUARTER-CENT TRANSACTION AND USE TAX TO FUND PUBLIC SAFETY AND VIOLENCE PREVENTION PROGRAMS AND TO UPDATE PERMISSIBLE USES OF THE TAX REVENUES, REQUESTING A CONSOLIDATION OF SUCH ELECTION WITH OTHER ELECTIONS BEING HELD ON THE SAME DATE, AND Directing Related Actions

WHEREAS, the Council of the City of Santa Rosa wishes to call a Special Election to present to the registered voters of the City a ballot measure, which, if approved, would authorize the continuation of a quarter-cent transaction and use tax as set forth in the proposed ordinance, attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, since 2004, general city funding for public safety services in Santa Rosa has been supplemented by a voter-approved quarter-cent local sales tax called Measure O, set forth in Chapter 3-26 of the Santa Rosa City Code; and

WHEREAS, Santa Rosa voters approved Measure O to provide dedicated funding for public safety and violence prevention programs and for nearly 20 years these funds have been used to support fire protection, paramedics, rapid 9-1-1 emergency response, disaster preparedness, crime prevention and police services; and

WHEREAS, locally controlled public safety funding from Measure O has been critical for helping Santa Rosa recover from devastating fires and prepare for future fire seasons; and

WHEREAS, Measure O currently funds more than 25 firefighters, paramedics and law enforcement officers and supports over 400,000 hours each year of youth and family mental health, public health, violence prevention and social services; and

WHEREAS, each year, an independent citizens’ oversight committee has reviewed the use of funds from Measure O and confirmed funds were spent in accordance with the provisions of the voter-approved measure; and

WHEREAS, in 2004 voters approved Measure O with a 20-year expiration date and, unless renewed by voters, approximately $10 million in annual public safety funding will expire in 2025, requiring deep cuts to public safety services in Santa Rosa; and

WHEREAS, without Measure O funding many of Santa Rosa’s firefighters, paramedics and law enforcement officers could be laid off and services for youth and families could be cut or reduced; and

Reso. No. RES-2022-161
Page 1 of 4
WHEREAS, without Measure O funding neighborhood fire stations may close and 9-1-1 emergency response times for fires, medical emergencies, accidents and violent crimes may be impacted; and

WHEREAS, the Santa Rosa City Council believes the existing local quarter-cent sales tax that provides dedicated public safety funding should be renewed without increasing the tax rate; and

WHEREAS, if approved by two-thirds of local voters, the renewed public safety funding could be used to reduce the risk of wildfires by improving wildfire prevention, preparedness, early fire alert systems, rapid response and evacuation planning; and

WHEREAS, if approved by two-thirds of local voters, the renewed public safety funding could be used to maintain rapid 9-1-1 emergency response, fire protection services, prevent the closure of fire stations and reductions in the number of on-duty firefighters, paramedics and law enforcement officers; and

WHEREAS, if approved by two-thirds of local voters, the renewed public safety funding could be used to provide mental health counseling, wraparound services and programs to help at-risk youth and their families, including violence prevention efforts along with grants to community-based organizations; and

WHEREAS, the measure to renew the public safety funding would continue the same strong fiscal accountability provisions as required by the current Measure O, including an independent citizens’ oversight committee, mandatory financial audits and public disclosure of all spending; and

WHEREAS, the measure to renew the public safety funding would continue the same method of tax collection as provided by the current Measure O; and

WHEREAS, by law, funds from the renewal measure could not be taken away by Sacramento or diverted to other purposes; and

WHEREAS, visitors who work or shop in Santa Rosa and enjoy its many benefits would also pay the sales tax, ensuring that local homeowners and renters don’t shoulder the entire burden; and

WHEREAS, the measure to renew the public safety funding would not increase Santa Rosa’s tax rate and will continue to add just 25¢ to a $100 purchase; and

WHEREAS, by law, essential purchases like groceries and prescription medicine are exempt from sales tax so it is not a burden to those on fixed or limited incomes.

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

Reso. No. RES-2022-161
1. A Special Election is hereby called on November 8, 2022, at which time a quarter-cent transaction and use special tax measure, as set forth in the proposed ordinance attached as Exhibit A and identified as Santa Rosa Measure No. 1, shall be submitted to the registered voters of the City of Santa Rosa.

2. The proposed ordinance shall be presented to the voters in the form of a measure entitled “City of Santa Rosa Funding for Public Safety and Violence Prevention” and printed on the ballot as follows:

Measure ___ City of Santa Rosa Funding for Public Safety and Violence Prevention

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. The proposed ordinance will require a two-thirds threshold for passage.

4. In accordance with the provisions of section 10403 of the Elections Code, the City Council hereby requests that the Special Election, herein called, be consolidated with the Sonoma County Consolidated General Election to be held on November 8, 2022.

5. In accordance with the provisions of sections 10002 and 10411 of the Elections Code, the Sonoma County Board of Supervisors is requested to permit and issue instructions to the Registrar of Voters of the County to take any and all steps necessary for the holding of this Special Election and its consolidation with other elections to be held on the same day in the City of Santa Rosa.

6. In accordance with the provisions of sections 10002 and 10411 of the Elections Code, the Registrar of Voters of Sonoma County is authorized to do all things necessary and required to notice, hold, and conduct the Special Election and to canvass the returns thereof.

7. The City of Santa Rosa acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code section 10418.

8. The City of Santa Rosa recognizes that additional costs will be incurred by Sonoma County by reason of the holding of this Special Election and its consolidation, as described above, and agrees to reimburse the County for such costs.
9. The City Council recognizes that, in accordance with Elections Code section 9282 et. seq., arguments may be filed for and against the measure placed on the ballot under the provisions of this resolution, and it hereby authorizes the Mayor, and/or such other member(s) as the Mayor may authorize, to author and submit an argument in favor of the ballot measure.

10. The City Council, in accordance with Elections Code section 9285(b) hereby adopts the provisions of Elections Code section 9285(a) so as to permit rebuttal arguments, as described in Elections Code section 9285(a), to be filed in connection with the measure to be placed on the ballot under the provisions of this resolution, and the Council hereby authorizes the Mayor, and/or such other member(s) as the Mayor may authorize, to author and submit a rebuttal to any argument filed against the ballot measure.

11. Notice of the time and place of holding the election is given herein and the City Clerk is hereby authorized and directed to give further notice of the election in the time, form and manner as required by law.

12. The City Clerk is hereby directed to transmit a copy of this resolution to the City Attorney, who shall prepare an impartial analysis of the ballot measure.

13. The City Clerk is hereby directed to file a certified copy of this resolution with the Sonoma County Board of Supervisors, the County Clerk, and the Registrar of Voters of the County of Sonoma.

IN COUNCIL DULY PASSED this 26th day of July, 2022.

AYES: (7) Mayor C. Rogers, Vice Mayor Alvarez, Council Members Fleming, MacDonald, N. Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _________________________
City Clerk

APPROVED: ______________________________
Mayor

Sue Gallagher

APPROVED AS TO FORM: ________________________
City Attorney

Exhibit A – Ordinance: Santa Rosa Measure No. 1
CITY OF SANTA ROSA MEASURE NO. 1

ORDINANCE NO. _________

ORDINANCE OF THE CITY OF SANTA ROSA AMENDING CHAPTER 3-26 OF THE SANTA ROSA CITY CODE TO EXTEND EXISTING ¼ CENT SPECIAL SALES TAX (ADOPTED BY CITY VOTERS AS MEASURE O AT THE NOVEMBER 2004 ELECTION) FOR AN ADDITIONAL TWENTY YEARS AND EXPANDING ALLOWABLE USES OF FUNDING

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

Section 1. Section 3-26.120 of the Santa Rosa City Code is hereby amended to read as follows:

“Section 3-26.120 Permissible uses: Expenditure Plan.

(A) The revenues of the tax shall only be used to fund the following uses and purposes. Funding with tax revenues of all other uses and purposes, except as provided in paragraphs (C) through (E) of this section, is prohibited.

(1) LAW ENFORCEMENT, POLICE AND PUBLIC SAFETY

(a) Law Enforcement and Police patrol services;
(b) Police traffic safety and enforcement services;
(c) Gang enforcement, school resource services, and violence reduction;
(d) Downtown, Railroad Square, Roseland and Southwest Santa Rosa, and Prince Memorial Greenway police services;
(e) Police support services, including facilities and equipment and the financing thereof;
(f) Mental health response teams, services and resources.

(2) FIREFIGHTING, PARAMEDICS, WILDFIRE RISK REDUCTION AND PUBLIC SAFETY

(a) Programs and services to reduce wildfire risk, including early fire alerts, evacuation planning, defensible space inspections and vegetation management;
(b) Prevent the closure of fire stations and construct/relocate fire stations (including but not limited to land acquisition, facilities design, and use of temporary facilities) and the financing thereof;
(c) Maintain Firefighter and Paramedic staffing levels to maintain rapid 9-1-1 emergency response times;
(d) Hire additional Firefighters and Paramedics to staff fire stations;

Ord. No. _________
Page 1 of 4
(e) Establishment of additional paramedic units within the Fire Department, including Advanced Life Support paramedic teams;

(f) Purchase of specialized equipment for Fire Department use;

(g) Mental health response teams, services and resources.

(3) VIOLENCE PREVENTION, MENTAL HEALTH COUNSELING AND PROGRAMS FOR AT-RISK YOUTH AND FAMILIES

(a) Enhancing and improving in-school gang prevention and intervention curriculum and programs;

(b) Providing mental health counseling, wraparound services and programs for at-risk youth and their families in neighborhoods affected by high levels of gang activity which emphasize positive role models, problem solving, and community safety;

(c) Providing additional after-school and summer programs which stress academic and social success, recreational activities, sports, athletic programs, and safe neighborhoods without fear of gangs, drugs or violence.

(d) Providing grants to organizations for youth and parenting programs which focus on gang and anti-violence education, prevention and intervention, community safety, and a comprehensive array of social services in high need neighborhoods.

(B) Of the tax revenues received by the City, forty percent (40%) shall be expended for Law Enforcement, Police and Public Safety purposes as specified in sections (a) through (f) of subparagraph (A)(1), forty percent (40%) shall be expended for Firefighting, Paramedics, Wildfire Risk Reduction and Public Safety purposes as specified in sections (a) through (g) of subparagraph (A)(2) and twenty percent (20%) shall be used to fund the Violence Prevention, Mental Health Counseling and Programs For At-Risk Youth and Families programs and purposes as specified in sections (a) through (d) of subparagraph (A)(3).

(C) The tax revenues shall be used to enhance Police and Fire uses and purposes and Violence Prevention and Youth Programs as outlined in paragraph (A) and detailed in the Transactions and Use Tax Implementation Plan. Funding of the implementation plan may not be below the actual revenues received from the tax nor shall tax revenues be used to replace previously budgeted funds unless approved by six Council members based on a finding of fiscal crisis or catastrophic disaster. Tax revenues will not be used to supplant the general fund obligations to fund baseline services based upon population and economic conditions.

(D) The Council, by resolution, shall approve, and may from time to time amend when approved by six Council members, a Transaction and Use Tax Implementation Plan which shall outline the uses and purposes and their funding, as authorized by this section, to which the tax revenues will be applied.

(E) During the continuation of the tax, annual funding of Police Department, Fire Department and Gang Prevention/Intervention Programs’ purposes and uses that are funded under the City’s 2015-2016 fiscal year budget, as adopted on June 17, 2015, may not be a lower
percentage of City General Fund expenditures than was funded under the City’s 2015-2016 fiscal year General Fund budget, as adopted on June 17, 2015, unless a lower level of funding is first approved by the affirmative vote of six Council members.

(F) The Council, by resolution, shall establish a seven member Citizen Oversight Committee to annually review expenditures and appropriations of the tax revenues to ensure that all such revenues are spent or appropriated for the purposes and uses set forth in paragraph (A), in accordance with the allocation percentages set forth in paragraph (B), and, as specifically authorized, in paragraphs (C), (D) and (E). Each member of the Council shall appoint one member of the Committee who shall have a term coinciding with the term of the appointing Council member. Each Committee member shall be a resident of the City at the time of appointment and shall remain a resident of the City while serving on the Committee. The Mayor shall appoint the chairperson of the Committee subject to the approval of the majority of the Council. The Committee shall receive the assistance of City staff and shall issue an annual public report on the expenditures and appropriations of the tax revenues. The Committee shall undertake such additional duties as the Council may designate.”

Section 2. Section 3-26.160 of the Santa Rosa City Code is hereby amended to read as follows:

“3-26.160 Termination date.

The authority to levy the taxes imposed by this chapter shall extend only through March 31, 2045.”

Section 3. 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 4. 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 5. Effective Date. This ordinance, following its adoption by majority vote of the City Council and its publication, shall become effective upon the approval by two-thirds 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 July 12, 2022.

IN COUNCIL DULY PASSED this ___ day of __________, 2022.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST: _________________________ APPROVED: ______________________________

City Clerk Mayor

APPROVED AS TO FORM: _______________________

City Attorney
"CC - RES-2022-161 (07-26-2022)" History

Document created by Gretchen Emmert (gemmert@srcity.org)
2022-08-04 - 5:23:29 PM GMT

Document emailed to Sue Gallagher (sgallagher@srcity.org) for signature
2022-08-04 - 5:23:58 PM GMT

Document e-signed by Sue Gallagher (sgallagher@srcity.org)
Signature Date: 2022-08-04 - 6:02:41 PM GMT - Time Source: server

Document emailed to crogers@srcity.org for signature
2022-08-04 - 6:02:43 PM GMT

Email viewed by crogers@srcity.org
2022-08-05 - 4:11:59 AM GMT

Signer crogers@srcity.org entered name at signing as Chris Rogers
2022-08-05 - 9:48:10 PM GMT

Document e-signed by Chris Rogers (crogers@srcity.org)
Signature Date: 2022-08-05 - 9:48:11 PM GMT - Time Source: server

Document emailed to Stephanie Williams (swilliams@srcity.org) for signature
2022-08-05 - 9:48:13 PM GMT

Email viewed by Stephanie Williams (swilliams@srcity.org)
2022-08-05 - 9:51:44 PM GMT

Document e-signed by Stephanie Williams (swilliams@srcity.org)
Signature Date: 2022-08-05 - 9:51:58 PM GMT - Time Source: server

Agreement completed.
2022-08-05 - 9:51:58 PM GMT