

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 2.7
(ID # 14429)

MEETING DATE:
Tuesday, January 26, 2021

FROM : REGISTRAR OF VOTERS:

SUBJECT: REGISTRAR OF VOTERS: Approval of Election Services for the City of Eastvale Special Municipal Measure Election, District 2, [\$129,500; Reimbursement from the City of Eastvale to the General Fund].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Registrar of Voters to conduct election services for the March 2, 2021, City of Eastvale Special Municipal Measure Election.


ACTION: Consent


Rebecca Spencer 1/27/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Hewitt, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt
Nays: None
Absent: None
Date: January 26, 2021
xc: ROV

Kecia R. Harper
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 129,500	\$ 0	\$ 129,500	\$ 0
NET COUNTY COST	\$ 129,500	\$ 0	\$ 129,500	\$ 0
SOURCE OF FUNDS: Reimbursement from the City of Eastvale to the General Fund.			Budget Adjustment: No	
			For Fiscal Year: 20/21	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

California Elections Code §§ 10002, 10402, and 10403 allow jurisdictions to request that the Board of Supervisors approve the Registrar of Voters to conduct elections by submitting a resolution requesting these services. The City of Eastvale has complied with this requirement and has requested the Registrar of Voters to conduct its election. The department has the resources to provide these services. The County will receive reimbursements from the jurisdiction based on associated direct costs of conducting their election.

Impact on Residents and Businesses

Registered voters in the City of Eastvale will have the opportunity to vote on the City of Eastvale No-Tax Increase Gann Measure that will increase the state-mandated appropriations limit without imposing or raising new taxes.

Additional Fiscal Information

The County will receive reimbursements from the jurisdiction based on associated direct costs of conducting their election. Approximately \$129,500 of election costs will be reimbursed by the City of Eastvale.

ATTACHMENTS:

ATTACHMENT A. RESOLUTION NO. 20-70




 Douglas Cordonez Jr. 1/21/2021

RESOLUTION NO. 20-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, CALLING AND GIVING NOTICE OF A SPECIAL ELECTION TO BE HELD ON MARCH 2, 2021 TO SUBMIT TO THE ELECTORS OF THE CITY THE 'CITY OF EASTVALE NO-TAX INCREASE GANN MEASURE' — A MEASURE BY EASTVALE VOTERS TO INCREASE THE STATE-MANDATED APPROPRIATIONS LIMIT WITHOUT IMPOSING OR RAISING NEW TAXES — PURSUANT TO SECTION 4 OF ARTICLE 13B OF THE CALIFORNIA CONSTITUTION; AND REQUESTING THE BOARD OF SUPERVISORS PERMIT THE COUNTY REGISTRAR OF VOTERS TO CONDUCT THE ELECTION

WHEREAS, the City of Eastvale has only been incorporated since 2010, and has since been self-sufficient with responsible, prudent management of taxpayer dollars and a healthy long-range financial strategy to provide residents with quality services no matter what the external environment is; and

WHEREAS, the City's residents value the overall quality of life in Eastvale, and the City seeks to continue to be a great place to raise a family while navigating the health, safety and financial impacts of COVID; and

WHEREAS, from incorporation until 2018 the State of California took millions of dollars in revenue from the City of Eastvale, with the revenues only being restored after vigorous lobbying efforts by the City; and

WHEREAS, at the same time, the City has been very successful in generating its own economic development and attracting businesses such as Costco, Sprouts, 99 Ranch, and Staybridge Suites, to the City, all of which create revenue for the services our residents have requested, expect and deserve; and

WHEREAS, State rules limit what a city can budget, and Eastvale will soon be unable to fully budget its available revenue for services such as fire protection, emergency medical services, law enforcement, and street/road maintenance without voter action to adjust the State requirements, known as the "Gann limit"; and

WHEREAS, to continue to be self-sufficient and retain local control over our current taxpayer dollars, and responsibly budget available funds within the City's revenue and budget parameters for next fiscal year, it is necessary for Eastvale voters to authorize the City to continue budgeting existing revenue sources in a March 2021 election; and

WHEREAS, Eastvale has grown from a bedroom community to one of the fastest growing cities in the area, and voter approval is required to allow the City to budget the additional existing funds generated by that growth to maintain the quality of life residents expect and deserve; and

WHEREAS, this type of voter-approved measure does NOT increase taxes or impose any new tax on residents, property owners or businesses; and

WHEREAS, compared to other cities, Eastvale is still financially stable and healthy despite recent challenges related to COVID; and

WHEREAS, 87.6% of current tax revenues subject to the Gann limit do not go to the city to address local City needs, but go to the County and School District, and

WHEREAS, California Constitution Article 13B, Section 4 authorizes the electors of the City to change the City's appropriation limit for up to four years from the date of the most recent vote of the electors creating or continuing such change; and

WHEREAS, the City Council desires to submit to the voters an initiative measure that would, if approved, increase the City's appropriations limit to \$33,000,000.00, and allow the appropriations limits to be increased thereafter during the four year term for change in population and cost of living as allowed by California Constitution Article 13B.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EASTVALE DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1. There is called and ordered to be held in the City of Eastvale, California, on Tuesday, March 2, 2021, a special election for the purpose of submitting to the voters the following question:

"City of Eastvale No-Tax Increase Gann Measure. Shall the measure adjusting the City of Eastvale's appropriations limit be adopted to allow increased budgeting of City revenues for general governmental purposes, including COVID response, fire/emergency medical protection, law enforcement, and street safety/repair for four years (This measure doesn't increase taxes or impose a new tax.)?"

YES _____ NO _____

SECTION 2. The full text of the measure submitted to the voters is attached as Exhibit A to this Resolution, and is incorporated herein by reference.

SECTION 3. Pursuant to Elections Code Sections 10002, 10400 and 10403, the City Council hereby orders an election be called and consolidated with any and all elections also called to be held on March 2, 2021 within the same territory and requests the Board of Supervisors of the County of Riverside to permit the County Registrar of Voters to provide any and all services necessary for conducting the special election called in Section 1 of this Resolution. The County of Riverside and its staff are authorized and instructed to procure and furnish any and all official ballots, notices, printed matter and all supplies and equipment and other necessary items in order to properly and lawfully conduct the election; the County of Riverside is authorized to

canvass the returns of the election, which shall be held in all respects as if there were only one election, and only one form of ballot shall be used; and the City Council recognizes that additional cost will be incurred by the County of Riverside by reason of the conduct of the special election called in Section 1 of this Resolution, and agrees to reimburse the County of Riverside for any costs that are not reimbursed by the State, and the City Council hereby authorizes the City Manager to pay the County of Riverside for said services in full.

SECTION 4. The ballots to be used at the election shall be in form and content as required by law.

SECTION 5. The City Council hereby directs the City Clerk to (i) publish a notice of elections and a synopsis of the measure as required by Elections Code Sections 12101 and 12111; (ii) file certified copies of this resolution with the County of Riverside and take other necessary actions to ensure the placement of the measure on the March 2, 2021 ballot; and (iii) coordinate with the County of Riverside and take all necessary actions to oversee and certify the March 2, 2021 election process as required by Elections Code.

SECTION 6. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. The City Clerk is directed to forward copies of the measure to be voted on at the special election to the City Attorney for the preparation of an impartial analysis in compliance with applicable law.

SECTION 8. That ballot arguments and rebuttals shall be filed in accordance with the following:

a. That the primary arguments for and against this ballot measure shall be submitted to the City Clerk by 5:00 p.m. on December 7, 2020.

b. That rebuttal arguments shall be submitted to the City Clerk by 5:00 p.m. on December 17, 2020.

c. That all arguments shall be filed with the City Clerk, signed, with 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.

d. That arguments for and against said measure may be filed in accordance with applicable provisions of the law. That 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 City Clerk shall consider other arguments and rebuttal arguments filed by bona fide associations or individual residents who are eligible to vote in accordance with

Elections Code Section 9282 of the California Elections Code, the provisions of which are hereby adopted.

SECTION 9. The City Council finds that the proposed initiative measure is a government fiscal activity and does not commit funds to any particular use that could cause an environmental impact, and as such this initiative measure is not a project subject to review under the California Environmental Quality Act (Public Resources Code § 21000 et seq.).

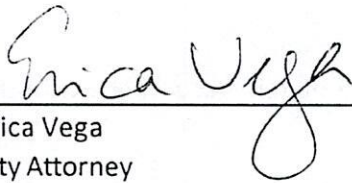
PASSED, APPROVED AND ADOPTED this 18th day of November, 2020.



Brandon Plott
Mayor

APPROVED AS TO FORM:

ATTEST:



Erica Vega
City Attorney



Marc A. Donohue, MMC
City Clerk/Communications Director

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF EASTVALE)

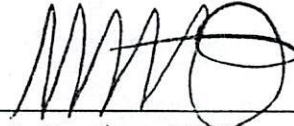
I, Marc A. Donohue, City Clerk/Communications Director of the City of Eastvale, California, do hereby certify that the foregoing City Council Resolution No. 20-70, was duly adopted by the City Council of the City of Eastvale, California, at a meeting held on the 18th day of November, 2020, by the following vote:

AYES: Councilmembers Lorimore, Rigby, Mayor Pro Tem Yow, and Mayor Plott

NOES:

ABSENT:

ABSTAIN:



Marc A. Donohue, MMC
City Clerk/Communications Director

EXHIBIT A
FULL TEXT OF MEASURE
NOT OPERATIVE UNTIL ENACTED BY VOTERS

AN ORDINANCE OF THE PEOPLE OF THE CITY OF EASTVALE,
CALIFORNIA ADJUSTING THE CITY OF EASTVALE'S APPROPRIATIONS
LIMIT FOR FOUR YEARS

THE PEOPLE OF THE CITY OF EASTVALE DO ORDAIN AS FOLLOWS:

SECTION 1. APPROPRIATIONS LIMIT INCREASE.

The City of Eastvale's appropriations limit under Article 13B of the California Constitution shall be \$33,000,000.00 commencing on the effective date of this Ordinance. This appropriations limit may be adjusted thereafter as required by, and pursuant to the methodology set forth in, Article 13B of the California Constitution and California Government Code sections 7900 - 7914.

SECTION 2. SEVERABILITY.

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 3. EFFECTIVE DATE.

This Ordinance shall be submitted to the voters at a special election to be held on March 2, 2021. This Ordinance shall not become operative unless and until a majority of the electors voting on the measure vote to approve this Ordinance, in which case this Ordinance shall go into effect ten (10) days after the date on which the election results are declared by the City Council.

SECTION 4. SUNSET PROVISION.

This Ordinance shall expire four years from the date it is approved by the voters. Upon the termination of this Ordinance, the City's appropriation limit shall be the amount that it was immediately preceding the Effective Date of this Ordinance plus any adjustments to the appropriations limit that would have occurred under Article 13B of the California Constitution and California Government Code sections 7900 – 7914.

PASSED, APPROVED, AND ADOPTED BY THE PEOPLE OF THE CITY OF EASTVALE AT THE SPECIAL ELECTION HELD ON THE 2ND DAY OF MARCH, 2021.

Brandon Plott
Mayor

APPROVED AS TO FORM:

ATTEST:

Erica Vega
City Attorney

Marc A. Donohue, MMC
City Clerk/Communications Director