

RESOLUTION NO. 17-

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, CALLING FOR AN ELECTION TO PRESENT TO THE VOTERS OF THE COUNTY A PROPOSED ORDINANCE ADDING CHAPTER 5.180 TO THE MENDOCINO COUNTY CODE ENTITLED THE “MENTAL HEALTH TREATMENT ACT” ADOPTING A COUNTY TRANSACTIONS (SALES) AND USE TAX FOR THE SPECIFIC PURPOSE OF FUNDING IMPROVED SERVICES, TREATMENT AND FACILITIES FOR PERSONS WITH MENTAL HEALTH CONDITIONS AND ORDERING CONSOLIDATION OF SAID ELECTION WITH THE CONSOLIDATED SPECIAL ELECTION CALLED FOR NOVEMBER 7, 2017 (COUNTYWIDE)

WHEREAS, State law authorizes the voters of the County to adopt a special sales tax with a two-thirds vote of the electorate; and

WHEREAS, the California Elections Code permits submission to the voters, without petition, any measure relating to the enactment of an ordinance; and

WHEREAS, an ordinance adopting a Transactions (Sales) and Use Tax on retail transactions in the unincorporated and incorporated areas of the County of Mendocino is appropriate and necessary in order to generate revenue that will be placed in a special Mental Health Treatment Fund entirely dedicated to funding improved services, treatment and facilities for persons with behavioral health conditions. Further it is appropriate to submit this ordinance directly to a vote of the electorate; and

WHEREAS, on July 18, 2017, the Board of Supervisors of the County of Mendocino considered and approved to submit to the voters an Ordinance adding Chapter 5.180 to the Mendocino County Code entitled the “Mental Health Treatment Act” adopting a County transactions (sales) and use tax for the specific purpose of funding improved services, treatment and facilities for persons with mental health conditions.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Mendocino does hereby declare and order the proposed Ordinance, attached hereto as Exhibit A and incorporated herein by this reference, to be submitted to a vote of the qualified electors of the County of Mendocino on the November 7, 2017, election, as follows:

1. There shall be included on the ballot to be marked by all Mendocino County voters, in addition to any other matters required by law, a ballot measure in substantially the following form:

Measure ____ (County Clerk to fill in the blank). MENDOCINO COUNTY MENTAL HEALTH TREATMENT ACT. To provide funding for mental health care and facilities in Mendocino County to diagnose and treat mental illness and addiction, shall a transactions and use tax of one-half cent be enacted for five years, and thereafter reduced to one-eighth cent, with annual audits by a citizen’s oversight committee to ensure funds are properly spent, and a requirement that funds cannot be taken by State and spent for other purposes?	Yes	
	No	

A mark in the voting square after "YES" shall be counted in favor of the adoption of the proposed ordinance. A mark placed in the voting square after "NO" shall be counted against the adoption of the proposed ordinance.

2. The ballot to be used at the election shall be, both as to form and matter contained therein, such as may be required by law.

3. The County Clerk is hereby authorized, instructed and directed to provide and furnish any and all official ballots, notices, printed matter, and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct this election.

4. The County Clerk shall fix and determine dates for submission of arguments for or against said proposed ordinance pursuant to the provisions of the Elections Code.

5. The County Clerk is further directed to take the necessary and appropriate action to provide the election officers, polling places and voting precincts.

6. In accordance with Elections Code section 9160, the County Clerk shall transmit a copy of the measure to the County Auditor and County Counsel.

7. In accordance with the provisions of the Elections Code of the State of California, County Counsel is directed to prepare an impartial analysis of the measure and the County Auditor is directed to prepare a fiscal impact statement.

8. The polls for this election shall be open during the hours required by law and this election, with respect to the foregoing ballot measure, shall be held and conducted as provided by law for the holding of County initiative elections.

9. Notice of the time and place of holding this election together with any other notices required by law shall be given by the County Clerk.

10. Arguments for or against the measure may be submitted in conformity with Elections Code section 9161, *et seq.*

11. The Clerk of the Board and the Chief Executive Officer are hereby authorized and directed to take any and all actions necessary under law to prepare for and conduct the general election and appropriate all monies necessary for the Clerk of the Board, County Executive Officer and County Clerk to prepare and conduct the general election in a manner consistent with state and local laws.

The foregoing Resolution introduced by Supervisor _____, seconded by Supervisor _____, and carried this _____ day of _____, 2017, by the following vote:

AYES:

NOES:

ABSENT:

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO
Clerk of the Board

JOHN MCCOWEN, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
KATHARINE L. ELLIOTT, County Counsel

BY: CARMEL J. ANGELO
Clerk of the Board

Deputy

Deputy