



City of Arts & Innovation

City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: AUGUST 9, 2016**
FROM: OFFICE OF THE CITY CLERK **WARDS: ALL**
SUBJECT: TRANSACTION AND USE TAX (SALES TAX) INCREASE - CALL NOVEMBER 8, 2016, SPECIAL MUNICIPAL ELECTION FOR \$90,000 - DESIGNATION OF BALLOT ARGUMENT AUTHORS

ISSUE:

Adopt a resolution calling a special municipal election for November 8, 2016, for the purpose of placing a measure on the ballot for a one-cent increase in the City's sales tax (transaction and use) rate, from eight percent to nine percent and designate elected officials to author the argument in favor of and rebuttal argument to an argument filed against the ballot measure, if any.

RECOMMENDATIONS:

That the City Council:

1. Adopt the attached resolution calling a Special Municipal Election to be held November 8, 2016, for a measure entitled, "City of Riverside Public Safety and Vital City Services Measure" and requesting consolidation with the statewide election;
2. Consent to the Registrar of Voters rendering election services to the City as requested by the City Clerk and as stated in the Memorandum of Understanding with the County of Riverside;
3. Direct the City Clerk to transmit a copy of the measure to the City Attorney for preparation of an impartial analysis; and
4. Designate up to five elected officials to author the argument in favor of the ballot measure and up to five elected officials to author a rebuttal argument to an argument filed against the ballot measure, if any.

BACKGROUND:

Sales Tax Measure

On July 26, 2016, the City Council directed the City Attorney to prepare legislation for the August 9, 2016, City Council meeting to place a measure on the November 8, 2016, ballot for a one-cent increase in the City's sales (transaction) tax rate from 8 percent to 9 percent. Elections Code Section 9222 sets August 12, 2016, as the last day for a copy of the measure to be submitted to the Registrar of Voters for placement on the November 8, 2016, ballot. The proposed measure reads:

"CITY OF RIVERSIDE PUBLIC SAFETY AND VITAL CITY SERVICES MEASURE:

To prevent cutting police, firefighters, paramedics, 911 emergency response, antigang/drug programs, homelessness reduction and youth after-school/senior/disabled services; to repair local streets/potholes/infrastructure; and to provide other general services, shall a one-cent transaction and use tax (sales tax) be implemented providing \$48,000,000 annually until ended by the voters, requiring independent audits with no funds going to Sacramento and all funds remaining for Riverside?"

Article XIIIIC of the California Constitution requires that any proposed increase in a general tax must be submitted to, and approved by, a majority of those qualified electors voting in an election to be held on the issuing of increasing the tax. Pursuant to City Charter Section 501 and Elections Code Section 10403, the attached resolution calls the November 8, 2016, special municipal election and requests consolidation with the statewide election being held on the same day. The measure will require 50 percent plus one of the affirmative votes cast to pass.

Impartial Analysis and Ballot Arguments

Pursuant to California Elections Code Section 9280, the City Attorney shall prepare an impartial analysis of the measure, showing the effect on the measure on the existing laws and the operation of the measure.

California Elections Code Section 9282(b) provides:

"For measures placed on the ballot by the legislative body, the legislative body, or any member or members of the legislative body authorized by that body, 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 any city measure."

Authors must submit ballot arguments not to exceed 300 words in length to the City Clerk on or before August 22, 2016. A ballot argument may not be accepted unless accompanied by the printed name(s) and signature(s) of the author(s), 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. No more than five signatures shall appear with any argument. If any argument is signed by more than five authors, the signatures of the first five shall be printed.

If the City Clerk receives more than one argument for or more than one argument against any City measure, the City Clerk shall select one of the arguments in favor and one of the arguments against the measure for printing and distribution to voters. In selecting the argument, the City Clerk shall give preference and priority, in the order named, to the arguments of the following:

1. The legislative body, or member or members of the legislative body authorized by that body.
2. The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
3. Bona fide associations of citizens.
4. Individual voters who are eligible to vote on the measure.

If both an argument in favor and an argument against are submitted, the author or a majority of the author(s) of an argument may submit rebuttal arguments not to exceed 250 words in length

on or before September 1, 2016. Rebuttal arguments may be signed by up to five authors.

FISCAL IMPACT:

Election costs are estimated at not-to-exceed \$90,000 and are included in the Fiscal Year 2016/17 Budget in City Clerk-Election Services - Professional Services Account 1205000-421000.

Prepared by: Colleen J. Nicol, City Clerk

Certified as to

availability of funds: Scott G. Miller, Interim Finance Director/Treasurer

Approved by: John A. Russo, City Manager

Approved as to form: Gary G. Geuss, City Attorney

Attachment: Resolution