

**CITY OF POINT ARENA
FULL TEXT OF MEASURE X**

A RESOLUTION OF THE POINT ARENA CITY COUNCIL SUBMITTING A TRANSACTIONS AND USE TAX MEASURE TO THE VOTERS AT THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION, REITERATING THE CITY’S REQUEST THAT THE ELECTION BE CONSOLIDATED WITH OTHER ELECTIONS HELD ON THAT DATE AND TAKING CERTAIN RELATED ACTIONS

WHEREAS, in addition to the basic 1% sales and use tax levied by most cities in California, most California cities have adopted transactions and use taxes, which are generally referred to by the public as “local sales taxes”; and

WHEREAS, Section 7285.9 of the Revenue & Taxation Code (“Section 7285.9”) authorizes the qualified voters of the City to approve a transactions and use tax for general purposes by a majority vote of those casting ballots on the tax at an election; and

WHEREAS, in order for such a tax to be effective, the ordinance imposing the tax must be approved by a two-thirds vote of all members of the City Council; and

WHEREAS, in order to meet community demands for public safety services, housing, and essential services, the City Council desires give the voters the opportunity to approve a 7/8-cent or 0.875% transactions and use tax pursuant to Section 7285.9; and

WHEREAS, the City can use such a tax to fund its services, such as housing, public safety, pier operations; and general government services; and

WHEREAS, on July 15, 2024, by its Resolution No. 2024-15, this Council called a general municipal election to be held on November 5, 2024 (the “Election”) for the purpose of electing municipal officers; and

WHEREAS, on that same date, by its Resolution No. 2024-16, this Council requested that the Election be consolidated with the Statewide General Election; and

WHEREAS, the City Council desires to submit the new transactions and use tax to the voters at the Election.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Point arena does hereby resolve, declare, determine and order as follows:

1. The recitals set forth above are true and correct.
2. Pursuant to Section 9222 of the Elections Code, Section 53723 of the Government Code and Section 7285.9 of the Revenue & Taxation Code, the transactions and use tax ordinance attached hereto as Exhibit “A” and incorporated herein by reference, (the “Transactions and Use Tax Ordinance”) shall be submitted to the voters at the Election.
3. The question submitted regarding the Transactions and Use Tax Ordinance shall appear on the ballot as follows:

<p>Point Arena Essential Services Measure. Shall the measure providing Point Arena funding for city services, such as a public safety, pier operations, and general government services by establishing a 7/8-cent or 0.875% sales tax providing approximately \$90,000 annually until ended by voters, and requiring independent audits and public disclosure of all spending, be adopted?</p>	Yes	
	No	

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4. Adoption of this measure requires a majority vote of those voting on the matter. The type of tax, rate of tax, and manner of collection are set forth in the Transactions and Use Tax Ordinance.
5. The City Clerk is instructed to transmit the Transactions and Use Tax Ordinance to the City Attorney along with a request that an impartial analysis be prepared pursuant to Elections Code Section 9280.
6. The City Clerk reiterates its prior call and order of the Election to be held in the City of Point Arena, California, on Tuesday, November 5, 2024.
7. The ballots to be used at the election shall be in form and content as required by law.
8. The City Clerk is authorized, instructed, and directed to coordinate with the County of Mendocino Registrar-Recorder/County Clerk to procure 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 the Election.
9. The polls for the election shall be open at seven o'clock a.m. on the date of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Elections Code Section 10242, except as provided in Elections Code Sections 14212 and 14401.
10. In all particulars not recited in this Resolution, the Election shall be held and conducted as provided by law for holding municipal elections.
11. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the Election in time, form and manner as required by law.
12. The City Council authorizes the City Clerk to take any necessary actions to administer the Election. All reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.
13. The City Council reiterates its request, pursuant to the requirements of Elections Code Section 10403, that the Board of Supervisors of the County of Mendocino consent and agree to the consolidation of the Election with the Statewide Presidential Election on Tuesday, November 5, 2024.
14. The County Elections Department is authorized to canvass the returns of the General Municipal 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. The Election will be held and conducted in accordance with the provisions of law regulating the statewide election, including, without limitation Elections Code Section 10418.
15. The Board of Supervisors is requested to issue instructions to the Mendocino County Elections Department to take any and all steps necessary for the holding of the consolidation election.
16. The City recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County of all costs.
17. The City Council reiterates each of the provisions of its Resolution No. 24-779 with respects to the Election.
18. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the Mendocino County Elections Department.

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19. Pursuant to Section 9282 of the elections Code of the State of California, the City Council, or any member or members of the City Council authorized by the 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, not to exceed 300 words in length, accompanied by the printed name(s) and signature(s) of the person(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, for or against the measure. In the event that more than one argument for or against a measure is timely submitted, the City's elections official shall give preference and priority first, to arguments submitted by member(s) of the City Council, as authorized by this Resolution, and second, to individual voters, bona fide associations, or a combination thereof, in the order set forth in Section 9287 of the Elections Code.
20. Member of the City Council are authorized to submit a written argument in support of the measures submitted to the votes by this Resolution.
21. The City Council elects to authorize rebuttal arguments pursuant to Elections Code Section 9285. When the City's elections official has selected the arguments for and against the measure to will be printed and distributed to the voters, the elections official shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The author or majority of the authors of an argument relating to the foregoing city measure may prepare and submit a rebuttal argument not to exceed two hundred and fifty (250) words in length. A rebuttal argument may not be signed by more than five (5) authors. The rebuttal arguments shall be filed with the City Clerk not more than ten (10) days after the final date for filing direct arguments. Rebuttal arguments shall be printed in the same manner as direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.
22. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.
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**CITY ATTORNEYS' IMPARTIAL ANALYSIS OF
MEASURE X**

Measure X has been placed on the ballot by the City Council of the City of Point Arena seeking voter approval of an ordinance imposing a 0.875% transactions and use tax.

Transactions and use taxes are commonly called "local sales taxes" because they are generally collected along with California "sales taxes."

A 0.375% tax is commonly called a "7/8c tax" because the tax is 7/8c for each dollar spent on a taxable transaction. At this rate, the tax on a \$10.00 taxable purchase is 8.75 cents (i.e. slightly less than nine cents).

The combined rate of all state and local taxes applicable to taxable transactions (sales) in Point Arena is currently 8.38%. Of this 8.38%, only .05% is imposed by the City of Point Arena. The remainder is levied by the state and the county. If Measure X is adopted, the combined rate would be 9.25%.

The proposed tax would apply and be collected as provided by the state law governing transactions and use taxes. The tax would be administered for the City by the California Department of Tax and Fee Administration. Purchases in Point Arena that are exempt from the statewide sales tax would also be exempt from the proposed tax. For example, most groceries, prescription drugs and purchases of services would be exempt from the tax.

As a transactions and use tax, the tax on the purchase of a motor vehicle applies based on the location at which the vehicle is first registered, not the location of the sale. So, if a Point Arena resident purchases, for registration in the City, a car or truck from a seller located outside of the City, that resident would pay the Point Arena transactions and use tax to be credited to the City.

The tax would remain in effect until repealed by the voters. It is anticipated to generate approximately \$90,000 annually, which would be deposited in the City's general fund. Tax proceeds will be audited as part of City's annual independent audit of the general fund and be accounted for in the City's Consolidated Annual Financial Report.

This measure was placed on the ballot by the City Council of the City of Point Arena.

A YES vote approves the measure and approves the proposed local sales tax.

A NO vote rejects the measure and rejects the proposed local sales tax.

The above statement is an impartial analysis of Measure X. If you desire a copy of the measure, please call the elections official's office at (707) 882-2122 and a copy will be mailed at no cost to you.

s/Baron Bettenhausen
Baron Bettenhausen, City Attorney

**ARGUMENT IN FAVOR OF
MEASURE X**

Point Arena is an extraordinary place. Over many years, the City has intentionally built our community to reflect, encourage, and support our core values. We meet for Farmer's Market; we enjoy festivals and fireworks in Arena Cove; we watch the fishing boats launch at the pier. We're proud of our family-friendly town that feels safe and secure. But City finances have hit a major pothole that threatens our independence as an incorporated city.

Today, Point Arena can barely afford to maintain basic services like local street repaving or pothole repair, trash and litter pick-up, park maintenance and pier operations. The City's revenue base hasn't kept up with rising costs due to inflation, so that your tax dollars now buy much less. Sales Tax generated \$50,000 last fiscal year, dropping 37% from \$79,000 in Fiscal Year 2021/22. Other tax revenue is also dropping. Something must be done to keep our City financially healthy.

Point Arena's Measure X will generate an additional \$85,000 in sales tax annually for our City coffers. The revenue will be used for basic City services as well as to build a financial reserve to weather lean years and stabilize our organization. Measure X is fundamental to maintaining City services that support our quality of life because:

- Tax dollars stay local for the benefit of Point Arena residents; by law, revenue from this measure cannot be taken by the county or State;
- Additional sales tax revenue is necessary for public parks, pier operations, and City infrastructure as well as ongoing road repair and maintenance and to support;
- Essential purchases like groceries and medicine are exempt from sales tax.

We all want to keep Point Arena a special place to live. The Point Arena City Council asks you **VOTE YES ON MEASURE X** to maintain our very precious quality of life.

s/Barbara Burkey
Barbara Burkey, Mayor

s/Anna Dobbins
Anna Dobbins, Vice-Mayor

s/Dan Doyle
Dan Doyle, Councilmember

s/Jim Koogle
Jim Koogle, Councilmember

s/Jeff Hansen
Jeff Hansen, Councilmember

NO ARGUMENT AGAINST THIS MEASURE WAS SUBMITTED.