

**CITY OF GREENFIELD  
RESOLUTION NO. 2015-50**

**A RESOLUTION OF THE CITY OF GREENFIELD CALLING AND GIVING NOTICE OF THE HOLDING OF A MUNICIPAL ELECTION TO ASK THE VOTERS OF THE CITY OF GREENFIELD TO APPROVE A “2015 CITY SERVICES TRANSACTIONS AND USE TAX” OF THREE QUARTERS OF ONE PERCENT; REQUESTING THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTEREY CONSOLIDATE THE ELECTION WITH THE ESTABLISHED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015 AND REQUESTING THAT THE COUNTY OF MONTEREY CONDUCT SUCH AN ELECTION ON THE CITY’S BEHALF**

**WHEREAS**, pursuant to Elections Code Section 10002, the governing body of the City of Greenfield may by resolution request the Board of Supervisor of the County of Monterey to permit the Monterey County Election official to render specified services to the City of Greenfield relating to the conduct of an election; and

**WHEREAS**, the resolution of the City Council of the City of Greenfield shall specify the services requested; and

**WHEREAS**, pursuant to Elections Code Section 10002, the City of Greenfield shall reimburse the County of Monterey in full for the services performed upon presentation of a bill to the City of Greenfield; and

**WHEREAS**, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, same territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers call the elections; and

**WHEREAS**, pursuant to Election Code Section 10400, such election for cities and special districts may be either completely or partially consolidated; and

**WHEREAS**, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation; and

**WHEREAS**, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution or order calling the election; and

**WHEREAS**, various districts, county, state or other political subdivision elections may be or have been called to hold on November 3, 2015;

**WHEREAS**, the City Council of the City of Greenfield desires to provide greater levels of vital community services, including enhancing public safety, expanding youth recreation, after-school, and anti-gang programs, furthering code enforcement services, and other general City services; and,

**WHEREAS**, new sources of revenues will be required in order for the City to meet the expectations of Greenfield residents for enhanced City services; and,

**WHEREAS**, the City Council wishes to ensure that the City has the financial resources necessary to provide these vital community services, in an effort to augment the public health, safety, and welfare of the City; and,

**WHEREAS**, a City-voter adopted transaction and use tax is an appropriate way of adding new funds, because the transaction and use tax is broad based and does not single out any one type of consumer, business or industry, and basic commodities and services like housing, food, and prescription drugs are exempt from transaction and use tax; and,

**WHEREAS**, transaction and use tax revenues are a source of local funding that cannot be taken by Sacramento, ensuring our tax dollars are spent locally for Greenfield residents; and,

**WHEREAS**, creating voter-approved funding at a 0.75 percent cent tax rate will serve to address enhancement of City services; and,

**WHEREAS**, the Transactions and Use Tax would be imposed on retail transactions and use of personal property; the tax rate would be Three Quarters of One Percent (0.75 %) of the sales price of the property; the tax revenue would be collected by the State Board of Equalization and remitted to the City. The termination date would be March 31, 2021; the tax shall be approved if the measure receives at least a majority of affirmative votes; and,

**WHEREAS**, the City will deposit all revenues it receives from the tax in the general fund of the City to be expended for any lawful public purpose; and,

**WHEREAS**, any local funding would require citizens' oversight, mandatory financial audits, and yearly reporting to the community to continue to ensure that all voter-approved funds are spent as appropriate; and,

**WHEREAS**, the City Council has concluded that all of the information presented indicates that, to obtain the revenue necessary to enrich service levels, the Council will ask the voters of the City to approve an additional Transactions and Use Tax of 0.75%, the revenue from which would be used to enhance municipal services.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Greenfield that the foregoing Recitals are true and correct and are hereby adopted by the City Council. Based on those Recitals, the Council unanimously finds and declares as follows:

1. The City has maintained a full-service Police Department and successfully recruited and employed a professional Police Chief, with the ability to prevent and investigate property, domestic violence, and other types of crime.

2. In order to enhance public safety, the City will need to recruit and retain additional police officers, which will necessitate that the City attains parity with the local labor market.

3. Additional City services, such as recreational programs and code enforcement will require additional revenues.

4. The City has used its available General Fund balance to bridge the structural budget deficit, meaning it has used all available financial resources and will have none available to enhance services.

5. Due to changes in State law, particularly the approval of Propositions 62 and 218, the City has very few means available for increasing General Fund revenue.

6. Absent an enhancement of City revenues, the City Council would be unable to authorize providing enhanced general City services.

**IT IS HEREBY FURTHER RESOLVED AS FOLLOWS:**

**7. Purpose and Intent.** In accordance with Government Code Sections 53724(a) and 50077(a), and Elections Code 9222, the City Council of the City of Greenfield hereby calls an election at which it shall submit to the qualified voters of the City, a transaction and use tax ordinance, which, if approved, would create the 0.75% transactions and use tax. The proceeds received from the transactions and use tax are designated a general tax and shall be deposited into the City of Greenfield General Fund. This measure shall be designated by letter by the Monterey County Elections Department.

It is the intent of the City Council that revenues received from the existing transaction and use tax shall be unaffected by the modification and will remain a general tax, which can be placed in the general fund and used for any governmental purpose.

**8. Placement of Measure on the Ballot.** Pursuant to California Elections Code Section 9222, the City Council hereby resolves that the ballot for the November 3, 2015 election shall include the measure herein described.

**(a) Ballot Language**

The ballot question for the measure shall be as follows:

<b>Greenfield 2015 City Services Transactions and Use Tax Measure.</b> To enhance the health, safety and welfare of Greenfield, and provide greater general City services, such as strengthened public safety; increased youth recreation programs; re-establishment of code enforcement services; and other essential services, shall the City of Greenfield enact a voter approved 0.75 cent transaction and use tax, subject to annual audits and public review?	<b>YES</b>	
	<b>NO</b>	

**9. Proposed Ordinance.** The ordinance authorizing the special tax to be approved by the voters pursuant to Section 3 is as set forth in Exhibit 1 hereto. The City Council hereby approves the submission of the ordinance to the voters of the City at the November 3, 2015 election. The City requests that County of Monterey print Exhibit 1 in its entirety with the election materials.

**10. Publication of Measure.** The City Clerk is hereby directed to cause notice of the measure to be published once in the official newspaper of the City of Greenfield, in accordance with Section 12111 of the Elections Code and Section 6061 of the Government Code.

**11. Request to Conduct Election and Canvass Returns.**

(a) The Ordinance authorizing the tax to be approved by the voters pursuant to Sections 2 and 3 of this Resolution is as set forth in Attachment 1 hereto. The City Council hereby approves the ordinance, the form thereof, and its submission to the voters of the City at the November 3, 2015 election. The Board of Supervisors of the County of Monterey is requested to order the County Registrar of Voters to set forth in the voter information portion of all sample ballots to be mailed to the qualified electors of the City the full text of the Ordinance and to mail with the sample ballots to the electors printed copies of the full text of the Ordinance, together with the primary arguments and rebuttal arguments (if any) for and against the measure, and to provide absentee voter ballots for the election for use by qualified electors of the City who are entitled thereto in the manner provided by law. The Ordinance specifies that the rate of the transactions and use tax shall be 1%, and that the tax shall be extended for 15 years. The State Board of Equalization shall collect the tax from retailers subject to the tax and remit the funds to the City.

(b) The City Clerk is authorized, instructed and directed to work with the Office of the Registrar of Voters as needed in order to properly and lawfully conduct the election. The ballots to be used in the election shall be in form and content as required by law. The Office of the Registrar of Voters is authorized to canvass the returns of the general municipal election. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

(c) The Board of Supervisors is requested to instruct the Office of the Registrar of Voters to provide such services as may be necessary for the holding of the consolidated election. The election shall be held in all respects as if there were only one election. The City of Greenfield recognizes that the County will incur additional costs because of this consolidation and agrees to reimburse the County for those costs. The City Manager is hereby authorized and directed to expend the necessary funds to pay for the City's cost of placing the measure on the election ballot.

**12. Submission of Ballot Arguments and Impartial Analysis.**

(a) The last day for submission of ballot wording to the Board of Supervisors and Registrar of Voters is August 7, 2015.

(b) The last day for submission of direct arguments for or against the measure is August 14, 2015.

(c) The last day for submission of rebuttal arguments for or against the measure is August 24, 2015.

(d) Direct arguments shall not exceed 300 words and shall be signed by not more than five persons.

(e) Rebuttal arguments shall not exceed 250 words and shall be signed by not more than five persons.

(f) An impartial analysis showing the effect of the measure shall be prepared by the City Attorney.

(g) The City Council will prepare a written argument in favor of the proposed measure, not to exceed 300 words, on behalf of the City. In the event that an argument is filed against the measure, the two persons listed above are also authorized to select two members of the City Council to prepare a rebuttal argument on behalf of the City, which may also be signed by up to three other members of the City Council or bona fide associations or by individual voters who are eligible to vote.

(f) Pursuant to California Elections Code Section 9285, when the City Clerk receives the arguments for and against the measure, which will be printed and distributed to the voters, the City Clerk 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. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument, which it seeks to rebut.

**13. Effective Date.** This Resolution shall become effective immediately upon its passage and adoption, and the City Clerk is directed to send certified copies of this Resolution to the Monterey County Board of Supervisors, to the County Clerk-Recorder, and County of Monterey Elections Department.

**14. CEQA.** This Resolution is exempt from the California Environmental Quality Act (Public Resources Code §21000, "CEQA") pursuant to CEQA guidelines 15060, "Preliminary Review," subdivision (c)(2) in that it will not result in a direct or reasonably foreseeable indirect physical change in the environment; and 15378, "Project," subdivisions (2) and (4) of subdivision (b), in that this tax does not constitute a project under CEQA and therefore review under CEQA is not required.

**15. Boundaries.** The jurisdictional boundaries of the City of Greenfield have not changed since the last general municipal election.

**PASSED AND ADOPTED** this 28<sup>th</sup> day of July, 2015 by the following vote:

**AYES, and in favor, Councilmembers:**

**NOES, Councilmembers:**

**ABSENT, Councilmembers:**

**ABSTAIN, Councilmembers:**

---

John P. Huerta, Mayor

**ATTEST:**

---

Ann F. Rathbun, City Clerk