

MEASURE W

City of Hollister

Ballot Question

HOLLISTER NO TAX INCREASE PUBLIC SAFETY/ ESSENTIAL CITY SERVICES CONTINUATION MEASURE. To keep Hollister safe by: maintaining Hollister's public safety services, rapid 9-1-1 emergency response times, operations at all current fire stations, neighborhood police patrols, parks/recreation programs and other City services, shall the City of Hollister continue the existing voter-approved one-cent sales tax for 20 years providing \$4,500,000 annually, requiring citizens' oversight, annual audits, all funds for Hollister, with no increase in tax rate?

YES
NO

What your vote means?

YES

A "Yes" vote is a vote to approve the extension of the voter-approved Measure W one cent sales tax for twenty years, with oversight on the revenue and expenditure of funds from the tax by a committee of members of the public pursuant to Hollister Municipal Code § 3.30.170.

NO

A "No" vote is a vote to not extend the existing tax and the existing tax would no longer be collected after March 31, 2018.

Who Filed an Argument In Favor or Against this Measure?

IN FAVOR

HOLLISTER FIREFIGHTERS ASSOCIATION
/s/ Vince Grewohl, President*

HOLLISTER POLICE OFFICERS ASSOCIATION
/s/ Staci Esqueda, Vice President*

SAN BENITO COUNTY CHAMBER OF COMMERCE
/s/ Frankie Gallagher, Board Chair*

SAN BENITO COUNTY PAL /s/ Mike Sanchez, President*

**=Signing on behalf of a Group or Association*

AGAINST

NO ARGUMENT AGAINST WAS FILED

This measure contains the following information:

1. *CITY ATTORNEY'S IMPARTIAL ANALYSIS*
2. *COMPLETE TEXT OF THE MEASURE*
3. *ARGUMENT IN FAVOR*

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE W

Ballot Measure W proposes to continue the existing one cent transactions and use tax (commonly referred to as the "sales tax") in the City of Hollister beyond the current expiration date. The voters approved the sales tax in 2012 which is set to expire in March 31, 2018. Measure W would continue the one cent sales tax for up to an additional twenty years. Measure W does not increase the current sales tax.

California Revenue and Taxation Code Section 7285.9 authorizes the City Council to extend a transactions and use tax, provided they approve the ordinance extending the tax by a two-thirds Council vote and the extension of the tax is approved by a majority of the City voters voting in an election on that issue. Measure W was placed on the ballot by unanimous vote of the City Council to extend the sales tax.

Because Measure W does not limit the use of tax revenue, it is a "general tax," not a "special tax" that restricts the funds to specific purposes. The proceeds cannot legally be taken away by the State. If approved, one hundred percent of the proceeds of this local tax would continue to go to the City's general fund and will be available to support the full range of municipal services, including but not limited to police, fire, paramedic, streets, parks and recreation services, including youth, family and senior programs. If this tax extension is not approved by the voters, the City will have to reduce essential services and cut programs.

A "Yes" vote is a vote to approve the extension of the voter-approved Measure W one cent sales tax for twenty years, with oversight on the revenue and expenditure of funds from the tax by a committee of members of the public pursuant to Hollister Municipal Code §3.30.170. A "No" vote is a vote to not extend the existing tax and the existing tax would no longer be collected after March 31, 2018. Measure W will be approved if it receives a simple majority of "Yes" votes.

The above statement is an impartial analysis of Measure W. If you desire a copy of the proposed ordinance, please call the City Clerk's office at 831-636-4300, ext. 16, and a copy will be mailed at no cost to you.

/s/ BRADLEY W. SULLIVAN, City Attorney

/s/ PAUL A. ROVELLA, Assistant City Attorney
City of Hollister

COMPLETE TEXT OF MEASURE W

ORDINANCE NO. 1132

AN ORDINANCE OF THE CITY OF HOLLISTER EXTENDING THE ONE-CENT TRANSACTIONS AND USE TAX FOR GENERAL PURPOSES TO CONTINUE TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION

WHEREAS, pursuant to California Revenue and Taxation Code Sections 7285.9 and 7290, the City of Hollister (the "City") has the authority to levy a Transactions and Use Tax for general purposes;

WHEREAS, a majority of the voters of the City approved a one-cent (1%) Transactions and Use Tax at an election held on November 6, 2007;

WHEREAS, a majority of the voters of the City thereafter extended the one-cent (1%) Transactions and Use Tax at an election held on November 6, 2012,

WHEREAS, the City's Transactions and Use Tax Ordinance (the "Ordinance") is found in Chapter 3.30 of Title 3 of the City's Municipal Code;

WHEREAS, Section 3.30.160 of the Ordinance sets forth a "Termination Date" of five years from the Operative Date of the Ordinance, or March 30, 2018, at which time the authority to levy the tax will expire unless an extension or re-authorization is approved by the voters of the City at an election called for that purpose; and

WHEREAS, an extension or re-authorization of the City's Transactions and Use Tax will be submitted to the voters on November 7, 2016, to extend the "Termination Date" of Section 3.30.160 to March 31, 2038.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF HOLLISTER ORDAIN AS FOLLOWS:

Section 1. Findings. The people of the City of Hollister hereby find as follows:

1. The sales and use tax commonly referred to as "Measure E" will sunset on March 30, 2018, resulting in a reduction of approximately four million five hundred thousand dollars (\$4,500,000) per year to the City's General Fund.
2. Approximately sixty-seven percent (67%) of the City's General Fund Budget is used for public safety (police, fire, and animal control services).
3. In order to offset the loss in "Measure E" revenue, the City adopted an austerity plan on March 19, 2012, to be implemented over three years to structurally balance the General Fund Budget.
4. Included in the austerity plan are severe reductions to City services including the elimination of 6 sworn police officers and 2 non-sworn police personnel, 7 sworn fire personnel, 2 animal control personnel, and 3 non-safety personnel.
5. Reductions in service will include elimination of the Detective Bureau in the Police Department, closure of the second Fire Station, reduction of animals held in the Animal Control Shelter to the minimum extent required by law, elimination of parks maintenance except to protect health and safety, and reduction in the number of recreation programs for youth and adults.

Section 2. Amendment of Code.

Section 3.30.030 entitled "Operative Date" is amended to replace the date "April 1, 2013" with the date "April 1, 2018."

Section 3.30.160 entitled "Termination Date" is replaced in its entirety with the following: "The authority to levy the tax imposed by this Chapter shall expire twenty (20) years from the Operative Date, or on March 31, 2038."

Section 3. Effective Date. This Ordinance, following its approval by a two-third (2/3) majority of the City Council and its publication, shall become effective upon the approval of the tax imposed hereunder by a majority of the voters of the City voting thereon at the election to be held on November 8, 2016. The "Operative Date" of the tax imposed hereunder shall be as provided in Section 3.30.030.

Section 4. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the remainder of the ordinance and the application of such provision to other persons or other circumstances shall not be affected thereby. The voters of the City of Hollister hereby declare that they would have adopted each and every provision of this ordinance regardless of the invalidity of any other provision.

Section 5. Codification. Upon adoption of this ordinance pursuant to the voter approval referenced in Section 3, the City Clerk, in consultation with the City Attorney, is hereby authorized and directed to codify this ordinance in the Hollister Municipal Code.

PASSED AND ADOPTED this 1st day of August, 2016, by a unanimous vote of the City Council, by the following vote:

AYES: Council Members Klauer, Gomez, Friend, Luna, and Mayor Velazquez.

NOES: None

ABSTAINED: None.

ABSENT: None.

/s/ IGNACIO VELAZQUEZ, Mayor

ATTEST: /s/ THOMAS A. GRAVES, CMC, City Clerk

APPROVED AS TO FORM: BRADLEY SULLIVAN, City Attorney

ARGUMENT IN FAVOR OF MEASURE W

Vote Yes on W – Continue existing, voter-approved funding, Protect Public Safety Services and Quality of Life -- with **NO INCREASE IN TAX RATE**

Yes on W does NOT create a new tax. It simply continues existing, voter-approved local funding that the city has relied on since 2007 – with **NO INCREASE IN TAX RATE**.

MAINTAIN PUBLIC SAFETY- Make no mistake! We need Yes on W to prevent cuts to police, fire and prevention services that keep our neighborhoods crime-free and our children safe:

Yes on W maintains rapid 9-1-1 emergency response times

Yes on W maintains operations at Hollister's fire stations

Yes on W attracts/retains qualified police officers/firefighters

Yes on W prevents cuts to youth gang and drug prevention/intervention programs

Yes on W maintains youth programs at City parks and recreation centers

Because of voter action, Hollister became a community where people want to live and raise their families. Without continuing Measure W's voter-approved funding we will be unable to maintain these safety/prevention services. We don't want Hollister to look like some neighboring crime ridden cities, with gangs, graffiti, and rundown streets! Yes on W also fixes our potholes/roads and funds programs to retain, expand, and attract businesses to Hollister.

FISCALLY ACCOUNTABLE – Yes on W includes strict accountability requirements:

- Independent citizens' oversight
- Annual independent audits
- All funds used for Hollister's benefit
- No funds can be taken by Sacramento politicians

ARGUMENT IN FAVOR OF MEASURE W

Join police, firefighters, local business owners and community leaders in voting **YES on W** to protect and maintain Hollister's public safety and essential services, with **NO INCREASE IN TAX RATE**.

For factual information about Measure W, visit: hollister.ca.gov.

Remember to VOTE LOCAL this election.

HOLLISTER FIREFIGHTERS ASSOCIATION

/s/ Vince Grewohl, President*

HOLLISTER POLICE OFFICERS ASSOCIATION

/s/ Staci Esqueda, Vice President*

SAN BENITO COUNTY CHAMBER OF COMMERCE

/s/ Frankie Gallagher, Board Chair*

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