

RESOLUTION NO. NS-30,245

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ ORDERING AN ELECTION, REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION, AND REQUESTING CONSOLIDATION WITH THE PRIMARY ELECTION ON MARCH 5, 2024, FOR THE PURPOSE OF INCLUDING A BALLOT MEASURE FOR THE CITY OF SANTA CRUZ TO IMPOSE A RETAIL TRANSACTIONS AND USE TAX

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city may by resolution request the Board of Supervisors of the County of Santa Cruz to permit the county elections official to render specified services to the city relating to the conduct of an election; and

WHEREAS, the resolution of the governing body of the city shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10002, the city shall reimburse the county in full for the services performed upon presentation of a bill to the city; 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, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections 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 subdivision 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 acknowledging that the consolidation election will be held and conducted in the manner prescribed in Section 10418. Upon such request, the Board of Supervisors may order the consolidation; and

WHEREAS, pursuant to Elections Code Section 10418, if consolidated, the consolidated election shall be held and conducted, election boards appointed, voting precincts designated, candidates nominated, ballots printed, polls opened and closed, voter challenges determined, ballots counted and returned, returns canvassed, results declared, certificates of election issued, recounts conducted, election contests presented, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law

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regulating the statewide or special election, or the election held pursuant to Section 1302 or 1303, as applicable; 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 district, county, state, and other political subdivision elections may be or have been called to be held on March 5, 2024.

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Santa Cruz that an election be called and consolidated with any and all elections also called to be held on March 5, 2024, insofar as said elections are to be held in the same territory that is in part the same as the territory of the City of Santa Cruz and hereby requests the Board of Supervisors of the County of Santa Cruz to order such consolidation under Elections Code Section 10401, 10403, 10406 and 10418.

BE IT FURTHER RESOLVED AND ORDERED that the City Council of the City of Santa Cruz hereby requests the Board of Supervisors to permit the Santa Cruz County Elections Department to provide any and all services necessary for conducting the election and agrees to pay for said services; and

BE IT FURTHER RESOLVED AND ORDERED that the Santa Cruz County Elections Department shall conduct the election for the following measure to be voted on at the March 5, 2024 election:

Measure to be voted on:

Ballot Question:

Measure “___” City of Santa Cruz Half-Cent Sales Tax Measure

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| “To protect and maintain essential services including homelessness response/prevention, emergency shelters, case management/connection to services; cleaning up/addressing the impacts of encampments; keeping pollution out of local rivers, creeks, and streams; supporting local food programs; preparing for wildfires; maintaining/repairing streets/potholes; and improving/maintaining neighborhood parks, beaches, and public safety, shall the City of Santa Cruz measure to enact a one-half of one percent sales tax be adopted, raising about \$8,000,000 annually for general government use until ended by voters?” | Yes | |
| | No | |

The City Council of the City of Santa Cruz submits to the qualified electors said Ballot Measure Question as set forth above and designates and refers to said measure as the measure to be set forth

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on the ballots for use in said election. The full text of the measure is as set forth in Exhibit A.

In accordance with the provisions of Section 9280 of the California Elections Code, the City Attorney is hereby directed to prepare an impartial analysis of this measure.

In accordance with the provisions of Section 9212 of the California Elections Code, the Finance Director is hereby directed to prepare a fiscal impact statement of this measure.

BE IT FURTHER RESOLVED AND ORDERED that Santa Cruz County Elections Department is requested to print the attached measure text exactly as filed or indicated on the filed document in the Voter's Information Guide for the March 5, 2024 election. Cost of printing and distribution of the measure text will be paid for by the city.

BE IT FURTHER RESOLVED AND ORDERED that the City Clerk Administrator of the City of Santa Cruz is hereby ordered and directed to cause said proposed ordinance (Exhibit A) and notice of election to be published in accordance with the provisions of the California State Election Code.

PASSED AND ADOPTED this 28th day of November, 2023 by the following vote:

AYES: Councilmembers Newsome, Brown, Watkins, Brunner, Kalantari-Johnson;
Vice Mayor Golder; Mayor Keeley.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: _____

Fred Keeley, Mayor

ATTEST: _____

Bonnie Bush, City Clerk Administrator

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EXHIBIT A

ORDINANCE NO. 2024-____
AN ORDINANCE OF THE CITY OF SANTA CRUZ AMENDING SECTION 3.18.056 OF
THE SANTA CRUZ MUNICIPAL CODE PERTAINING TO ADDITIONAL
TRANSACTIONS TAX RATE

BE IT ORDAINED by the City of Santa Cruz as follows:

Section 1. Chapter 3.18 – TRANSACTIONS AND USE TAX of the City of Santa Cruz Municipal Code is hereby amended to add Section 3.18.056 “ADDITIONAL TRANSACTIONS AND USE TAX” to read as follows:

“3.18.056 ADDITIONAL TRANSACTIONS TAX RATE.

For the privilege of selling tangible personal property at retail, an additional tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of one-half of one percent (0.50%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance codified in this section.”

Section 2. Chapter 3.18 – TRANSACTIONS AND USE TAX is hereby further amended to add Section 3.18.076 “ADDITIONAL USE TAX RATE” to read as follows:

“3.18.076 ADDITIONAL USE TAX RATE.

An additional excise tax is hereby imposed on the storage, use or other consumption in the city of tangible personal property purchased from any retailer on and after the operative date of the ordinance codified in this section for storage, use or other consumption in said territory at the rate of one-half of one percent (0.50%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.”

Section 3. EFFECTIVE DATE.

This ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately if the tax imposed is approved by a simple majority of voters voting on the question at the March 5, 2024 statewide primary election and shall become operative on the first date of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, the date of such adoption being as set forth below.

PASSED AND ADOPTED by a majority vote of the electorate of the City of Santa Cruz on at the March 5, 2024 statewide primary election. Pursuant to Section 3, above, the ordinance became effective immediately upon such adoption.