

MEASURE __
CITY ATTORNEY'S IMPARTIAL ANALYSIS

The City Council of the City of Kerman has placed Measure __ on the November 8, 2016, ballot to ask the City voters to approve an ordinance that would enact a three-fourths (3/4) cent transactions and use tax (i.e. "sales tax") for fifteen (15) years.

The Measure, if approved by the voters, would adopt an ordinance which is a City law. The ordinance would be codified in the Kerman Municipal Code.

As a special tax, all proceeds from the special tax must be accounted for and are restricted for use only on the following: Construction of a Senior Center, Regional Fairgrounds, Police Station, Animal Shelter and other similar projects. Up to 10% of taxes collected may also be used for Downtown Revitalization.

The ordinance requires an annual audit performed by the City's independent auditor and an Annual Review Report. It also requires the establishment of a Special Sales Tax Oversight Committee comprised of City residents to review the Annual Review Report and related records and to make comments and recommendations to the City Council to ensure compliance with the ordinance.

The special tax under this Measure automatically terminates in fifteen (15) years. If the ordinance is approved, it may not be amended or repealed except by City voters.

Technically, the proposed "sales tax" is a combination of "sales and use tax" and "transactions and use tax." With some exceptions, both are levied on the sale or use of tangible personal property sold at retail. Retailers collect the tax at the time of sale and remit the funds to the State Board of Equalization which administers the tax.

As a special tax, the Measure requires a two-thirds (2/3) vote of the persons voting at the election to pass.

A "Yes" vote on the measure is a vote to approve the ordinance adopting the special tax. A "No" vote is a vote against the ordinance.

The above statement is an impartial analysis of Measure __. If you desire a full copy of the ordinance or measure, you may obtain a copy by contacting the Kerman City Clerk at (559) 846-9380 and a copy will be mailed at no cost to you. The ordinance is also available online at www.cityofkerman.org or by clicking "county clerk/registrar of voters" at www.co.fresno.ca.us.

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