

**MEASURE M
CITY OF PITTSBURG**

To provide funding that stays in Pittsburg and cannot be seized by the State, to be used for Public Safety, gang prevention, job creation programs for local residents, Senior Center operations, repair roads, operate youth programs, and maintain other City services, shall the City of Pittsburg extend its current half-cent sales tax through fiscal year 2034-2035, providing \$3.6-\$3.8 million annually, then the increase be terminated, altogether, with citizens' oversight, mandatory audits and consistent community reporting?

**CITY COUNSEL'S IMPARTIAL ANALYSIS OF
MEASURE M**

In 2012, City of Pittsburg voters approved a temporary transactions and use tax of one-half of one percent (0.5%) for a period of five years. In October 2017, that tax amount is scheduled to become one-quarter of one percent (0.25%) for a period of five years, after which the tax will expire.

The City of Pittsburg City Council has placed Measure M on the ballot, asking voters to approve continuing the current temporary transactions and use tax amount of one-half of one percent (0.5%) through fiscal year 2034-2035, after which the tax will automatically expire.

The tax results in one-half of one cent per dollar spent in Pittsburg going to the City, on the conditions listed below.

The Measure maintains the Citizens' Oversight Committee consisting of at least three members of the public. The City Council appoints Committee members, who review the receipt and expenditures of the tax revenues. The Committee's reports and recommendations are public record, provided to the City Council at a public meeting.

The Measure is a "general tax," not a "special tax." The City may use the funds for a variety of purposes, including public safety, gang and domestic violence prevention, job creation programs for residents, Senior Center operations, road repairs, and operation of youth programs.

The tax is a combination of a "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 and are generally known as a "sales tax." Retailers collect the tax at the time of sale and remit the funds to the State Board of Equalization, which administers the tax.

Currently, the total existing tax on retail sales in Pittsburg is 9.00% of the purchase price. The City receives a total of 1.5% of the revenue generated by this tax, with the remainder going to the State (6.25%), Contra Costa County (.25%), Contra Costa Transportation Authority (0.5%), and BART (0.5%). Proceeds of the temporary tax extension proposed in Measure M would go only to the City and not to the State, County, Transportation Authority, or BART.

If Measure M is approved, the current general tax would continue at its present level. Pittsburg's portion

of sales tax proceeds would remain at 1.5% through fiscal year 2034-2035. If Measure M is not approved, Pittsburg's portion of sales tax proceeds will drop to 1.25% in October 2017, and to 1.00% in October 2022.

A "Yes" vote will approve a temporary continuation of the existing half-cent tax, with receipt and expenditures overseen by the Citizens' Oversight Committee. A "No" vote will not extend the tax. Measure M would be approved if it receives a simple majority of "Yes" votes.

The above statement is an impartial analysis of the Pittsburg Preservation of Citywide Services Short-Term Funding Measure (Measure M). If you desire a copy of the ordinance or measure, please call the elections official's office at (925) 252-4850 and a copy will be mailed at no cost to you.

DATED: March 22, 2016

Ruthann G. Ziegler, City Attorney
City of Pittsburg

**ARGUMENT IN FAVOR OF
MEASURE M**

**ARGUMENT AGAINST
MEASURE M**

Keep Protecting Pittsburg Vote Yes on Measure M.

None Filed.

While the City has kept its historically low crime rates. Key services for police, parks, recreation programs and the Senior Center continue to serve residents, thanks in part to a half-cent sales tax approved in 2012 by Pittsburg voters.

The economy is continuing to slowly recover, but unfortunately, not fast enough. As a community, we came together in 2012 to support police, services to seniors and job training programs for local residents.

The tax as it was first approved is scheduled to be cut in half, to one-quarter cent in 2017, and expire completely in 2022. But there is much more that needs to be done to help police do their job, fix our streets and support youth and senior programs here in Pittsburg.

That's why once again we are joining together to extend the half-cent sales tax at its current level to 2035. The sales tax rate for Pittsburg will stay the same as it is today. No additional tax is proposed.

The funds will continue to prevent cuts to services residents value the most: Public Safety, gang prevention, job creation programs for local residents, keeping the Senior Center open, and maintaining other City services. In addition, the funds will also support services for victims of domestic violence and sexual abuse, and help pay for operation of youth services.

Since 2008, the City's sales and property tax revenues fell \$2.6 million. The City made cuts and found ways to maintain services at a lower cost. The City reduced its workforce and City workers, including police, agreed to reduced health and retirement benefits.

The measure still has accountability built-in: a fixed end date, required audits, citizens oversight and community reports to ensure the money goes directly to local services.

Pittsburg needs help now to keep services that matter most.

Vote YES on Measure M to continue Pittsburg's sales tax at its current level.

Joe Terry, President Pittsburg Police Officer's Association
Will Casey, Council Member and Past Chief of Police
Merl Craft, Council Member

**FULL TEXT OF
MEASURE M**

EXHIBIT A

BEFORE THE PEOPLE OF THE CITY OF
PITTSBURG

In the Matter of:

An Ordinance of the City of Pittsburgh)
Continuing and Extending the)
General Transaction and Use)
Tax to Fund General Municipal) ORDINANCE NO. 15-
Services and to be Administered by the)
State Board of Equalization)

Now therefore, the People of the City of Pittsburgh,
DO ORDAIN as follows:

SECTION 1.

A. The City of Pittsburgh has faced decreasing revenues, including a twenty-six percent decrease in sales and property taxes since 2008, amounting to a loss of approximately \$2.6 million, and costs of providing essential city services to residents continue to increase.

B. The national and state recession has resulted in a weak economy best evidenced by several years of declining development activity revenue, significant decreases in property and transfer tax revenues, raids on City revenues by the State of California, increased retirement costs and increased insurance costs.

C. The City has taken steps to increase revenue and decrease expenditures, including but not limited to, updating charges for services in order to ensure that users are paying for their fair share of costs. Despite these measures, however, it is expected that the City's General Fund will continue to decline.

D. The City has cut funding to community events, capped contributions to employees' medical insurance premiums and provides reduced retirement benefits to new employees in an effort to minimize expenses.

E. In an attempt to reduce costs, the fiscal year 2011-12 budget called for leaving four (4) police department positions vacant, eliminating funding for police and maintenance employees at City events, and eight (8) layoffs that resulted from eliminating approximately (14) positions.

F. Without increased revenues the City will have to further cut programs, including a reduction in police services, cuts to senior services, code enforcement and other vital community services necessary for the preservation of public peace, health and safety.

G. The City is committed to maintaining public safety, including gang enforcement and code enforcement, and does not want to make further cuts to community services, including the Senior Center.

H. This measure would create a guaranteed local source of funding for public safety in order to avoid cuts to other important services offered by the City. All funds from a local measure must stay in Pittsburgh to maintain local services, and the funds cannot be taken by the State. A local increase in the Sales Transaction and Use Tax would ensure fiscal accountability to maintain local services and would be reported on annually to the City Council.

SECTION 2. Amendment of Pittsburgh Municipal Code. Chapter 3.08 of Title 3 of the Pittsburgh Municipal Code is hereby amended as set forth below.

3.08.010 Title.

This Ordinance shall be known as the "Pittsburgh Preservation of Citywide Services Temporary Funding Transactions and Use Tax Ordinance.", as modified by the "Pittsburgh Preservation of Citywide Services Short-Term Funding Transactions and Use Tax Ordinance." The City of Pittsburgh shall hereinafter be called "City." This Ordinance shall be applicable in the incorporated territory of the City.

3.08.020 Operative Date.

[Unchanged]

3.08.030 Purpose.

[Unchanged]

3.08.040 Contract with State.

[Unchanged]

3.08.050 Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of one-half of one percent (0.5%) 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 through and including fiscal year 2034-2035.

3.08.060 Place of Sale.

[Unchanged]

3.08.070 Use Tax Rate.

An 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 this ordinance for storage, use or other consumption in said territory at the rate of one-half of one percent (0.5%) of the sales price of the property. Such rate shall be imposed for a period through and including fiscal year 2034-2035.

following vote, to wit:

AYES:
NOES:
ABSTAINED:
ABSENT:

3.08.080 Adoption of Provisions of State Law.

[Unchanged]

BR Johnson, Mayor

ATTEST:

3.08.090. Limitations on Adoption of State Law and Collection of Use Taxes.

]Unchanged]

Alice E. Evenson, City Clerk

3.08.100 Permit Not Required.

[Unchanged]

3.08.110 Exemptions and Exclusions.

[Unchanged]

3.08.120 Amendments.

[Unchanged]

3.08.130 Enjoining Collection Forbidden.

[Unchanged]

3.08.140 Citizens Oversight Committee.

[Unchanged]

3.08.150 Termination Date.

The authority to levy the tax imposed by this Chapter shall expire at the end of fiscal year 2034-2035.

SECTION 3. Severability.

[Unchanged]

SECTION 4. Effective Date and Publication. This Ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately.

IT IS HEREBY CERTIFIED that the foregoing Ordinance was APPROVED by the following vote of the People of the City of Pittsburg on June 7, 2016:

Yes: _____ No: _____ Total: _____

IT IS HEREBY FURTHER CERTIFIED that the foregoing Ordinance was adopted by Declaration of the June 7, 2016 election results by the City Council of the City of Pittsburg on _____, 2016, by the