

SOLANO
City-County Coordinating Council

MEMBERS

Elizabeth Patterson
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Mayor, City of Benicia

John Vasquez
Vice Chair
*Supervisor, Solano
County, District 4*

Jack Batchelor
Mayor, City of Dixon

Harry Price
Mayor, City of Fairfield

Norman Richardson
Mayor, City of Rio Vista

Pete Sanchez
*Mayor, City of Suisun
City*

Len Augustine
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Erin Hannigan
*Supervisor, Solano
County, District 1*

Linda J. Seifert
*Supervisor, Solano
County, District 2*

Jim Sperring
*Supervisor, Solano
County, District 3*

Skip Thomson
*Supervisor, Solano
County, District 5*

SUPPORT STAFF:

Birgitta Corsello
*Solano County
Administrator's Office*

Michelle Heppner
*Solano County
Administrator's Office*

Daryl Halls
*Solano Transportation
Authority*

Jim Lindley
City of Dixon

AGENDA (Revised 8/8/2016)

August 11, 2016

Location - Solano County Water Agency, Berryessa Room,
810 Vaca Valley Parkway, Suite 203, Vacaville, CA.

7:00 P.M. Meeting

PURPOSE STATEMENT – City County Coordinating Council

“To discuss, coordinate, and resolve City/County issues including but not necessarily limited to land use, planning, duplication of services/improving efficiencies, as well as other agreed to topics of regional importance, to respond effectively to the actions of other levels of government, including the State and Federal government, to sponsor or support legislation at the State and Federal level that is of regional importance, and to sponsor or support regional activities that further the purpose of the Solano City-County Coordinating Council.”

Time set forth on agenda is an estimate. Items may be heard before or after the times designated.

ITEM

AGENCY/STAFF

I. CALL TO ORDER (7:00 p.m.)

Roll Call

II. APPROVAL OF AGENDA (7:00 p.m.)

III. OPPORTUNITY FOR PUBLIC COMMENT (7:10 p.m.)

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter of the jurisdiction of the agency and which is not on the agency's agenda for that meeting. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during public comment period although informational answers to questions may be given and matter may be referred to staff for placement on future agenda.

This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42U.S.C.Sec12132) and the Ralph M. Brown Act (Cal.Govt.Code Sec.54954.2) Persons requesting a disability-related modification or accommodation should contact Jodene Nolan, 675 Texas Street, Suite 6500, Fairfield CA 94533 (707.784.6108) during regular business hours, at least 24 hours prior to the time of the meeting.

IV. CONSENT CALENDAR

1. Approval of Minutes for May 12, 2016 (Action Item) Chair Patterson

V. DISCUSSION CALENDAR

1. Receive an Update on Local Tax Measures that have Qualified for the November 8, 2016 Ballot
(7:10 p.m. – 7:50 p.m.)

Presenters: Alan Kerzin, The Children's Network, Laura Kuhn, City Manager, City of Vacaville, David White, City Manager, City of Fairfield, Teri Killgore, Assistant City Manager, City of Vallejo, and Susan Bragdon, City Manager, City of Suisun City

2. Receive an update on Moving Solano Forward
(7:50 p.m. – 8:10 p.m.)

Presenters: Sandy Person, President, Solano Economic Development Corporation, Sean Quinn, Project Manager, Dr. Robert Eyler, President, Economic Forensics and Analytics, and Audrey Taylor, President, Chabin Concepts

3. Receive a presentation on the Plan Bay Area Land Use Scenarios
(8:10 p.m. – 8:30 p.m.)

Presenters: Bob Macaulay, Planning Director, Solano Transportation Authority and Drew Hart, Associate Planner, Solano Transportation Authority

4. Receive an update on the Travis Air Force Base Joint Land Use Study
(8:30 p.m. – 8:50 p.m.)

Presenters: Jim Leland, Principal Planner, Department of Resource Management, Solano County

5. Solano County Library's Strategic Planning Process (No presentation – Informational only)

VI. ANNOUNCEMENTS

VII. CCCC CLOSING COMMENTS

ADJOURNMENT: The next City-County Coordinating Council meeting is scheduled for August 11, 2016 at 7:00 p.m. at the Solano County Water Agency – Berryessa Room, 810 Vaca Valley Parkway, Suite 203, Vacaville, CA.

Future Items for Upcoming Meeting:

- End of Session - Legislative Update
- Review and Adoption of 2017 CCCC Meeting Schedule and Work Plan
- Review of the Proposed 2017 CCCC Legislative Platform
- Annual Update on Air Quality – (BAAQMD and YSAQMD)
- Moving Solano Forward – Implementation of Diversifying Economic Action (IDEA)

**CITY-COUNTY COORDINATING COUNCIL
May 12, 2016 Summary Meeting Minutes**

The May 12, 2016 meeting of the Solano City-County Coordinating Council was held in the Berryessa Room at the Solano County Water Agency located at 810 Vaca Valley Parkway, Ste. 303, Vacaville, CA 95688.

I. Roll and Call to Order

Members Present

Elizabeth Patterson, Chair	Mayor, City of Benicia
John Vasquez, Vice Chair	Solano County Board of Supervisors (District 4)
Jack Batchelor	Mayor, City of Dixon
Harry Price	Mayor, City of Fairfield
Norm Richardson	Mayor, City of Rio Vista
Pete Sanchez	Mayor, City of Suisun City
Len Augustine	Mayor, City of Vacaville
Linda Seifert	Solano County Board of Supervisors (District 2)
Jim Spering	Solano County Board of Supervisors (District 3)
Skip Thomson	Solano County Board of Supervisors (District 5)

Members Absent

Osby Davis	Mayor, City of Vallejo
Erin Hannigan	Solano County Board of Supervisors (District 1)

Staff to the City-County Coordinating Council Present:

Birgitta Corsello	County Administrator, Solano County
Michelle Heppner	Legislative Officer, CAO, Solano County
Andrew Boatright	Office Assistant III, CAO, Solano County

Guest Speakers and Other Staff Present

Michelle Heppner	Legislative Officer, CAO, Solano County
Paul Yoder	Legislative Advocate, Shaw/Yoder/Antwih, Inc.
Jim Leland	Principal Planner, Department of Resource Management, Solano County
Sandy Person	President, Solano EDC
Sean Quinn	Project Manager, Solano EDC
Dr. Robert Eyler	President, Economic Forensics and Analytics
Audrey Taylor	President, Chabin Concepts
Bill Emlen	Director, Department of Resource Management, Solano County
Victor Randall	Management Analyst II, Parks & Community Services, City of Benicia
Bob Macaulay	Director of Planning, Solano Transportation Authority
Drew Hart	Associate Planner, Solano Transportation Authority

I. Meeting Called to Order

The meeting of the City-County Coordinating Council was called to order at 7:00 pm.

II. Approval of Agenda

A verbal correction was made to the Agenda regarding Item IV. Approval of Minutes for January – should read January 14, not January 7.

A motion to approve the Agenda was made by Mayor Richardson and seconded by Supervisor Vasquez. Agenda approved by 10-0 vote.

III. Opportunity For Public Comment

No public comments were received.

IV. Consent Calendar

An verbal correction was made to the March 10, 2016 minutes regarding the date below the header – January 14 should read March 10.

A motion to approve the Minutes was made by Supervisor Seifert and seconded by Mayor Sanchez. Agenda approved by 10-0 vote.

V. Discussion Calendar

1. Legislative Update – Report on Governor’s May State Budget Revisions and Measures that have Qualified for the June 2016 Ballot (Oral Report)

Paul Yoder Legislative Advocate, Shaw/Yoder/Antwih, Inc. gave a brief update of Governor Brown’s budget revisions. Mr. Yoder noted that the Governor would be giving a local government briefing to discuss housing, including the \$1.3 billion proposal, tree mortality, and the earthquake early warning system. Mr. Yoder noted that the Governor would focus on an austerity message due to lower than projected (\$1 billion) April income tax receipts and the implications for signing the minimum wage bill SB 3 (Leno) and its related cost of \$4 billion annually to the state budget. Mr. Yoder also noted that June 3, 2016 will be the deadline for each house to pass bills introduced in that house.

2. Accept the role of Policy Advisory Committee for the Travis Air Force Base Joint Land Use Study and establish an Ad-Hoc Committee to advise staff (Action Item – carried over from March 10, 2016 meeting)

Jim Leland, Principal Planner, Department of Resource Management, Solano County noted that in the prior year the CCCC acted as a policy committee for the Resource Management department’s efforts regarding planning and that this body would take the same role in this year’s Joint Land Use Study as well as establish an ad-hoc committee, the composition of which they suggested in the March 10th meeting, to advise staff between scheduled meetings if an urgent item arises.

A motion to accept the role of Policy Advisory Committee was made by Supervisor Seifert and seconded by Mayor Batchelor. Item approved by 10-0 vote.

3. Receive and update on Moving Solano Forward economic project

Sean Quinn, Project Manager, Solano EDC introduced Dr. Robert Eyler, President, Economic Forensics and Analytics who noted seven goals to be achieved during the project, namely to 1.) identify potential public sector infrastructure investments which would induce private sector investment; 2.)

identify Solano County's assets and how they can be showcased to define the County as a distinctive and desirable region for economic development activity; 3.) identify strategic catalytic projects of countywide significance along the County's corridors that further diversify traded-sector industries; 4.) identify real estate, labor and other key needs of the identified industry clusters; 5.) identify a comprehensive database of economic and demographic information; 6.) identify web-based tools to enhance overall economic development; and 7.) identify potential funding sources for economic development activities, workforce development or business assistance.

Dr. Eyler noted that trade sectors have the most impact as they have external markets with local supplies - an example of which is manufacturing – outside business purchasing feeds money into local business and allows for many jobs at different wages to be hired and creates a competitive advantage for the County due to the specific locale providing supply. Dr. Eyler stressed the importance of keeping engineering local to prevent a costly outsourcing of this all-important function. Dr. Eyler noted another example in Food and Beverage services – linking local crop farming as a starting point of a supply chain may tie into a motor vehicle and parts industry which answers the logistical need of exporting. Dr. Eyler noted that a logistical goal is to be in the middle of a supply chain, moving goods between markets, which could, eventually, provide to the entire country.

Dr. Eyler noted three viewpoints from the draft results of participants in the business survey regarding the state of Solano County: 1.) from a value standpoint, the perceived value and quality from the public is that Solano County is in a position of recovery and expansion which translates into an assumption that the County will be in an economic boom soon, that it is an affordable and productive place to live, and that there is a place for new business and for those already in business there is good access; 2.) from an identity standpoint, there is a feeling that businesses make a difference and feed into the heritage of the County, the County is a gateway to the Bay Area which is good as a position to receive enhancements from the west and east; and 3.) that nature and recreation best symbolize Solano County.

Mr. Quinn gave a review of site analysis as part of the project update and noted his recent revisiting of the communities among the sites listed with Don Sheldon to refine the lists and refine clusters identified to determine which one best to use in marketing the County (tier one) and secondly those clusters which would benefit from infrastructure investment (tier two and three).

- 4. Update on the County's Regional Parks Exploratory Effort (Informational only, no presentation)**
No discussion.

- 5. Update on Solano State Parks Committee Efforts (Verbal Update)**

Victor Randall, Management Analyst II, Parks & Community Services, City of Benicia gave an update of the efforts relating to the creation of a State Parks system within Solano County. Mr. Randall noted that Benicia State Recreation

Area (SRA) and Capitol State Historic Park were placed on the parks closure list in 2007 and 2011. Mr. Randall noted that in 2012, Mayor Patterson along with Supervisor Seifert became part of the Solano State Park Committee which has helped in facilitating coordination and cooperation on projects among staff from various city stakeholders, non-profits, and legislative aids ultimately benefiting the Benicia SRA as well as the Capitol State Historic Park in the form of improvements.

Mr. Randall also noted some features of Benicia SRA including shoreline access, access to mutual trail and local and regional amenities, 270 acre tidal marsh, wetland, Forrest Deaner Native Plant Botanic Garden all with excellent educational potential. Mr. Randall noted the committee has benefited from the San Francisco Bay Trail and the Bay Area Ridge Trail and will continue to grow in recreational value as linkages increase on local and regional trails making for a more comprehensive and complete trail network. Mr. Randall also noted that the Carquinez Strait Scenic Loop Trail is being pushed to position this SRA to become a regional trail head point, making it a regional recreation asset and allow for tremendous potential for growth in visitation and link many local, regional, and State Park Amenities.

Mr. Randall cited the fiscal agreement made through AB1478 from 2013 by the City of Vallejo and the City of Benicia in response to the State financial crisis. Mr. Randall noted the contributions from both Solano County and City of Benicia were each \$10,000.00 and City of Vallejo, \$4,000.00 – these led to restoration of full-time daily operations in the Benicia SRA and the increased and improved signage along with further infrastructure improvements leading to increased park usage.

Mayor Patterson noted an event honoring World War II era music and a recently deceased veteran Warren Jensen with performances from another veteran Bob Hitchcock. Supervisor Seifert commended Mr. Randall regarding the usage of such a small amount of contribution to result in such a large benefit across multiple SRAs.

- 6. Presentation of Draft Solano Priority Conservation Area (PCA) Plan by STA**

Drew Hart, Associate Planner, Solano Transportation Authority (STA) gave a presentation regarding Priority Conservations Areas in Solano County. Mr. Hart noted that Priority Development Areas (PDAs), which are designated through Association of Bay Area Governments (ABAG) and Municipal Transportation Commission (MTC) as high-value outdoor recreation, open space, and agricultural lands. Mr. Hart noted the request from STA, Solano County, and Napa Valley Transportation Authority (NVTA) during the One Bay Area Grant cycle I (OBAG I) for money to be used, PCA's and PDA's lead to a \$5 million conservation grant to be used across four areas with \$1.25 million per project. A project has been identified and a small amount of money has been used toward planning. Mr. Hart noted that although conservation projects in Solano County are not new, now that funding is attached to projects, a collaboration of ideas can help shape a direction for the future in all PCA planning. Mr. Hart noted that ABAG did not previously have strict guidelines related to PCA's and that STA coordinated identifying which PCA's fit under the new ABAG guidelines and

which PCA's need restructuring to remain compliant as well as seeking out new PCA's to add to the maps and viewing both previous and new PCA's to identify potential projects for investment of the \$1.25 million PCA project funds.

Mr. Hart noted that some locations for potential PCA's within Solano County met all of ABAG's guidelines as identified by the committee and that enough of those locations fell within Solano County jurisdiction that, after presenting the boundaries to the Planning Directors for Solano County, it was recommended to coordinate with Solano County staff to refine the boundaries to coincide with a specific plan, a greenbelt, or Tri-City & County Open Space and the final recommendations are presented in the maps given to CCCC members. Mr. Hart noted that in order to recommend a new PCA a land-use authority is required. Mr. Hart noted that the goal is to deliver one project well with the money from OBAG I for a PCA and is underway with Mankas Corner in Suisun Valley and create a planning document for the next set of projects that are ready to deliver with the next \$10 million received. Mr. Hart noted that planning document identifies the top 3 projects within PCA's along with 3 projects in areas that could potentially hold PCA's.

Mr. Hart noted the plan would be presented to the STA Board June 8, 2016 for a 30-day public comment period, then, in July, if adopted by the STA Board, will become the first Priority Conservation Plan in the Bay Area and serve as the blueprint for where PCA money can be spent in the future; the money available would include that from OBAG as well as the Delta Conservancy in the amount of \$50 million for Delta areas.

VI. Announcements

There were no closing comments.

VII. CCCC Closing Comments

There were no closing comments.

ADJOURNMENT: The meeting was adjourned at 8:23 p.m. The next meeting will be on August 11, 2016 in the Berryessa Room at the Solano County Water Agency located at 810 Vaca Valley Parkway, Ste. 203, Vacaville, CA 95688.

SOLANO
City County Coordinating Council
Staff Report

Meeting of. August 11, 2016

Agency/Staff: Laura Kuhn, City Manager, City of Vacaville, David White, City Manager, City of Fairfield, Teri Killgore, Assistant City Manager, City of Vallejo, Susan Bragdon, City Manager, City of Suisun City

Agenda Item No: V.1

Title /Subject: Local Sales Tax Measures on the November 8, 2016 Ballot

Background: Receive a presentation from staff relative to local sales tax measures on the November 8, 2016 ballot.

Discussion:

As of August 3, 2016 there were 14 local measures slated for the November 8, 2016 ballot, 13 have qualified and one is awaiting a second reading by the Solano County Board of Supervisors on August 9, 2016. The 14 measures are:

- A - Solano County - Children's Alliance Sales Tax Measure – .25% for 10 years
- B - Solano County - Children's Alliance Advisory Measure
- C - Solano County - Marijuana Tax – Up to 15% of gross receipts
- D - Winters Joint Unified School District – Bond - \$17 million bond to modernize facilities
- H – Davis Joint Unified School District – Bond – \$9.5 million (replace expiring \$620/year parcel tax)
- K - City of Dixon - Marijuana Tax - Up to 15% of gross receipts
- L - City of Dixon - Treasurer – Elected to Appointed
- M - City of Vacaville - Extension of Sales Tax Measure – .75% for 20 years
- N - City of Rio Vista - Sales Tax Measure - .75% for 5 years
- O - City of Rio Vista - Treasurer - Elected to Appointed
- P - City of Fairfield - Extension of Sales Tax Measure – 1% for 15 years
- T - City of Fairfield - Pacific Flyway
- S - City of Suisun - Sales Tax Measure – 1% for 10 years
- V - City of Vallejo - Extension of Sales Tax Measure – 1% (no termination date)

City staff will provide updates on local city tax measures. Additional information for each measure being presented is contained in the attachments to this report.

Recommendation: Receive a presentation on local sales tax measures.

Attachments:

1. Measure A - Solano County/Children's Alliance - Sales Tax Measure
2. Measure M - City of Vacaville - Sales Tax Measure
3. Measure N - City of Rio Vista - Sales Tax Measure
4. Measure P - City of Fairfield - Sales Tax Measure
5. Measure S - City of Suisun - Sales Tax Measure
6. Measure V - City of Vallejo - Sales Tax Measure

RESOLUTION NO. 2016 - _____

RESOLUTION TO SUBMIT TO THE VOTERS OF SOLANO COUNTY A PROPOSED ONE QUARTER-CENT SALES TAX MEASURE ENTITLED THE “SOLANO COUNTY 2017 TRANSACTIONS AND USE TAX” ON THE NOVEMBER 8, 2016 BALLOT

WHEREAS, the Solano County Board of Supervisors adopted Ordinance No. 2016 - _____ that adds Article XVII to Chapter 11 of the Solano County Code to impose a general countywide transactions and use tax by a majority vote as authorized by Revenue and Taxation Code section 7285; and

WHEREAS, article XIII C, section 2(b) of the California Constitution and Revenue and Taxation Code section 7285 also require that the imposition of such tax be approved by a majority of the qualified voters of the entire county voting on the measure; and

WHEREAS, the County of Solano strives to promote a sound quality of life by providing general services to improve the lives of children and families, to improve the health and wellbeing of those who live and work here and to maintain a safe community and other services; and

WHEREAS, an independent citizens’ oversight committee will review the expenditures to ensure that the revenues are spent in accordance with the authorized purposes of the measure.

RESOLVED, the Solano County Board of Supervisors authorizes the placement of the measure on the November 8, 2016 ballot to impose a countywide general tax, to be levied at a maximum rate of one-quarter of one percent (0.25%) for a period not to exceed 10 years, commencing April 1, 2017.

RESOLVED, the ballot label for the measure submitted to the voters shall read substantially as follows:

“Shall the people of Solano County enact a one-quarter percent sales tax for general governmental purposes such as improving children’s services to homeless children, preventing child abuse, improving access to high quality childcare and preventative child health care programs, providing employment opportunities for youths and other essential services for ten years and assure public accountability by means of a citizens’ oversight committee and annual audits?”

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on August 2, 2016, by the following vote:

AYES: Supervisors _____

NOES: Supervisors _____

EXCUSED: Supervisors _____

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

**AN ORDINANCE ADDING ARTICLE XVII TO CHAPTER 11 OF THE SOLANO COUNTY CODE
IMPOSING A GENERAL COUNTYWIDE TRANSACTIONS AND USE TAX TO BE
ADMINISTERED BY THE STATE BOARD OF EQUALIZATION**

The people of the County of Solano ordain as follows:

Section 1.

Article XVII is added to Chapter 11 of the Solano County Code to read:

ARTICLE XVII. SOLANO COUNTY 2017 TRANSACTIONS AND USE TAX

Section 11- 700 Title.

This ordinance shall be known as the “Solano County 2017 Transactions and Use Tax Ordinance.” This ordinance shall be applicable in the incorporated and unincorporated territory of Solano County (“the “County”).

Section 11- 701 Operative Date.

“Operative date” means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance.

Section 11 – 702 Purpose.

This ordinance is adopted to achieve the following, among other purposes, and directs that its provisions are interpreted to accomplish those purposes:

(a) To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with section 7251) of Division 2 of the Revenue and Taxation Code and section 7285 of Part 1.7 of Division 2 of the Revenue and Taxation Code, which authorizes the County to adopt this tax ordinance which shall be operative if a majority of the qualified voters voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

(b) To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are consistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

(c) To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure for it that the State Board of Equalization can administer and collect in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California Sales and Use Taxes.

(d) To adopt a retail transactions and use tax ordinance which can be administered in a manner that shall be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

(e) To raise the appropriations limit for the County.

Section 11- 703 Contract with State.

Prior to the operative date, the County shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the County has not contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract, and in that case the operative date will be the first day of the first calendar quarter following the execution of the contract.

Section 11- 704 Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is imposed upon all retailers in the incorporated and unincorporated territory of the County at the rate of 1/4 of 1 percent (0.25%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in the territory on and after the operative date of this ordinance.

Section 11- 705 Place of Sale.

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his or her agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State, or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

Section 11- 706 Use Tax Rate.

An excise tax is imposed on the storage, use or other consumption in the County of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in the territory at the rate of 1/4 of 1 percent (0.25%) 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 11- 707 Adoption of Provisions of State Law.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with section 6001) of Division 2 of the Revenue and Taxation Code are adopted and incorporated by this reference.

Section 11- 708 Limitations on Adoption of State Law and Collection of Use Taxes.

(a) In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, wherever the State of California is named or referred to as the taxing authority, the name of this County shall be substituted for it. However, the substitution shall not be made when:

- (1) The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Equalization, State Treasury, or the Constitution of the State of California.
- (2) The result of that substitution would require action to be taken by or against this County or any agency, officer, or employee of it rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this ordinance.
- (3) In those sections, including, but not necessarily limited to, sections referring to the exterior boundaries of the State of California, where the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the State under the provisions of that code.

(4) In sections 6701, 6702 (except in its last sentence), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

(b) The word "County" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in section 6203 and in the definition of that phrase in section 6203.

Section 11- 709 Permit Not Required.

If a seller's permit has been issued to a retailer under section 6067 of the Revenue and Taxation Code, this ordinance shall not require an additional transactor's permit.

Section 11- 710 Exemptions and Exclusions.

(a) There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county or county pursuant to the Bradley-Burns Uniform Local Sale and Use Tax Law or the amount of any state administered transactions or use tax.

(b) There are exempted from the computation of the amount of transactions tax the gross receipts from:

(1) Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the County in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of California, the United States, or any foreign government.

(2) Sales of property to be used outside the County which is shipped to a point outside the County, pursuant to the contract of sale, by delivery to such point by the retailer or his or her agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this subsection, delivery to a point outside the County shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration under Chapter 1 (commencing with section 4000) of Division 3 of the Vehicle Code, aircraft licensed according to section 21411 of the Public Utilities Code, and undocumented vessels registered under Chapter 2 of Division 3.5 (commencing with section 9840) of the Vehicle Code by registration to an out-of-County address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-County and declaration under penalty of perjury, signed by the buyer, stating that the vehicle shall be operated from that address.

(3) The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price under a contract entered into prior to the operative date of this ordinance.

(4) A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

(5) For the purposes of subsections (3) and (4) of this subdivision, the sale or lease of tangible personal property shall be deemed not to be obligated under a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(c) There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this County of tangible personal property:

(1) The gross receipts from the sale of which have been subject to a transactions tax under any state administered transactions and use tax ordinance.

(2) Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued under the laws of California, the United States, or any foreign government. This exemption is in addition to the exemptions provided in sections 6366 and 6366.1 of the Revenue and Taxation Code.

(3) If the purchaser is obligated to purchase the property for a fixed price under a contract entered into before the operative date of this ordinance.

(4) If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease before the operative date of this ordinance.

(5) For the purposes of subsections (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated under a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(6) Except as provided for in subsection (7), a retailer engaged in business in the County shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the County or participates within the County in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the County or through any representative, agent, canvasser, solicitor, subsidiary, or person in the County under the authority of the retailer.

(7) "A retailer engaged in business in the County" shall also include any retailer of the following: vehicles subject to registration under Chapter 1 (commencing with section 4000) of Division 3 of the Vehicle Code, aircraft licensed according to section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the County.

(d) Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a county imposing, or a retailer liable for a transactions tax under Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

Section 11- 711 Amendments.

All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate to affect the rate of tax imposed by this ordinance.

Section 11- 712 Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State of California or the County, or against any officer of the State of California or the County, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

Section 11 - 713 Use of the Taxes.

The tax imposed by this ordinance is a general tax within the meaning of article XIII C, section 1(a) of the California Constitution. The revenue generated by this general tax is available for general governmental purposes and shall be paid into the General Fund for use by the County.

Section 11 – 714 Increase of Appropriations Limit.

The appropriations limit of the County shall be increased by the amount of the revenue anticipated to be collected by the County from the transactions and use tax to allow spending of the tax revenue for the period allowed by law.

Section 11 - 715 Independent Citizens' Oversight Committee and Annual Audit.

(a) The Board of Supervisors shall establish a citizens' oversight committee to provide transparency and ensure fiscal accountability. The committee shall review the receipt and expenditures of the revenue from the transactions and use tax, including the County's annual independent audit. The committee's review shall be completed in conjunction with the County's budget process. The committee shall produce an annual oral or written report on its review which shall be considered by the Board of Supervisors at a public meeting. The committee shall provide budget recommendations to the Board of Supervisors regarding expenditures from the transactions and use tax. Any written report shall be a public record. The Board of Supervisors shall adopt a resolution regarding the appointment of the committee members and any additional duties of the committee.

(b) The funds collected from the transactions and use tax ordinance shall be accounted for and tracked by the county auditor-controller in a separate fund to facilitate citizen oversight.

(c) The amount generated by this general purpose revenue source and how it was used shall be included in the annual audit of the County's financial operations by an independent certified public accountant, which the committee shall review.

(d) To preserve the integrity and independence of the oversight process, the committee's responsibilities shall not include decision-making on spending priorities, financing plans or tax rate projections or assumption and the committee shall have no authority to direct, nor shall it direct, County staff or officials.

Section 11- 716 Effective Date.

This ordinance relates to the levying and collecting of the County's transactions and use taxes and shall take effect immediately upon the close of the polls on November 8, 2016, if approved by a majority of the qualified voters of the entire county voting on the measure at the election held that day.

Section 11- 717 Termination Date.

The authority to levy the tax imposed by this ordinance shall expire ten (10) years from the operative date, unless extended by the voters in the manner set forth in Revenue and Taxation Code section 7285.

Section 11-718 Compliance with California Environmental Quality Act (CEQA).

Under CEQA Guidelines section 15378(b) (4), adoption of this ordinance is not a project subject to the requirements of CEQA.

Section 11- 719 Severability.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected.

Section 2.

This ordinance shall be published once within fifteen (15) days after its passage, in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on August 2, 2016, by the following vote:

AYES:	SUPERVISORS	_____

NOES:	SUPERVISORS	_____
EXCUSED:	SUPERVISORS	_____

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Introduced: July 26, 2016

Adopted: August 2, 2016

Effective: November 8, 2016 [if voter approved]

Operative: April 1, 2017 [if voter approved]

TO: Honorable Mayor and City Council

FROM: Laura C. Kuhn, City Manager
(Staff Contact: Gerald L. Hobrecht, (707) 449-5105)

**SUBJECT: ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VACAVILLE
RENEWING AND MODIFYING A TRANSACTIONS AND USE TAX TO BE
ADMINISTERED BY THE STATE BOARD OF EQUALIZATION (First Reading)**

DISCUSSION:

At the June 28, 2016, City Council meeting, the Council directed staff to prepare an ordinance to renew and modify the transactions and use tax, commonly referred to as Measure M, for placement on the November 8, 2016 ballot. This report discusses Measure M's background and the process for renewing and extending the ordinance.

A. Background

During the Great Recession, the City experienced a substantial reduction in revenue. To make matters worse, the State eliminated redevelopment, continued to take those revenues historically dedicated to local government, and shifted these funds to off-set State obligations. At the same time, the City was experiencing significant increases in costs related to health care, pensions and long term liabilities. The overall effect was that the City was facing significant reductions in revenue at a time when expenditures for the same service levels were significantly increasing.

In response to these issues, the City decreased employee salaries and benefits, reduced its work force and curtailed expenditures on equipment, supplies and services. The result was that the City was forced to reduce the level of City services and programs provided to persons living and working in Vacaville. Despite the cost-saving measures, the City's General Fund was projected to have a significant deficit leading towards financial insolvency.

In order to mitigate the effects of the revenue shortfalls and increased expenses, the City Council placed a sales tax measure on the November 2012 ballot, known as Measure M, to raise revenue for general City services and programs, and to provide much-needed funding for replacing infrastructure, building repairs and equipment replacement. Measure M passed with over 70% of the voters voting in favor. It took effect in April 2013 and is due to expire in April 2018.

The annual revenue from Measure M is about \$4.9 million in the upcoming fiscal year (see Attachment 1, the Five-Year Forecast). The revenues from Measure M have been used to restore the City's General Fund Reserve which serves as the City's rainy day fund, provide for rehiring of some key positions, and most significantly, Measure M has served to start the long process of fleet and equipment replacements, and much-needed building and infrastructure maintenance. At a quarter cent for five years, Measure M only served as a stop gap to aid the City during an extremely stressful time. While extremely helpful and essential to the solvency of the City, Measure M did not provide enough funds to fully restore service levels. The City is still 82 positions short, and is far from fully funding needed fixes to infrastructure and facilities, and

replacement of essential equipment and vehicles. Given these factors, a continuation of some supplementary tax measure was identified.

B. Extension of Measure M

Section 7285.9 of the Revenue and Taxation Code provides that the governing body of any city may levy a transactions and use tax for general purposes at a rate of 0.125 percent or a multiple thereof, if the ordinance proposing the tax is approved by a two-thirds vote of all members of the governing body and by a majority vote of qualified voters voting on the measure. In order to continue Measure M, it must be placed on this November's ballot because State law requires that it be consolidated with a general municipal election for city councilmembers (except in the case of a declared fiscal emergency). [Cal. Const., art. XIII C, § 2(b)]. If not placed on this November's ballot, Measure M will expire on March 31, 2018.

The proposed ordinance proposes to extend Measure M at a rate of .75% for 20 years. As noted, its proceeds will be used to provide and maintain general municipal services, programs and facilities such as police and fire protection, gang suppression, ambulance service, street repair, park maintenance, recreation programs, public parks, sports fields, roadway improvements, the McBride Senior Center, the Walter V. Graham Aquatics Center, the Ulatis Community Center, the Vacaville Performing Arts Theater, funding for local libraries, and other municipal services and facilities that promote and preserve the public health, safety, and welfare. The proceeds from the measure will be subject to local control and cannot be taken or used by the State or other governmental entity.

The City's 5-year forecast shows that if Measure M is not renewed, the City's General Fund shall be depleted by 2019, the year after Measure M expires. If that happens, the City would have to cut costs, thereby substantially reducing the current levels of City services and programs, which are below the levels of services and programs provided prior to the Great Recession. Further, if financial markets continue to decline, thereby affecting pension rates, and other costs (such as healthcare) continue to rise, the City could be facing insolvency.

Proposed Ordinance:

Based on the direction received by the City Council on June 28, 2016, the ordinance proposes a renewal and increase to a full three-quarter (3/4)-cent for a period of 20 years commencing on April 1, 2018. The proposed ballot question is also provided in the ordinance, this question is proposed as follows:

"Vacaville Essential Services Protection Measure. To protect essential city services such as police programs to fight domestic violence, child/elder abuse, gang activity and neighborhood crime; fire/paramedic services for quick emergency response times; street lighting for safety; and other city services, shall City of Vacaville Ordinance 2016-___ be approved to renew a sales/use tax at a 3/4-cent rate for 20 years, providing approximately \$14,700,000 per year in locally controlled funding that stays in Vacaville?"

If adopted by the voters, the revenue from the tax would be \$14.7 million annually. These funds would be collected into the City's General Fund and used for the general services of the City. Examples of these services include the Police and Fire Departments, which provide essential services to preserve the safety of our community, reduce crime and respond to emergencies. Other services include Public Works, which maintains the City's streets, roads, sidewalks,

parks, City facilities and infrastructure. The General Fund also provides support for parks and recreation programs, as well as added services in the Police Department that focus on diversion programs for troubled youth, and services to address domestic violence. The City Council committed to a separate accounting of the Measure M revenue, which would continue (see Attachment 1).

ENVIRONMENTAL REVIEW:

The transactions and use tax to be submitted to the voters is a general tax that can be used for any legitimate governmental purpose. It is not a commitment to any particular action. As such, the tax is not a project within the meaning of the California Environmental Quality Act (“CEQA”) because it is a government funding mechanism that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment. [CEQA Guidelines § 15378(b)(4)]. If revenue from the tax were used for a purpose that would have such effect, the City would undertake the required CEQA review for the particular project at that time.

FISCAL IMPACT:

The fiscal impact to the General Fund as a result of this action will provide revenue to the General Fund for general municipal services and facilities, if approved by a majority vote of the voters voting on the measure at the November 8, 2016 election.

RECOMMENDATION:

By title only, introduce the subject ordinance.

ATTACHMENTS:

Ordinance – Action Item
Attachment 1 - Five Year Forecast

ORDINANCE NO.

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VACAVILLE
RENEWING AND MODIFYING A TRANSACTIONS AND USE TAX TO
BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION**

Section 1. TITLE. This ordinance shall be known as the City of Vacaville Transactions and Use Tax Ordinance. The City of Vacaville hereinafter shall be called "City." This ordinance shall be applicable in the incorporated territory of the City.

Section 2. OPERATIVE DATE. "Operative date" means the first day 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.

Section 3. PURPOSE. This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2, which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

Section 4. CONTRACT WITH STATE. Prior to the operative date, the City shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

Section 5. 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 three-quarter percent (.75%) 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.

Section 6. PLACE OF SALE. For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

Section 7. 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 three quarter percent (.75%) 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 8. ADOPTION OF PROVISIONS OF STATE LAW. Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

Section 9. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES. In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made:

1. When the word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. When the result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Ordinance.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be

exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the State under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203 of the Revenue and Taxation Code.

Section 10. PERMIT NOT REQUIRED. If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

Section 11. EXEMPTIONS AND EXCLUSIONS.

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

Section 12. USE OF TAX PROCEEDS. The tax imposed hereunder is a general tax, the proceeds of which shall be deposited into the City's General Fund and expended for any lawful purpose of the City.

Section 13. AMENDMENTS. All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

Section 14. ENJOINING COLLECTION FORBIDDEN. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

Section 15. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 16. EFFECTIVE DATE. This ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately upon approval of the voters.

Section 17. TERMINATION DATE. The authority to levy the tax imposed by this ordinance shall expire twenty (20) years after the date the tax is first collected.

Section 18. PROTECTION OF FUNDING. Current law forbids any decrease in State or federal funding to the City because of City's adoption of a transactions and use tax. However, if such funding is reduced as a result of the adoption of this transactions and use tax, then the amount of the tax will be reduced annually as necessary in order to restore such State or federal funding. Consequently, whether directly or indirectly, no proceeds derived from this may be taken away by the State or federal governments.

Section 19. ELECTION.

A. Call of Election. A municipal election is hereby called and ordered to be held in the City on Tuesday, November 8, 2016, at which election there shall be submitted to the qualified voters of the City the proposition set forth below.

B. Proposition. The proposition shall appear on the ballot for said municipal election in the following form:

"Vacaville Essential Services Protection Measure. To protect essential city services such as police programs to fight domestic violence, child/elder abuse, gang activity and neighborhood crime; fire/paramedic services for quick emergency response times; street lighting for safety; and other city services, shall City of Vacaville Ordinance 2016-___ be approved to renew a sales/use tax at a 3/4-cent rate for 20 years, providing approximately \$14,700,000 per year in locally controlled funding that stays in Vacaville?"

The City Council ("Council") does hereby submit to the qualified voters of the City, at said municipal election, this Ordinance and the proposition set forth above.

C. Submission; Intent. The Council does hereby submit to the qualified voters of the City, at said municipal election, this Ordinance and the proposition set forth in Section 18 hereof. The City intends to levy the transactions and use tax for the objects and purposes set forth above if a majority of all qualified voters voting on the proposition set forth above vote in favor thereof.

D. Polls Open. The polls for said election shall be opened at seven o'clock A.M. of the day of said election and shall remain open continuously from said time until eight o'clock P.M. of the same day, when said polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

E. Consolidation with Statewide General Election. The municipal election hereby called for the date hereinbefore specified shall be, and is hereby, ordered consolidated with the statewide general election to be held within the City on said date, and within the territory affected by the consolidation, the election shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots counted and returned, returns canvassed, results declared, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the statewide general election and specified herein. The Board of Supervisors of the County of Solano is hereby requested to order the consolidation of the municipal election hereby called with said statewide general election, and the Board of Supervisors of the County of Solano is hereby authorized to canvass the returns of said municipal election, and said election shall be held in all respects as if there were only one election and only one form of ballot shall be used. Said Board of Supervisors shall certify the results of the canvass of the returns of said municipal election to the Council, which shall thereafter declare the results thereof. The measure submitted by this Ordinance shall be designated on the ballot by a letter printed on the left margin of the square containing the description of the measure, as provided in Section 13116 of the Elections Code of the State of California.

F. County Registrar of Voters' Services. The Board of Supervisors of the County of Solano is hereby requested to permit the County Registrar of Voters to provide such services as may be necessary to properly and lawfully hold and conduct a municipal election in the City on November 8, 2016, including, but not limited to, consolidation of precincts; recruitment and appointment of election officers; establishment of polling places; preparing and mailing notices of appointment; printing sample ballots, sample ballot envelopes, ballot measures, polling place cards, ballot arguments and mailing to registered voters; the providing and printing of official ballots and polling cards; purchase election supplies, including precinct and absent voter supplies, voting booths and flags; provide for absentee voting at the Office of Registrar of Voters, Election Division; cartage of voting booths, ballots, ballot boxes and precinct supplies to precincts; supervision and conduct of election; provide registration lists and any other materials and services that may be requested from time to time by the City Clerk or required to lawfully conduct the election in accordance with the California Elections Code.

G. Canvass of Returns. The County Registrar of Voters is hereby authorized to tabulate votes and canvass the returns of the municipal election, which shall be held in all respects as if there were only one election. Only one form of ballot shall be used and the returns of the election need not be canvassed by the Council. The canvass shall be made in accordance with the provisions of Division 15 (commencing with Section 15000) of the California Elections Code. The County Clerk shall declare the results of the canvass of the returns of the municipal election, based on the certified statement of results submitted by the County Registrar of Voters.

H. Reimbursement. The City shall reimburse the County of Solano for services performed pursuant to this Ordinance upon presentation of a bill to the City.

I. Voting Qualifications. All persons qualified to vote at general municipal elections in the City upon the date of the election herein provided for shall be qualified to vote upon the proposition submitted at said election.

J. Ballots. Ballots for the election shall be provided in the form and in the number provided by law. On said ballots, in addition to any other printed matter which may be required by law, two voting squares shall be set off to the right of the proposition submitted at the election, in the manner provided by law, one having the word "YES" printed before it, and the other having the word "NO" printed before it.

K. Method of Voting. Each voter to vote for the proposition shall stamp or write a cross, or indicate by hole punch or other means, in the blank space opposite the word "YES" on the ballot to the right of the proposition; and each voter to vote against the proposition shall stamp or write a cross, or indicate by hole punch or other means, in the blank space opposite the word "NO" on the ballot to the right of the proposition.

L. Compliance with Law. In all particulars not recited in this Ordinance, the election shall be held and conducted as provided by law for holding municipal elections.

M. City Clerk. The notice of the time and place of holding the election is given and the City Clerk is directed to give further or additional notice of the election in the time, form and manner as required by law. The City Clerk is hereby directed to file with the Board of Supervisors of the County of Solano and the County Registrar of Voters a certified copy of this Ordinance and to take all other actions necessary to effectuate the directives of this Ordinance including, but not limited to, revising the language of the proposition set forth in Section 19.B to

ensure that it complies with law. The City Clerk is directed to transmit to the City Attorney a copy of this Ordinance and the City Attorney is directed to prepare an impartial analysis thereof consistent with applicable law.

I HEREBY CERTIFY that this Ordinance was introduced at a regular meeting of the City Council of the City of Vacaville, held on the 12th day of July, 2016, and **ADOPTED AND PASSED** at a regular meeting of the City Council of the City of Vacaville, held on the _____ day of _____, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

APPROVED:

By: _____
Michelle A. Thornbrugh, City Clerk

Leonard J. Augustine, Mayor

Date: _____

Exhibit A

(Initiative Measure)

The People of the City of Rio Vista ("City") do hereby ordain as follows:

Ordinance 008-2016 (**attached hereto**) adopted by the City Council, establishing a transactions and use tax for the City, is hereby approved by the People of the City of Rio Vista.

ORDINANCE NO. 008-2016

**AN ORDINANCE OF THE CITY OF RIO VISTA
IMPOSING A GENERAL TRANSACTIONS AND USE TAX TO BE
ADMINISTERED BY THE STATE BOARD OF EQUALIZATION**

Section 1. TITLE. This ordinance shall be known as the Rio Vista General Transactions and Use Tax Ordinance. The city of Rio Vista hereinafter shall be called "City." This ordinance shall be applicable in the incorporated territory of the City.

Section 2. OPERATIVE DATE. "Operative Date" means the first day 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.

Section 3. PURPOSE. This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

Section 4. CONTRACT WITH STATE. Prior to the operative date, the City shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

Section 5. 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 0.75% 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.

Section 6. PLACE OF SALE. For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

Section 7. 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 0.75% 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 8. ADOPTION OF PROVISIONS OF STATE LAW. Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

Section 9. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES. In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Ordinance.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

Section 10. PERMIT NOT REQUIRED. If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

Section 11. EXEMPTIONS AND EXCLUSIONS.

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as

common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

Section 12. AMENDMENTS. All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

Section 13. ENJOINING COLLECTION FORBIDDEN. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding

in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

Section 14. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 15. EFFECTIVE DATE. This ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately.

Section 16. TERMINATION DATE. The authority to levy the tax imposed by this ordinance shall expire five (5) years after the operative date.

I, ANNA OLEA-MOGER, CITY CLERK OF THE CITY OF RIO VISTA, HEREBY CERTIFY this ordinance was introduced at a regular meeting of the Rio Vista City Council on June 7, 2016 and PASSED and ADOPTED by the City Council of the City of Rio Vista at a regular meeting on June 21, 2016.

AYES: Council Members Boulware, Hampton, Kott, Vice Mayor McCracken & Mayor Richardson

NOES: None

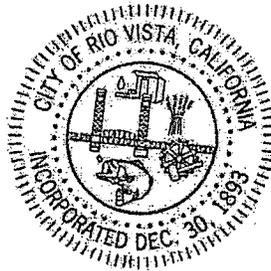
ABSENT: None

ABSTAIN: None


Norman M. Richardson, Mayor

ATTEST:


Anna Olea-Moger, CMC, City Clerk





Agenda Item No. 7

Agenda Report

DATE: July 5, 2016

TO: The Mayor and City Council

FROM: David A. White, City Manager DW
Laura Snideman, Assistant City Manager LS
Gale D. Spears, Communications Manager GDS

SUBJECT: Resolution Placing an Extension of the Local Voter-approved Sales Tax Measure on the Ballot for the November 8, 2016 Election

RECOMMENDED ACTION

Adopt resolution.

STATEMENT OF ISSUE

In 2012 67.67% of Fairfield's voters approved a one-cent local sales tax to support local needs. Funds have been spent on maintaining and increasing police and fire safety, public safety, street maintenance and repair, facilities and programs for youths and seniors, and replenishing reserves to ready the City for the next economic crisis.

Some notable accomplishments over the past year that were made possible because of the stability afforded by Measure P include:

- Proactive code enforcement resulted in the closure of 200 East Tabor and Talk N' Win.
- The Police Department exceeded its goal of supporting more than 100 neighborhood watch groups throughout the community; established neighborhood patrols with officers on bike and foot in downtown, community parks, and other neighborhoods.
- Public Works sealed approximately 5 million square feet of local streets and roads. To date, the City has sealed 10 million square feet of residential roads, with another 4 to 5 million square feet planned for this year (2016).
- Community Development in a timely manner issued 678 building permits, which is the most since 2005. The department also continued to plan for the long-term - the department secured the approval of 3,000 units of residential housing in

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northeast Fairfield and 1,000,000 sq. ft. of industrial development along Cordelia Road.

- Fun on the Run served approximately 15,000 youth.
- The City entered into a partnership that resulted in a diversity of programming ranging from comedy to live music at the Fairfield Center for Creative Arts. Building on the momentum in 2015, the Fairfield Center for Creative Arts is booked nearly all weekends in 2016.
- Crime decreased approximately 10% and investigators solved all but one of the homicides committed in town.

Voter-approved funding from Measure P accounts for 20% of the total General Fund revenue. Seeking approval from voters at this time to renew the sales tax will prevent the loss of a year or more of these funds and the associated cuts to programs and services.

Should the funds not be renewed, service level reductions may include the loss of 30-40 police positions, reduction in street maintenance and repair, and closure of a fire house, adult recreation center, downtown theater, and/or the PAL youth center. The proposed renewal measure will continue the accountability provisions including a citizen’s oversight committee and an annual audit.

DISCUSSION

Background

When 67.67% of the voters approved the local sales tax in 2012, it was in response to a severe fiscal crisis triggered by the nationwide economic recession. With locally controlled funding from Measure P, we were able to stabilize services without further cutting any police officers or fire fighters, restore service levels at city hall, invest a modest amount into street maintenance, and keep all facilities open including all five fire stations, the Adult Recreation Center, the Aquatics Complex, and the PAL Youth Center. In addition, over the past couple of years those funds have helped us to rebuild the reserves used during the recession and to prepare for the next recession. The funds have been spent in the following categories:

- 64% Public Safety
- 23% Facilities and youth programs
- 9% Street maintenance and repair
- 4% Replenish reserves

DATE: July 5, 2016

SUBJECT: Resolution Placing an Extension of the Local Voter-approved Sales Tax Measure on the Ballot for the November 8, 2016 Election

At the same time, cuts to the organization were made that have been maintained and we have worked hard to increase our efficiencies. Due to the economic downturn and the State taking \$44 million from Fairfield, we reduced our workforce by 150 positions. Our staffing remains 18% below our pre-recession levels. To support a reasonable level of service during this time without adding staff, we deployed new, citizen-facing technologies to better serve residents and businesses. These technologies include eTRAKiT for online permitting services; *My FairfieldCA*, a mobile service portal to report issues directly to City staff; and J.A.C.K., a payment kiosk that accepts water bill payments. All provide anytime access for conducting business with the City and allow us to provide service to more community members without increasing our staff levels.

In addition to cuts and efficiencies, we continue to look at new ways to increase revenue, especially through economic development. In the past few years we have focused on business recruitment, retention, and expansion efforts that have facilitated the development of over 2,000,000 square feet of industrial construction while maintaining the lowest industrial vacancy rates amongst all the cities in Solano County. We have partnered with Solano Town Center and other commercial businesses to help market available commercial opportunities, and strengthened our efforts to improve our business districts.

The local sales tax currently equates to approximately \$16 million/year. To equal this amount of revenue, we would need the property taxes from approximately 21,000 *new* single family homes. We have fewer than 10,000 planned. It would take six *new, fully leased* auto malls. No more are anticipated. We would have to build 7.5 *new* Solano Town Centers. We do not have any sites to accommodate such centers. This level of development is not in our general plan and we do not have the space or services to accommodate this level of development.

Even with the cuts, efficiencies, and economic development strategies, the voter-approved funding accounts for 20% of our General Fund revenues and we will experience a severe deficit if this funding is allowed to expire. Without this revenue source, additional cuts will be required.

Ballot Measure Parameters

By adopting the resolution, the voters will be asked the following question on November 8, 2016.

DATE: July 5, 2016
 SUBJECT: Resolution Placing an Extension of the Local Voter-approved Sales Tax Measure on the Ballot for the November 8, 2016 Election

City of Fairfield	
To renew expiring funding without increasing tax rates, shall the Ordinance be adopted extending the existing 1% sales tax for fifteen years to preserve approximately \$16 million in local annual funding for the City of Fairfield that the state cannot take away to support neighborhood police patrols, firefighting and rapid 9-1-1 emergency response, crime prevention programs, fixing potholes and repairing neighborhood streets, parks and recreation, and other general services, with mandatory audits and independent oversight?	YES
	NO

This is an extension of our existing program with one key difference. The question asks for support of the local tax for fifteen years. An extension of fifteen years provides fiscal stability for the City to operate and maintain safety services and community programs over the next decade, allows for longer-term thinking and planning, and gives the City the ability to make strategic investments such as in our roads or other infrastructure.

Timing of Ballot Measure

State law requires that local general tax measures appear on the ballot at the same time the City Council members are elected unless there is a fiscal emergency. This gives us a window every two years. Placing this measure on the ballot this year ensures that the funding continues uninterrupted. The local tax is set to expire March 31, 2018. If we wait until the next City Council election in 2018, the issue would not be decided until November that year and, if approved by the voters, the funding wouldn't actually get reinstated until April 2019. Therefore, by waiting until 2018 we would lose a year of funding, again jeopardizing services to our community.

FINANCIAL IMPACT

In addition to the citywide financial impacts described throughout this report, there is a direct cost to place the measure on the ballot. The Solano County Registrar of Voters passes the cost of each ballot measure through to the organization placing the measure on the ballot and estimates \$0.25/voter for each measure. With approximately 50,000 registered voters in Fairfield, we have included \$25,000 from the General Fund in the FY 16-17 budget for the election.

PUBLIC CONTACT/ADVISORY BODY RECOMMENDATION

In December 2015, the City along with a professional pollster conducted a voter opinion survey to determine the feasibility of a renewal measure. Findings from the survey showed that 77% of voters supported a renewal of the measure, with a strong focus on

DATE: July 5, 2016
SUBJECT: Resolution Placing an Extension of the Local Voter-approved Sales Tax Measure on the Ballot for the November 8, 2016 Election

protecting public safety and police services including neighborhood patrols, crime and gang prevention programs, maintaining a modest street and road repair program, and maintaining youth and senior programs.

The Measure P Oversight Committee stated in their annual report that “Given the strong community support, the Oversight Committee supports placing an initiative on the ballot in November 2016 to extend Measure P.” The Committee continued by reporting that “Measure P expenditures directly affect the first four [City Council] goals and, in the Committee’s opinion, improved the quality of life for Fairfield residents. In that regard, Measure P is accomplishing its primary objective.”

ALTERNATIVE ACTION

The City Council could decide not to approve the resolution, in which case City staff would prepare a budget reduction plan to implement \$16 million in budget cuts.

DOCUMENTS ATTACHED

Attachment 1: Resolution with proposed ordinance to be submitted to the voters

STAFF CONTACT

Gale D. Spears, Communications Manager
707-428-7611
gspears@fairfield.ca.gov

Coordinated with: City Attorney

CITY OF FAIRFIELD

RESOLUTION NO. 2016 - 190

RESOLUTION OF THE CITY COUNCIL CALLING AND PROVIDING FOR A MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD IN THE CITY OF FAIRFIELD ON TUESDAY, NOVEMBER 8, 2016 FOR THE PURPOSE OF APPROVING AN ORDINANCE EXTENDING THE EXISTING TRANSACTIONS AND USE TAX ADMINISTERED BY THE STATE BOARD OF EQUALIZATION

WHEREAS, from 2008-2012 the State seized more than \$44 million dollars from the City to deal with their own budget deficits and that funding has not been restored; and

WHEREAS, to cope with reduced funding, the City cut \$37 million from its General Fund, reduced staffing levels by more than 20 percent resulting in the loss of 150 budgeted positions, and eliminated or reduced key city programs and services; and

WHEREAS, further budget cuts would have fundamentally impacted the character of the community and quality of life; and

WHEREAS, to maintain city services, programs and the quality of life in Fairfield, the City Council voted to place a local voter-approved funding measure (Measure P) on the November 6, 2012 ballot, which passed with support from 68% of local voters; and

WHEREAS, this voter-approved funding measure generates approximately \$16 million annually and accounts for 20% of the City's revenue that is used to provide police and fire services, road and street maintenance programs, and programs for local seniors and youth; and

WHEREAS, each year since Measure P was approved, an independent Citizens' Oversight Committee has reported that the City of Fairfield spent voter-approved funds as promised; and

WHEREAS, this voter-approved funding is set to expire, and the loss of this revenue would force the City to make the same cuts to City services that prompted the passage of the measure in 2012, including reductions in the numbers of police officers and firefighters in Fairfield, longer 9-1-1 emergency response times, reduced street maintenance and pothole repair and other cuts; and

WHEREAS, in order to provide local voters with the opportunity to continue locally-controlled funding and prevent cuts to public safety services, street repair and programs for seniors and youth, the City Council desires to place a local measure on the ballot to renew the expiring funding for 15 years, without increasing tax rates, at the statewide general election on November 8, 2016; and

WHEREAS, if enacted, a measure to renew voter-approved funding would enable the City to maintain current levels of fire protection services, neighborhood police patrols, crime and gang prevention programs, rapid 9-1-1 emergency response, street and road repair programs, and youth and senior programs; and

WHEREAS, if enacted, this measure would continue to require an Independent Citizens Oversight Committee and mandatory financial audits to ensure funds are properly spent; and

WHEREAS, if enacted, this measure consists of a fifteen-year term and expires on March 31, 2033, in order to provide stable and predictable funding that stays under local control for local city services; and

WHEREAS, this measure will give Fairfield local control over local funds for local needs and no funds from this measure can be taken by the State; and

WHEREAS, Section 7285.9 of the California Revenue and Taxation Code authorizes any city to levy, increase or extend a transactions and use tax for general purposes at a rate of 0.125 percent, or a multiple thereof, subject to approval by a two-thirds vote of all of the members of the City Council and by a majority of the qualified voters of the city voting in an election on the issue; and

WHEREAS, City Council proposes to submit to the voters of the city an ordinance providing for the levy of a transaction and use tax.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FAIRFIELD HEREBY RESOLVES:

Section 1. Calling Municipal Election: Pursuant to California Elections Code Sections 9222 and 10201, the City Council hereby orders that a municipal election in and for the City of Fairfield shall be held on Tuesday, November 8, 2016 for the purpose of approving a transaction and use tax measure. The full text of the Fairfield Transaction and Use Tax Ordinance, attached to this Resolution as Exhibit A shall be printed in the voter pamphlet. The measure to be submitted to the voters shall appear and be printed on the ballot as follows:

City of Fairfield	
To renew expiring funding without increasing tax rates, shall the Ordinance be adopted extending the existing 1% sales tax for fifteen years to preserve approximately \$16 million in local annual funding for the City of Fairfield that the state cannot take away to support neighborhood police patrols, firefighting and rapid 9-1-1 emergency response, crime prevention programs, fixing potholes and repairing neighborhood streets, parks and recreation, and other general services, with mandatory audits and independent oversight?	YES
	NO

Section 2. Approval of Ordinance: The City Council hereby approves the proposed Fairfield Transaction and Use Tax Ordinance, attached to this Resolution as Exhibit A,

to be submitted to the voters. The proposed measure is a general tax as defined in Article XIII C of the California Constitution and shall not take effect unless and until approved by a vote of at least a majority of the voters voting on the question at the election.

Section 3. Impartial Analysis: The City Attorney is hereby directed to prepare an impartial analysis of the measure pursuant to Elections Code Section 9280.

Section 4. Ballot Argument: The City Council hereby authorizes one or more of its members to submit a ballot argument in favor of the measure pursuant to Elections Code Section 9282.

Section 5. Requesting Consolidation of Elections: Pursuant to the State of California Elections Code Sections 10400 – 10403.5, the City Council of the City of Fairfield hereby requests the consolidation of the municipal election described in Section 1 with the statewide general election to be held on November 8, 2016. Within the city of Fairfield, the election precincts, polling places, and voting booths shall in every case be the same, and there shall be only one set of election officers in each of the precincts; provided that no person not a qualified elector of the city of Fairfield shall be permitted to vote for the measure placed on the ballot by the City Council. The election precincts, polling places, and election officers within the City of Fairfield for the municipal election shall be the same as those selected and designated by the Solano County Registrar of Voters.

PASSED AND ADOPTED this 5th day of July, 2016, by the following vote:

AYES: COUNCILMEMBERS: _____

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

ABSTAIN: COUNCILMEMBERS: _____

MAYOR

ATTEST:

CITY CLERK

EXHIBIT A

FAIRFIELD TRANSACTION AND USE TAX ORDINANCE

[see attached]

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FAIRFIELD
EXTENDING THE TRANSACTIONS AND USE TAX ADMINISTERED BY THE STATE
BOARD OF EQUALIZATION

Section 1. Article VII of Chapter 18 ("Taxation") of the Fairfield Municipal Code is hereby amended and restated to read as follows:

"18.70 TITLE. This ordinance shall be known as the Fairfield Transactions and Use Tax Ordinance. The City of Fairfield hereinafter shall be called "City." This ordinance shall be applicable in the incorporated territory of the City.

18.71. OPERATIVE DATE. "Operative Date" means the first day 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.

18.72. PURPOSE. This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

18.73. CONTRACT WITH STATE. Prior to the operative date, the City shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

18.74. 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 1.0% 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.

18.75. PLACE OF SALE. For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

18.76. 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 1.0% 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.

18.77. ADOPTION OF PROVISIONS OF STATE LAW. Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

18.78. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES. In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, Victim Compensation and Government Claims Board, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Ordinance.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

18.79. PERMIT NOT REQUIRED. If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

18.80. EXEMPTIONS AND EXCLUSIONS.

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

18.81. AMENDMENTS. All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

18.82. ENJOINING COLLECTION FORBIDDEN. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

18.83. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

18.84. INDEPENDENT FINANCIAL AUDIT. By no later than December 31 of each year, the City's independent auditors shall complete a Transactions and Use Tax Ordinance Compliance and Internal Control Audit Report. Such report shall review whether the tax revenues collected pursuant to this ordinance are collected, managed and expended in accordance with the requirements of this ordinance.

18.85. FAIRFIELD TAXPAYERS COMMITTEE. The City Council shall continue the Fairfield Taxpayers Committee established in 2013 to review the expenditure of revenues collected pursuant to this ordinance. The Committee shall consist of at least five members appointed by the City Council. The Committee members shall be residents and taxpayers in the City. The terms of the Committee members and their specific duties established by Resolution No. 2013-31 on February 19, 2013 shall continue in full force and effect; provided, however, that the City Council may amend Resolution No. 2013-31 by resolution of the City Council.

18.86. TERMINATION DATE. The authority to levy the tax imposed by this ordinance shall expire on March 31, 2033, at 11:59 p.m."

Section 2. This ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately.

Section 3. The City Clerk shall certify the passage of this ordinance and forward a copy of the adopted ordinance to the Board of Equalization.

PASSED AND ADOPTED by the People of the City of Fairfield, State of California, on November 8, 2016.

Mayor

Attest: _____
(Signature)

City Clerk

1 **WHEREAS**, by taking this step to keep the City safe by keeping crime rates low, to
2 maintain or reduce emergency response times, and to enhance the City's maintenance of its
3 critical public facility infrastructure, the City can protect property values and protect the
4 progress the City has made to date, and keep it moving in the right direction; and

5 **WHEREAS**, funds from this proposed measure are subject to strict fiscal
6 accountability and transparency provisions, including annual independent audits and
7 publishing of expenditure reports to ensure funds are spent efficiently and effectively; and

8 **WHEREAS**, California Constitution Article XIII C, Section 2, provides any general
9 tax must be submitted to the electorate and approved by a majority vote of the electorate; and
10

11 **WHEREAS**, California Constitution Article XIII C, Section 2, provides that an
12 election regarding a general tax must be consolidated with a regularly scheduled general
13 municipal election for members of the City Council; and

14 **WHEREAS**, a general municipal election on Tuesday, November 8, 2016, has been
15 called by Resolution No. 2016-40, adopted on June 21, 2016; and

16 **WHEREAS**, on the basis of the foregoing, the City Council hereby determines it is
17 appropriate to place a measure before the voters at the November 8, 2016, general municipal
18 election regarding adopting a general City transactions and use tax.

19 **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of
20 Suisun City as follows:

21 **SECTION 1.** That the City Council, pursuant to its right and authority, does order
22 submitted to the voters at the General Municipal Election on November 8, 2016, the following
23 question:
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To provide funding, that cannot be taken by the State, to maintain Suisun City services that make neighborhoods safer including: rapid 911 emergency responses, neighborhood police patrols, youth crime/gang prevention, fire prevention/protection, fixing potholes, maintaining City streets/streetlights, maintaining City parks/street trees, and other vital City services, shall Suisun City enact a one-cent (1%) sales tax for ten years, providing \$1,800,000 annually, with annual audits, citizens' oversight, all funds spent locally in Suisun City?	YES
	NO

SECTION 2. Upon approval of the voters of the City of Suisun City, the Suisun City Code shall be amended to add a new Chapter 3.14 to Title 3, establishing a one-cent per dollar (1.0%) sales tax within the City. The proposed complete text of the measure submitted to the voters is attached hereto as Exhibit "A". This question requires the approval of a majority of those casting votes. The City Council hereby approves the ordinance, the form thereof attached hereto as Exhibit "A", and its submission to the voters of the City.

SECTION 3. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 4. That notice of the time and place of holding the election is hereby given, and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 5. That pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County of Solano is hereby requested to consent and agree to the consolidation of said election. The City Council authorizes the Registrar of Voters to consolidate this election with the established election on November 8, 2016, for the ease and convenience of the registered voters and to take advantage of any cost savings possible by such consolidation. The County Election Department is authorized to canvass the returns of said election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. That the Solano County Board of Supervisors is requested to issue instructions to the County Election Department to take

1 any and all steps necessary for the holding of the consolidated election. The City Clerk may
2 request the assistance of the County Elections Department in regard to said election, as the
3 City Clerk deems necessary. The City shall reimburse the County for services performed
4 when the work is completed and upon presentation to the City of a properly approved bill.

5 **SECTION 6.** That this Resolution shall become effective immediately upon its
6 passage and adoption, and the City Clerk is directed to send certified copies of this Resolution
7 to the Solano County Board of Supervisors, to the County Clerk-Recorder, and County of
8 Solano Election Department.

9 **PASSED AND ADOPTED** at a Regular Meeting of said City Council of the City of
10 Suisun City duly held on Tuesday, the 26th day of July 2016, by the following vote:

11	AYES:	Councilmembers:	<u>Day, Hudson, Segala, Wilson, Sanchez</u>
12	NOES:	Councilmembers:	<u>None</u>
13	ABSENT:	Councilmembers:	<u>None</u>
14	ABSTAIN:	Councilmembers:	<u>None</u>

15 **WITNESS** my hand and the seal of said City this 26th day of July 2016.

16 
17 _____
18 Donna Pock, CMC
19 Deputy City Clerk
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1 EXHIBIT "A"

2 **ORDINANCE NO. ____**

3 **AN ORDINANCE OF THE PEOPLE OF THE CITY OF SUISUN CITY ADDING**
4 **CHAPTER 3.14 TO THE SUISUN CITY CODE IMPOSING A GENERAL**
5 **TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD**
6 **OF EQUALIZATION, SUBJECT TO APPROVAL OF A MAJORITY OF THE**
7 **ELECTORS VOTING ON THE TAX MEASURE AT THE GENERAL MUNICIPAL**
8 **ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016**

9 **WHEREAS**, Article XIIIIC, Section 2 of the California Constitution authorizes a city
10 to impose a general tax if approved by a majority vote of the qualified electors; and

11 **WHEREAS**, Part 1.6 (commencing with Section 7251) of Division 2 of the California
12 Revenue and Taxation Code, and Section 7285.9 of the California Revenue and Taxation
13 Code, authorizes a city to adopt a transactions and use (sales) tax ordinance, which shall be
14 operative if a majority of the electors voting on the measure vote to approve the imposition of
15 the tax at an election called for that purpose; and

16 **WHEREAS**, in response to the Great Recession, as well as the elimination of the
17 Redevelopment Agency and other state take-aways, the City of Suisun City dramatically
18 tightened its belt; and

19 **WHEREAS**, this belt tightening included: reducing staffing by 20%; deferring
20 building, parks and street maintenance; and postponing vehicle replacement; and

21 **WHEREAS**, in addition there are huge funding shortfalls for such critical needs as
22 updating the police and fire communications system, replacing a 35-year old
23 accounting/budget/payroll/HR/purchasing/billing/permit system, fully funding the dredging of
24 the Suisun Marina, replacing playground equipment at parks; and

25 **WHEREAS**, continuing to try to operate with reduced staffing has a negative impact
26 on public service delivery in all departments of the City; and

27 **WHEREAS**, as a solution to the fiscal constraints on general services, the City
28 Council desires to submit to the voters a proposal to enact a one-cent per dollar (i.e., 1.0%)
transaction and use tax in the City of Suisun City, with the funds to be deposited in the City's
General Fund and be used for general City purposes and services, including but not limited to
maintain rapid 911 emergency response times, neighborhood police patrols, youth crime and
gang prevention programs, fire prevention and protection, fixing potholes, maintaining City
streets and streetlights, maintaining City parks and street trees, and other vital City services;
and

WHEREAS, by taking this step to keep the City safe by keeping crime rates low, to
maintain or reduce emergency response times, and to enhance the City's maintenance of its

1 critical public facility infrastructure, the City can protect property values and protect the
2 progress the City has made to date, and keep it moving in the right direction; and

3 **WHEREAS**, funds from this proposed measure are subject to strict fiscal
4 accountability and transparency provisions, including annual independent audits and
5 publishing of expenditure reports to ensure funds are spent efficiently and effectively; and

6 **WHEREAS**, California Constitution Article XIII C, Section 2, provides any general
7 tax must be submitted to the electorate and approved by a majority vote of the electorate; and

8 **WHEREAS**, California Constitution Article XIII C, Section 2, provides that an
9 election regarding a general tax must be consolidated with a regularly scheduled general
10 municipal election for members of the City Council; and

11 **WHEREAS**, a general municipal election on Tuesday, November 8, 2016, has been
12 called by Resolution No. 2016-40, adopted on June 21, 2016; and

13 **WHEREAS**, on the basis of the foregoing, the City Council hereby determines it is
14 appropriate to place a measure before the voters at the November 8, 2016, general municipal
15 election regarding adopting a general City transactions and use tax.

16 **NOW THEREFORE**, on the basis of the foregoing, the People of the City of Suisun
17 City at the November 8, 2016, general municipal election do hereby Ordain as follows:

18 **SECTION 1.** A new Chapter 3.14 is hereby added to the Suisun City Code to read as
19 follows:

20 Chapter 3.14
21 GENERAL TRANSACTIONS AND USE TAX

22 3.14.010 Title of ordinance. This Chapter shall be known as the General
23 Transactions and Use Tax Ordinance. This Chapter shall be applicable only in the
24 incorporated territory of the City.

25 3.14.020 Basic definitions. As used in this Chapter, "City" means the City of Suisun
26 City and "tax" means the transactions and use tax (general tax) imposed under the provisions
27 of this Chapter.

28 3.14.030 Operative date. "Operative Date" means the first day that the tax is
imposed. The "operative date" means the first day of the first calendar quarter commencing
more than 110 days after the effective date of this Chapter, such effective date being as set
forth below, and shall expire ten years thereafter.

3.14.040 Purpose. This Chapter is adopted to achieve the following, among other
purposes, and directs that the provisions hereof be interpreted in order to accomplish those
purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of
Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code

1 and Section 7285.9 of Part 1.7 of Division 2, which authorizes the City to adopt this tax
2 ordinance which shall be operative only if a majority of the electors voting on the measure
vote to approve the imposition of the tax at an election called for that purpose.

3 B. To adopt a retail transactions and use tax (general tax) ordinance that
4 incorporates provisions identical to those of the Sales and Use Tax Law of the State of
5 California insofar as those provisions are not inconsistent with the requirements and
6 limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

7 C. To adopt a retail transactions and use tax ordinance that imposes a general tax
8 and provides a measure therefore that may be administered and collected by the State Board
9 of Equalization in a manner that adapts itself as fully as practicable to, and requires the least
10 possible deviation from, the existing statutory and administrative procedures followed by the
11 State Board of Equalization in administering and collecting the California State Sales and Use
12 Taxes.

13 D. To adopt a retail transactions and use tax ordinance that may be administered
14 in a manner that will be, to the greatest degree possible, consistent with the provisions of Part
15 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the
16 transactions and use taxes, and at the same time, minimize the burden of record keeping upon
17 persons subject to taxation under the provisions of this ordinance.

18 3.14.050 Contract with state. Prior to the operative date, the City shall contract with
19 the State Board of Equalization to perform all functions incident to the administration and
20 operation of this transactions and use tax ordinance; provided however, that if the City shall
21 not have contracted with the State Board of Equalization prior to the operative date, it shall
22 nevertheless so contract and in such a case the operative date shall be the first day of the first
23 calendar quarter following the execution of such a contract.

24 3.14.060 Transaction tax rate. For the privilege of selling tangible personal property
25 at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at
26 the rate of one-cent per dollar (1.0%) of the gross receipts of any retailer from the sale of all
27 tangible personal property sold at retail in said territory on and after the operative date of this
28 Chapter.

3.14.070 Place of sale. For the purposes of this Chapter, all retail sales are
consummated at the place of business of the retailer unless the tangible personal property sold
is delivered by the retailer or his agent to an out-of-state destination or to a common carrier
for delivery to an out-of-state destination. The gross receipts from such sales shall include
delivery charges, when such charges are subject to the State sales and use tax, regardless of
the place to which delivery is made. In the event a retailer has no permanent place of business
in the State or has more than one place of business, the place or places at which the retail sales
are consummated shall be determined under rules and regulations to be prescribed and
adopted by the State Board of Equalization.

3.14.080 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 Chapter for storage, use or other consumption in said territory at
the rate of one-cent per dollar (1.0%) of the sales price of the property. The sales price shall

1 include delivery charges when such charges are subject to State sales or use tax regardless of
2 the place to which delivery is made.

3 3.14.090 Proceeds of taxes. The proceeds of the transactions and use tax imposed by
4 this Chapter shall be deposited into the General Fund of the City to be used for all general
5 government purposes which may include, but are not limited to, fire and police protection,
6 street and sidewalk repair and maintenance, park repair and maintenance, recreational
7 programs, building and code enforcement services, planning and zoning services, capital
8 equipment requirements, public infrastructure, repair and replacement of City facilities,
9 capital improvement projects, operational expenses, fiduciary responsibilities, administration,
10 indebtedness, and general obligations of the City. The tax imposed by this Chapter is
11 intended to be and is, a general tax, the proceeds of which are to be spent as the City Council
12 shall in its discretion, from time to time, determine.

13 3.14.100 Adoption of provisions of state law. Except as otherwise provided in this
14 Chapter and except insofar as they are inconsistent with the provisions of Part 1.6 of Division
15 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with
16 Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made
17 a part of this Chapter as though fully set forth herein.

18 3.14.110 Limitations on adoption of state law and collection of use taxes. In
19 adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

20 A. Wherever the State of California is named or referred to as the taxing agency,
21 the name of the City shall be substituted therefore. However, the substitution shall not be
22 made when:

23 1. The word "State" is used as a part of the title of the State Controller,
24 State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the
25 Constitution of the State of California.

26 2. The result of that substitution would require action to be taken by or
27 against this City or any agency, officer, or employee thereof rather than by or against the State
28 Board of Equalization, in performing the functions incident to the administration or operation
of this Chapter.

3. In those sections, including, but not necessarily limited to, sections
referring to the exterior boundaries of the State of California, where the result of the
substitution would be to:

a. Provide an exemption from this tax with respect to certain sales,
storage, use or other consumption of tangible personal property, which would not otherwise
be exempt from this tax while such sales, storage, use or other consumption remain subject to
tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation
Code, or

b. Impose this tax with respect to certain sales, storage, use or
other consumption of tangible personal property, which would not be subject to tax by the
State under the said provision of that code.

1 4. In Sections 6701, 6702 (except in the last sentence thereof), 6711,
2 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

3 B. The word "City" shall be substituted for the word "State" in the phrase "retailer
4 engaged in business in this State" in Section 6203 and in the definition of that phrase in
5 Section 6203 of the Revenue and Taxation Code.

6 3.14.120 Permit not required. If a seller's permit has been issued to a retailer under
7 Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be
8 required by this Chapter.

9 3.14.130 Exemptions and exclusions.

10 A. There shall be excluded from the calculation of the transactions tax and the use
11 tax the amount of any sales tax or use tax imposed by the State of California or by any city,
12 city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax
13 Law or the amount of any State-administered transactions or use tax.

14 B. There are exempted from the computation of the amount of transactions tax the
15 gross receipts from:

16 1. Sales of tangible personal property, other than fuel or petroleum
17 products, to operators of aircraft to be used or consumed principally outside the county in
18 which the sale is made and directly and exclusively in the use of such aircraft as common
19 carriers of persons or property under the authority of the laws of this State, the United States,
20 or any foreign government.

21 2. Sales of property to be used outside the City which is shipped to a point
22 outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or
23 his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point.
24 For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

25 a. With respect to vehicles (other than commercial vehicles)
26 subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of
27 the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities
28 Code, and undocumented vessels registered under Division 3.5 (commencing with Section
29 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under
30 penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal
31 place of residence; and

32 b. With respect to commercial vehicles, by registration to a place
33 of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the
34 vehicle will be operated from that address.

35 3. The sale of tangible personal property if the seller is obligated to
36 furnish the property for a fixed price pursuant to a contract entered into prior to the operative
37 date of this Chapter.

1 4. A lease of tangible personal property which is a continuing sale of such
2 property, for any period of time for which the lessor is obligated to lease the property for an
amount fixed by the lease prior to the operative date of this Chapter.

3 5. For the purposes of subparagraphs (3) and (4) of this section, the sale or
4 lease of tangible personal property shall be deemed not to be obligated pursuant to a contract
5 or lease for any period of time for which any party to the contract or lease has the
unconditional right to terminate the contract or lease upon notice, whether or not such right is
exercised.

6 C. There are exempted from the use tax imposed by this Chapter, the storage, use
7 or other consumption in this City of tangible personal property:

8 1. The gross receipts from the sale of which have been subject to a
transactions tax under any State-administered transactions and use tax ordinance.

9 2. Other than fuel or petroleum products purchased by operators of
10 aircraft and used or consumed by such operators directly and exclusively in the use of such
11 aircraft as common carriers of persons or property for hire or compensation under a certificate
of public convenience and necessity issued pursuant to the laws of this State, the United
12 States, or any foreign government. This exemption is in addition to the exemptions provided
in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

13 3. If the purchaser is obligated to purchase the property for a fixed price
14 pursuant to a contract entered into prior to the operative date of this Chapter.

15 4. If the possession of, or the exercise of any right or power over, the
16 tangible personal property arises under a lease which is a continuing purchase of such
property for any period of time for which the lessee is obligated to lease the property for an
amount fixed by a lease prior to the operative date of this Chapter.

17 5. For the purposes of subparagraphs (3) and (4) of this section, storage,
18 use, or other consumption, or possession of, or exercise of any right or power over, tangible
19 personal property shall be deemed not to be obligated pursuant to a contract or lease for any
period of time for which any party to the contract or lease has the unconditional right to
20 terminate the contract or lease upon notice, whether or not such right is exercised.

21 6. Except as provided in subparagraph (7), a retailer engaged in business
22 in the City shall not be required to collect use tax from the purchaser of tangible personal
23 property, unless the retailer ships or delivers the property into the City or participates within
the City in making the sale of the property, including, but not limited to, soliciting or
24 receiving the order, either directly or indirectly, at a place of business of the retailer in the
City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the
City under the authority of the retailer.

25 7. "A retailer engaged in business in the City" shall also include any
26 retailer of any of the following: vehicles subject to registration pursuant to Chapter 1
(commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in
27 compliance with Section 21411 of the Public Utilities Code, or undocumented vessels
registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That
28

1 retailer shall be required to collect use tax from any purchaser who registers or licenses the
2 vehicle, vessel, or aircraft at an address in the City.

3 D. Any person subject to use tax under this Chapter may credit against that tax
4 any transactions tax or reimbursement for transactions tax paid to a district imposing, or
5 retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and
6 Taxation Code with respect to the sale to the person of the property the storage, use or other
7 consumption of which is subject to the use tax.

8 3.14.140 Changes in law. All amendments subsequent to the effective date of this
9 Chapter to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use
10 taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue
11 and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue
12 and Taxation Code, shall automatically become a part of this Chapter, provided however, that
13 no such amendment shall operate so as to affect the rate of tax imposed by this Chapter.

14 3.14.150 Enjoining collection forbidden. No injunction or writ of mandate or other
15 legal or equitable process shall issue in any suit, action or proceeding in any court against the
16 State or the City, or against any officer of the State or the City, to prevent or enjoin the
17 collection under this Chapter, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of
18 any tax or any amount of tax required to be collected.

19 3.14.160 Annual audit. The proceeds resulting from this Transactions and Use Tax
20 shall be deposited into the City's General Fund and become subject to the same independent
21 annual audit requirements as other general fund revenue. In addition the City's independent
22 auditor shall complete a General Transactions and Use Tax Compliance and Internal Control
23 Audit Report. Such report shall review whether the tax revenues collected pursuant to this
24 Chapter are collected, managed, and expended in accordance with this Chapter.

25 3.14.170 All funds staying local. All tax revenues collected under the authority of
26 this Chapter shall be expended solely on local municipal services, and shall not be used for
27 any other purposes.

28 3.14.180 Effective date. This Chapter levying the tax described herein shall be
effective ten (10) days after the date on which the City Council has declared that the voters of
the City of Suisun City have approved the Chapter by a vote of no fewer than a majority of
the votes cast by the electors voting on the tax measure set forth in this Chapter at that general
municipal election to be held on Tuesday, November 8, 2016.

3.26.190 Penalties. Without limiting any remedies available at law or equity, any
person violating any of the provisions of this Chapter shall be deemed guilty of a
misdemeanor.

3.14.200 Amendments. The tax rate in this Chapter may only be increased by a vote
of the People of the City of Suisun City; provided, however, that the City Council may amend
this Chapter to otherwise implement or advance the purpose and intent of this Chapter.

1 3.14.210 Severability. If any provision of this Chapter or the application thereof to
2 any person or circumstance is held invalid, the remainder of the Chapter and the application
of such provision to other persons or circumstances shall not be affected thereby.

3 3.14.220 Suisun City oversight committee. The City Council shall establish a Suisun
4 City General Tax Oversight Committee to review the expenditure of the revenues collected
5 pursuant to this Chapter. The committee shall consist of five members appointed by the City
6 Council. The committee members shall be residents and taxpayers in the City. The terms of
the committee members, as well as their specific duties shall be set forth in a resolution
adopted by the City Council. Such resolution may be amended by resolution of the Council.

7 **SECTION 2. SEVERABILITY.** If any section, subsection, sentence, clause or
8 phrase of this ordinance or the application thereof to any person or circumstance is for any
9 reason held to be invalid, such decision shall not affect the validity of the remaining portions
10 of this ordinance. The People of the City of Suisun City hereby declared that they would have
11 passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof,
irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence,
clause, or phrase be declared unconstitutional.

12 **SECTION 3. CEQA REVIEW.** The adoption of this ordinance is not a "project"
13 subject to the requirements of 19 the California Environmental Quality Act (CEQA) (Public
14 Resources Code Section §§ 21000 *et seq.*). CEQA Guideline 15378(b)(4) provides that the
15 creation of government funding mechanisms or other government fiscal activities that do not
involve any commitment to a specific project that may result in a potentially significant
physical impact on the environment are not projects subject to the requirements of CEQA.

16 **SECTION 4. NOTICE OF PUBLICATION.** This Ordinance shall be posted in
17 compliance with Municipal Code Section 1.12.010 and applicable law.

18 **SECTION 5. EXECUTION.** The Mayor of the City of Suisun City is hereby
19 authorized and shall attest to the adoption of the Ordinance by the voters of the City of Suisun
20 City by signing where indicated below.
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1 **CERTIFICATION**

2 Ordinance No. ____ was submitted to the People of the City of Suisun City at the November
3 8, 2016, general municipal election. It was approved by the following vote of the electors:

4 YES: _____

5 NO: _____

6 I hereby certify that the foregoing Ordinance was PASSED, APPROVED and ADOPTED by
7 the People of the City of Suisun City, California voting on the 8th day of November, 2016.

8

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Pete Sanchez
Mayor

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11 **ATTEST**

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Linda Hobson, CMC
City Clerk

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DATE: July 26, 2016
TO: Mayor and Members of the City Council
FROM: Daniel E. Keen, City Manager
Joanna Altman, Assistant to the City Manager
SUBJECT: ACTIONS RELATED TO THE EXTENSION OF A ONE CENT TRANSACTION AND USE TAX ON THE NOVEMBER 8, 2016, BALLOT INCLUDING: 1) ADOPTION OF AN ORDINANCE AMENDING CHAPTER 3.09 OF THE VALLEJO MUNICIPAL CODE, AND 2) ADOPTION OF A RESOLUTION SUBMITTING THE ORDINANCE TO THE QUALIFIED ELECTORS

RECOMMENDATION

Third reading and adoption of an ordinance amending chapter 3.09 of the Vallejo Municipal Code extending a one cent transaction and use tax for general purposes, subject to the approval of the voters on the November 8, 2016 ballot. Adoption of a resolution calling and ordering the submission of an ordinance to the qualified electors amending chapter 3.09 of the Vallejo Municipal Code extending a one cent transaction and use tax for general purposes, subject to the approval of the voters on the November 8, 2016.

REASONS FOR RECOMMENDATION

Staff identified a minor, nonsubstantive difference between the 2011 Measure B ordinance and the ordinance brought to City Council on June 28. These actions correct the clerical error.

BACKGROUND AND DISCUSSION

The ordinance brought to the City Council on June 28 inadvertently stated in subsection 3.09.020 that the termination date of the existing sales tax is 2021, but should have stated 2022. Measure V would delete subsection 3.09.020 in its entirety and so the difference in the year has no significance. However, as a matter of prudence, this item is being brought to the City Council for a third reading. To that extent, staff also recommends adopting a new resolution submitting the corrected ordinance to the qualified electors.

FISCAL IMPACT

The one-cent sales tax measure generated approximately \$13.65 million in Fiscal Year 2015-16. Changes in taxable sales volume may increase or decrease this amount in subsequent years. Revenues are used to support enhanced community services based on current taxable sales volume in Vallejo. To date, from April 1, 2012 through March 31, 2016, the tax measure has generated \$49,699,243.

The cost of placing this measure on the November 8, 2016 ballot (including education costs) is estimated at \$70,000 and is included in the FY 2016-17 proposed budget.

Subject: ACTIONS RELATED TO THE EXTENSION OF A ONE CENT TRANSACTION AND USE TAX ON THE NOVEMBER 8, 2016, BALLOT INCLUDING: 1) ADOPTION OF AN ORDINANCE AMENDING CHAPTER 3.09 OF THE VALLEJO MUNICIPAL CODE, AND 2) ADOPTION OF A RESOLUTION SUBMITTING THE ORDINANCE TO THE QUALIFIED ELECTORS
Page 2

ENVIRONMENTAL REVIEW

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

ATTACHMENTS

1.	Ordinance amending Chapter 3.09 to the Vallejo Municipal Code Extending Measure B - Strikethrough Version
2.	Ordinance amending Chapter 3.09 to the Vallejo Municipal Code Extending Measure B - Final Adoption
3.	Resolution Submitting to the Qualified Electors an Ordinance Amending Chapter 3.09 of the Vallejo Municipal Code

CONTACT

Joanna Altman, Assistant to the City Manager, (707) 648-4362

Joanna.Altman@cityofvallejo.net

ORDINANCE NO. _____ N.C. (2d)

ORDINANCE AMENDING VALLEJO MUNICIPAL CODE TO MAINTAIN ENHANCED FUNDING FOR 911 RESPONSE, POLICE PATROLS, FIREFIGHTER AND EMERGENCY MEDICAL SERVICES, YOUTH PROGRAMS, STREET AND POTHOLE REPAIR, GRAFFITI REMOVAL, ECONOMIC DEVELOPMENT, AND OTHER GENERAL CITY SERVICES, RENEWING THE EXISTING, VOTER-APPROVED, ONE PERCENT TRANSACTIONS AND USE (SALES) TAX (MEASURE B) TO PROVIDE APPROXIMATELY \$14 MILLION YEARLY WITH ALL REVENUES INDEPENDENTLY AUDITED AND EXPENDITURES PUBLICLY REVIEWED AND LOCALLY CONTROLLED

THE PEOPLE OF THE CITY OF VALLEJO DO ORDAIN AS FOLLOWS:

Section 1. Section 3.09.020 of the Vallejo Municipal Code is hereby amended to read as follows:

3.09.020 Definitions.

For the purposes of this Chapter the follow terms shall have the meanings given in this section:

A. "City" means the incorporated territory of the city.

B. "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this chapter and the approval by the voters of the city of a measure approving the imposition of a transaction and use tax; provided, that if the city shall not have contracted with the State Board of Equalization as required by section 3.09.040 prior to such date, the city shall nevertheless so contract and in such a case the Operative Date shall be the first day of the first calendar quarter following the execution of such a contract.

~~C. "Termination Date" means the date the authority to levy the tax imposed by this chapter shall expire, which will be the later of March 31, 2022 or ten (10) years after the first day of the first quarter following the execution of the contract with the State Board of Equalization in accordance with section 3.09.040.~~

Approved as to Form:

By: 
City Attorney

Section 2. Section 3.09.050 of the Vallejo Municipal Code is hereby amended to read as follows:

3.09.050 Imposition of transaction tax, transaction tax rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the City at the rate of one percent (1%) 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 ~~and before the Termination Date.~~

Section 3. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 4. CONSTRUCTION. To the extent the provisions of the Vallejo Municipal code as amended by this Ordinance are substantially the same as the provisions of that Code as it read earlier, those provisions shall be read as continuations of earlier enactments and not as new enactments.

Section 5. EFFECTIVE DATE. This Ordinance shall be submitted to the voters at an election to be held on November 8, 2016. Upon approval by a majority of the voters of the City voting on this Ordinance, this Ordinance shall take effect 10 days after the City Council certifies the result of the election, as provided by Elections Code section 9217, and the Transactions and Use Tax shall be continued as provided for in this Ordinance.

FIRST READ at a regular meeting of the Council of the City of Vallejo held on the 28 Day of June 2016 and FINALLY ADOPTED on the 26 Day of July 2016 by the following vote:

AYES:

NOES:

ABSENT:

Osby Davis
Mayor

Attest: _____
Dawn Abrahamson
City Clerk

ORDINANCE NO. _____ N.C. (2d)

ORDINANCE AMENDING VALLEJO MUNICIPAL CODE TO MAINTAIN ENHANCED FUNDING FOR 911 RESPONSE, POLICE PATROLS, FIREFIGHTER AND EMERGENCY MEDICAL SERVICES, YOUTH PROGRAMS, STREET AND POTHOLE REPAIR, GRAFFITI REMOVAL, ECONOMIC DEVELOPMENT, AND OTHER GENERAL CITY SERVICES, RENEWING THE EXISTING, VOTER-APPROVED, ONE PERCENT TRANSACTIONS AND USE (SALES) TAX (MEASURE B) TO PROVIDE APPROXIMATELY \$14 MILLION YEARLY WITH ALL REVENUES INDEPENDENTLY AUDITED AND EXPENDITURES PUBLICLY REVIEWED AND LOCALLY CONTROLLED

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B. "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this chapter and the approval by the voters of the city of a measure approving the imposition of a transaction and use tax; provided, that if the city shall not have contracted with the State Board of Equalization as required by section 3.09.040 prior to such date, the city shall nevertheless so contract and in such a case the Operative Date shall be the first day of the first calendar quarter following the execution of such a contract.

Approved as to Form:

By: 
City Attorney

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3.09.050 Imposition of transaction tax, transaction tax rate.

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Section 3. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

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FIRST READ at a regular meeting of the Council of the City of Vallejo held on the 28 Day of June 2016 and FINALLY ADOPTED on the 26 Day of July 2016 by the following vote:

AYES:

NOES:

ABSENT:

Osby Davis
Mayor

Attest: _____
Dawn Abrahamson
City Clerk

RESOLUTION NO. ____ N.C.

CALLING AND ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF VALLEJO A MEASURE RELATING TO A PROPOSED ORDINANCE AMENDING VALLEJO MUNICIPAL CODE TO MAINTAIN ENHANCED FUNDING FOR 911 RESPONSE, POLICE PATROLS, FIREFIGHTER AND EMERGENCY MEDICAL SERVICES, YOUTH PROGRAMS, STREET AND POTHOLE REPAIR, GRAFFITI REMOVAL, ECONOMIC DEVELOPMENT, AND OTHER GENERAL CITY SERVICES, RENEWING THE EXISTING, VOTER-APPROVED, ONE PERCENT TRANSACTIONS AND USE (SALES) TAX (MEASURE B) TO PROVIDE APPROXIMATELY \$14 MILLION YEARLY WITH ALL REVENUES INDEPENDENTLY AUDITED AND EXPENDITURES PUBLICLY REVIEWED AND LOCALLY CONTROLLED

WHEREAS, a General Municipal election on Tuesday, November 8, 2016, has been called by Resolution No. 16-062 N.C. adopted on June 14, 2016; and

WHEREAS, on June 14, 2016, the City Council introduced and held on first reading an Ordinance Amending Vallejo Municipal Code to Maintain Enhanced Funding for 911 Response, Police Patrols, Firefighter and Emergency Medical Services, Youth Programs, Street and Pothole Repair, Graffiti Removal, Economic Development, and Other General City Services, Renewing the Existing, Voter-Approved, One Percent Transactions and Use (Sales) Tax (Measure B) to Provide Approximately \$14 Million Yearly with All Revenues Independently Audited and Expenditures Publicly Reviewed and Locally Controlled; and

WHEREAS, the tax provided for by the proposed Ordinance shall be enacted solely to raise revenue for general purposes, and shall be placed into the City's General Fund, and is not intended for regulation; and

WHEREAS, the City Council also desires, on its own motion, to submit to the voters at the General Municipal election a question relating to the extension of a one-cent transactions and use tax for general purposes;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF VALLEJO DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS, THAT:

Approved as to Form:

By: 
City Attorney

SECTION 1. The City Council pursuant to its right and authority, does order to be submitted to the voters at a General Municipal election the following question:

THE VALLEJO SALES TAX MEASURE	
Shall an "Ordinance Amending Vallejo Municipal Code to Maintain Enhanced Funding for 911 Response, Police Patrols, Firefighter and Emergency Medical Services, Youth Programs, Street and Pothole Repair, Graffiti Removal, Economic Development, and Other General City Services, Renewing the Existing, Voter-Approved, One Percent Transactions and Use (Sales) Tax (Measure B) to Provide Approximately \$14 Million Yearly with All Revenues Independently Audited and Expenditures Publicly Reviewed and Locally Controlled" be adopted?	YES
	NO

SECTION 2. The proposed measure submitted to the voters is as attached in Exhibit 1 to this Resolution, which is incorporated herein by this reference.

SECTION 3. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 4. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 5. The City Clerk is hereby directed to file a certified copy of this Resolution with the Solano County Board of Supervisors and the Solano County Registrar of Voters.

SECTION 6. Resolution 16-075 N.C. is hereby superseded.

Adopted by the City Council of the City of Vallejo at a regular meeting held on July 26, 2016, by the following vote:

AYES:
 NOES:
 ABSTAIN:
 ABSENT:

 OSBY DAVIS, MAYOR

ATTEST: _____
 DAWN G. ABRAHAMSON, CITY CLERK

ORDINANCE NO. _____ N.C. (2d)

ORDINANCE AMENDING VALLEJO MUNICIPAL CODE TO MAINTAIN ENHANCED FUNDING FOR 911 RESPONSE, POLICE PATROLS, FIREFIGHTER AND EMERGENCY MEDICAL SERVICES, YOUTH PROGRAMS, STREET AND POTHOLE REPAIR, GRAFFITI REMOVAL, ECONOMIC DEVELOPMENT, AND OTHER GENERAL CITY SERVICES, RENEWING THE EXISTING, VOTER-APPROVED, ONE PERCENT TRANSACTIONS AND USE (SALES) TAX (MEASURE B) TO PROVIDE APPROXIMATELY \$14 MILLION YEARLY WITH ALL REVENUES INDEPENDENTLY AUDITED AND EXPENDITURES PUBLICLY REVIEWED AND LOCALLY CONTROLLED

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Approved as to Form:

By: 
City Attorney

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FIRST READ at a regular meeting of the Council of the City of Vallejo held on the 28 Day of June 2016 and FINALLY ADOPTED on the 26 Day of July 2016 by the following vote:

AYES:

NOES:

ABSENT:

Osby Davis
Mayor

Attest: _____
Dawn Abrahamson
City Clerk

**SOLANO
City County Coordinating Council
Staff Report**

Meeting of. August 11, 2016

Agency/Staff: Sandy Person and Sean Quinn, Solano EDC; Dr. Robert Eyley of EFA, Audrey Taylor, Chabin Concepts

Agenda Item No: V.2

Title /Subject:

Receive a presentation on marketing concepts from Moving Solano Forward Phase 2

Background:

The three main goals of Moving Solano Forward II are progressing with considerable engagement from the Cities, County, Solano EDC Economic Development Task Force, Workforce Development, Education and Industry. The project is also aligned with the County's initiative regarding workforce.

1. Create and market competitive real estate product to specific industry targets.

- Working with each city, 22 sites have been identified and detail data collected as the featured sites to market and promote.
- Final review of the priority sites occurred the week of July 25, 2016.
- Keyser-Marston will begin working with each city beginning early August identifying infrastructure costs and potential infrastructure financing options.

2. Shared-purpose partnerships and tools.

Many of the sub-tasks of the project build upon "shared-purpose" tools and information for cities, county and organizations around economic and workforce development to better position Solano County for new investment and job creation, including:

- In depth research on over 1,200 data points required by the International Economic Development Council.
- Business survey to select industries on doing business in Solano County and workforce needs.
- Industry cluster analysis and occupation patterns.
- Initiating a Business Retention & Expansion (BRE) Tracking System where each city will have their own module to tracking their local BRE programs and progress. The BRE system can also be used in workforce development. It also provides excellent reports for program monitoring.
- Website and GIS-based property database – the Solano EDC Website wire-frame received input from the Solano EDC Economic Development Task Force (economic development, transportation, college and workforce development) on layout and is being created.

Marketing messages and concepts were presented to the Solano EDC Economic Development Task Force and Board of Directors. The marketing concepts, similar to the website, are incorporating all cities to build a marketing campaign that will raise awareness and build an identity for Solano. Each city will have a color so marketing campaigns can be locally or regionally implemented. The concepts have been built to provide multiple ways to market. The ED Task Force and BOD were asked to rank the logos and messages.

3. Building a consensus-base strategy.

- Based on interviews with cities, county, economic development professionals, workforce development, education and industry the framework of the economic development strategy was presented to the Solano EDC Board of Directors for input.

- The framework focuses on three key initiatives for economic development with core services focused on business and job creation. Moving from a “reactive” model to leads to a generator of business leads to the county and cities:
 - 1) Business & Job Creation
 - Focus on key industries identified – Biomedical/Biotechnology; Advanced Manufacturing, Agribusiness, Food Processing and Beverage; Military, Logistics and Transportation and job leads generated/referred.
 - Marketing
 - Facilitating business retention through the BRE Tracking Tool and addressing issues of industry to grow in Solano County.
 - Continue providing value-add services to businesses that make locating in Solano County a great opportunity.
 - 2) Competitive Environment
 - Assisting with infrastructure development and preparing applications and plans that position Solano County and cities for infrastructure investment.
 - Continue to be a competitive location as compared to surrounding counties also looking to increase business investment and job creation.
 - 3) Business Climate Advocacy
 - Continue to address the needs of industry.
 - Coordinate and work with education and workforce to ensure there is a talent pool to attract targeted businesses.

The consulting team has also begun to identify RED FLAGS that could constraint economic development and job creation efforts as we move forward:

- Running out of industrial land
- Rezoning industrial to residential
- Need for balance between warehousing and manufacturing
- Workforce skills – HS to Degree Holders
- Need funding to implement an effective and successful economic development program (i.e. EDC)

A project website has been established, <http://www.movingsolanoforwardii.com/>, which contains 10 working papers and 7 site review papers. The web site will be updated throughout the project with working papers and presentations.

Next Steps:

- Early August – draft corridor strategy to review with Solano EDC Executive Committee.
- Keyser Marston meeting with each city on priority site infrastructure financing.
- Assembling all foundational data and completing remaining task to build the corridor strategy
- Training on the BRE tracking system.

Beginning of website development and final toolbox during the Fall of 2016

Discussion:

The marketing concepts will be presented for feedback from members of the 4Cs.

Recommendation:

Receive the presentation on Moving Solano Forward Phase 2.



Moving Solano Forward Phase II

City-County Coordinating
Council

August 11, 2016

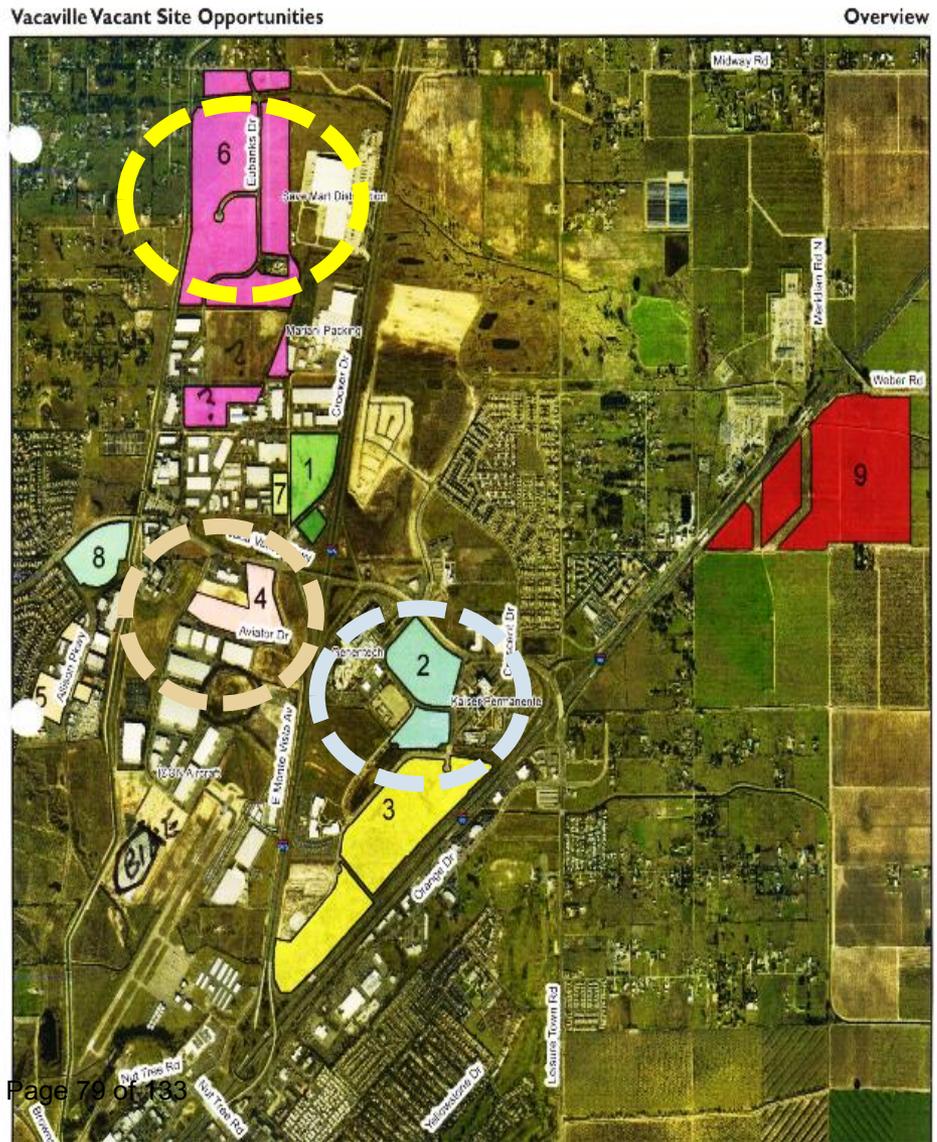
Rob Eyler, Econforensics
Don Schjeldahl, DSG Advisors
Audrey Taylor, Chabin Concepts
Debbie Kern, KMA

Why MSF II is Important?

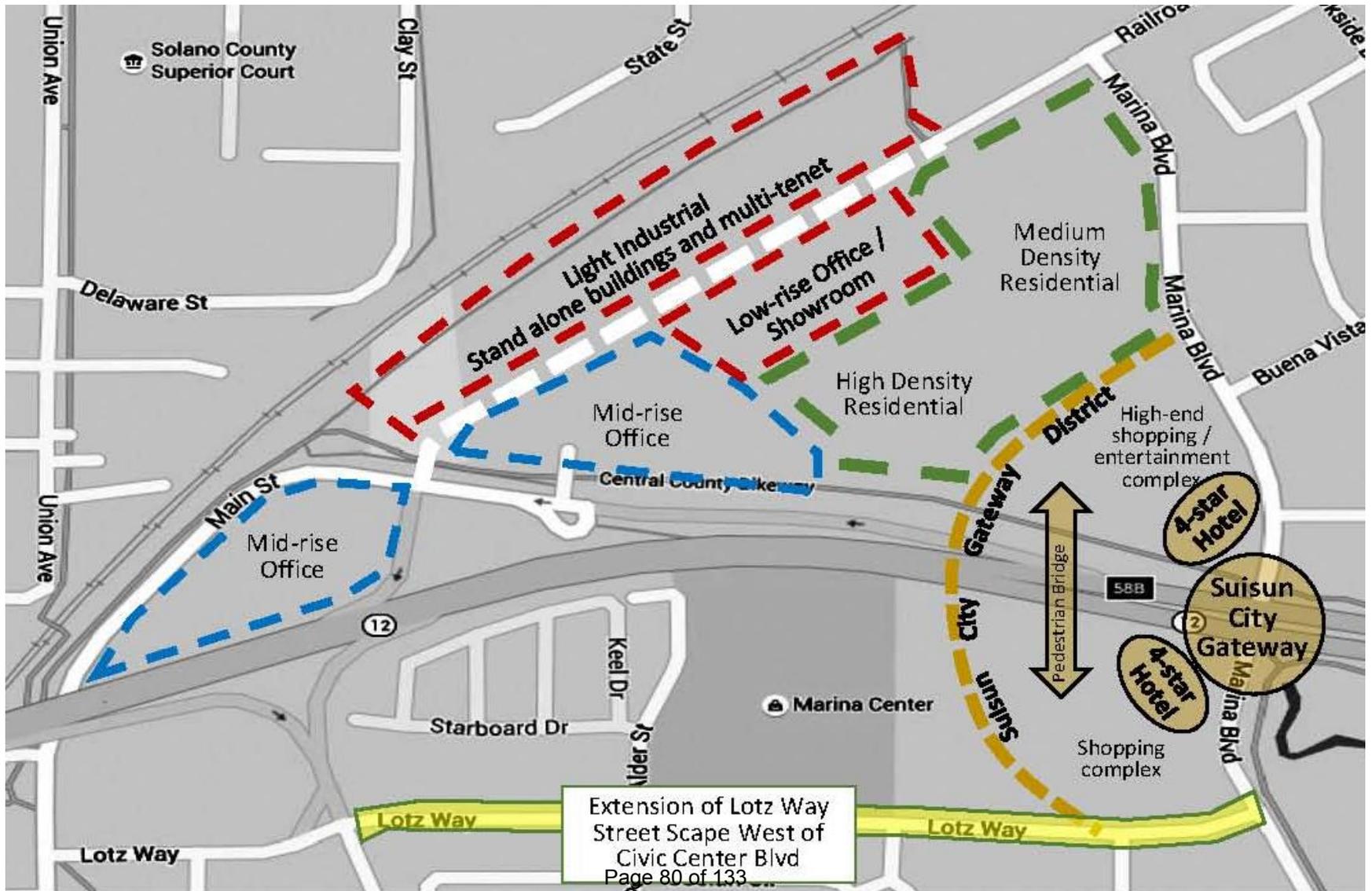
1. **Prepare product** (sites) to increase competitiveness with surrounding counties.
 2. Strengthen **shared-purpose** partnerships and tools.
 3. Create consensus-based, **strategic execution plan.**
- Project website, all working papers filed <http://www.movingsolanoforwardii.com/>

Product – 110 Assessed for Readiness, 22 Featured

-  Food, biotech, advanced manufacturing
-  Biotech, office services
-  Biotech, advanced manufacturing



Conceptualize Opportunity



“Shared-Purpose” Tools

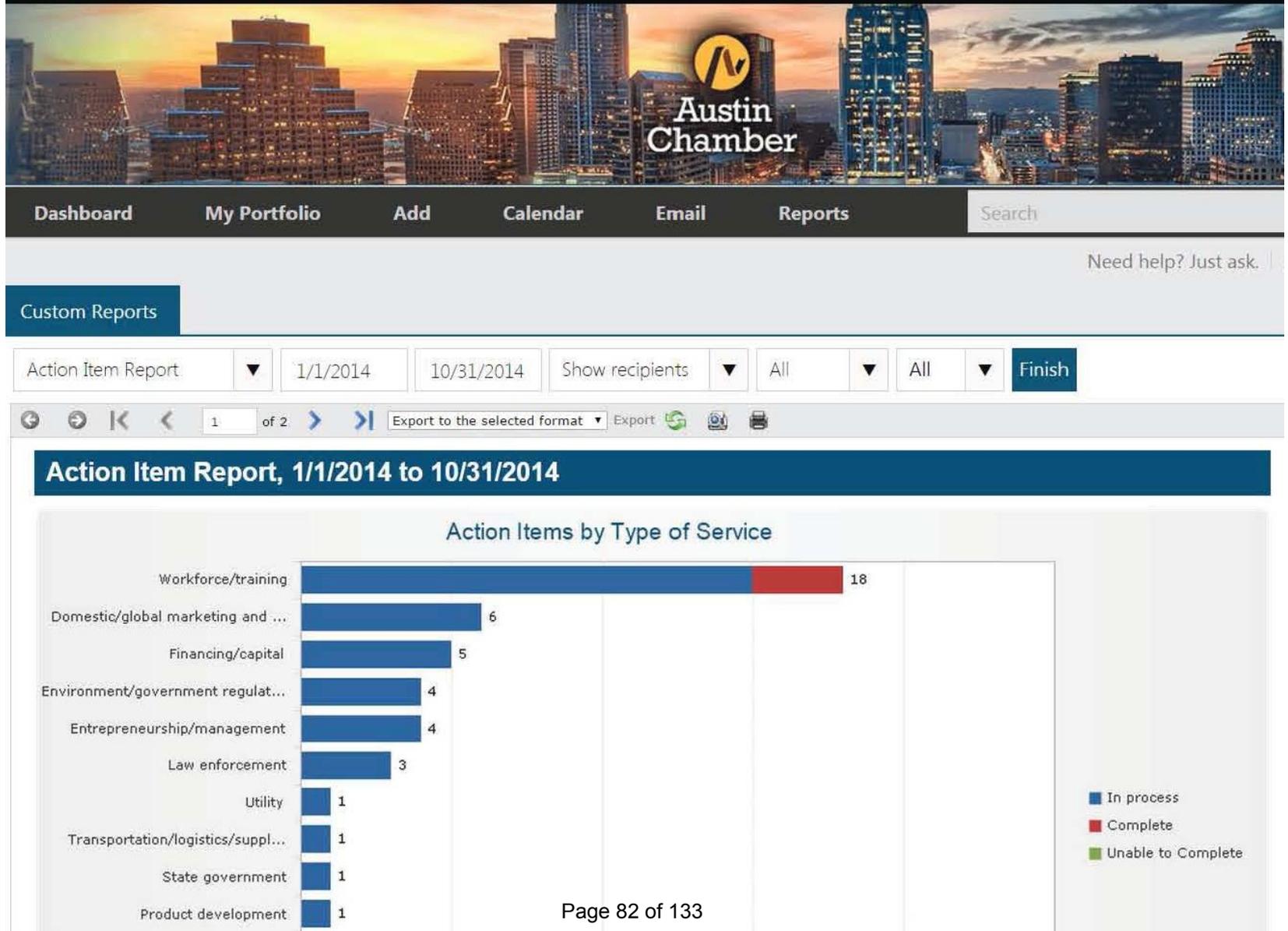
Research

- **Data**
- **Occupation Patterns**
- **Industry Intelligence**

Tools

- **BREA Tracking**
- **ED Website**
- **Marketing**

"Shared Purpose" BRE Tracking



Marketing

- **Refresh** identity - *not a branding effort.*
- **Integrate** key messages and each city.
- Launch **locally and regionally** – maximize exposure.
- **Multiple marketing opportunities** – industries, cities, messages, sites.

2. Marketing Messages & Concepts

Use questions to draw attention to Solano – what people might not know, push the unexpected, create awareness

Key Messages	Business Connection	Business First!	Business Benefit
Proof Points	<ul style="list-style-type: none">■ Bay Area Context■ Planned for Growth■ Markets■ Research■ Lifestyle	<ul style="list-style-type: none">■ Value■ Services■ Education■ Planning■ Team■ Speed■ Business	<ul style="list-style-type: none">■ Value priced■ Productivity■ 5 Corridors■ Workforce■ Talent■ Business Pool

Where can Solano take you?

As an emerging business and transportation hub, Solano County is becoming the location of choice for industries looking for close-in and value-priced locations to the Bay Area, Silicon Valley, Napa and Sacramento Valley.

All roads lead to key markets, talent and resources.

Color Scheme



Solano



SUISUN



DIXON



FAIRFIELD



BENICIA



VACAVILLE



VALLEJO



RIO VISTA

Typography

Aa

Interstate

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We will link a color to each city within Solano County

1. INTRODUCTION SERIES



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SOLANO

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VACAVILLE

DIXON

VALLEJO
Page 87 of 133

FAIRFIELD

RIO VISTA

BENICIA



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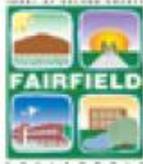
VALLEJO

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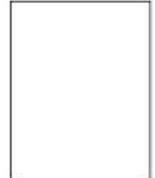
BENICIA

Key messages



Fairfield City Hall, 1000 Webster Street
Fairfield, California 94533

707.746.4200 www.fairfield.ca.gov



To Quality Business Life

Benicia is an extremely low-crime community. Our businesses, business organizations and city government are mutually supportive. Typical is the City's approach to reducing carbon emissions. Rather than punish businesses, Benicia's Business Resource Incentive Program assists companies with solutions, including a funding program for recommended improvements.

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2. INDUSTRY / CITY



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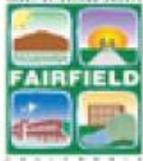
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GREEN VALLEY CORPORATE PARK

Located on I-680 at the Lake Herman Road off-ramp within the Benicia Industrial Park

Site	±12.628 gross acres (±790' wide x ±702' deep)
APN's	0080-291-03 & 04
Building Size	±268,245 sq. ft. (±600' x ±450') distribution facility
Available	±133,245 sq. ft. (±300' x ±450') including ±6,000 sq. ft. of office
Parking	±100 stalls
Column Spacing	±60' wide x ±45' deep
Power	±400 amps @ 277/480 volts to main panel
Loading	Cross Loader
Dock High	22 doors (±9' x ±10') - with manual levelers
Grade Level	4 doors (±12' x ±14')
Minimum Clear Height	±30'
Staging	±130'-150'
Concrete Apron	±45'
Sprinklered	ESFR



DRIVING IN
THE FUTURE.

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Genentech

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INNOVATION.

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THE TECHNOLOGY OF
GROWTH.

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- DIXON
- VALLEJO
- FAIRFIELD
- RIO VISTA**
- BENICIA



GROWING NEW
OPPORTUNITIES.

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3. CITY ORIENTED



Where can
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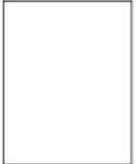
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BENICIA



Dixon City Hall, One Main Street
Dixon, CA 94571

707-648-4575 www.ci.dixon.ca.us



To Quality Business Life

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4. PARK/DEVELOPMENT ORIENTED



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SF NORTH BAY'S NEWEST
WATERFRONT DISTRICT

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5. MESSAGE ORIENTED



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CROSSOVER TO
EXCELLENCE.

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MOVE CLOSER ▶ to market access

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NORTH BAY'S TRADE CORRIDOR



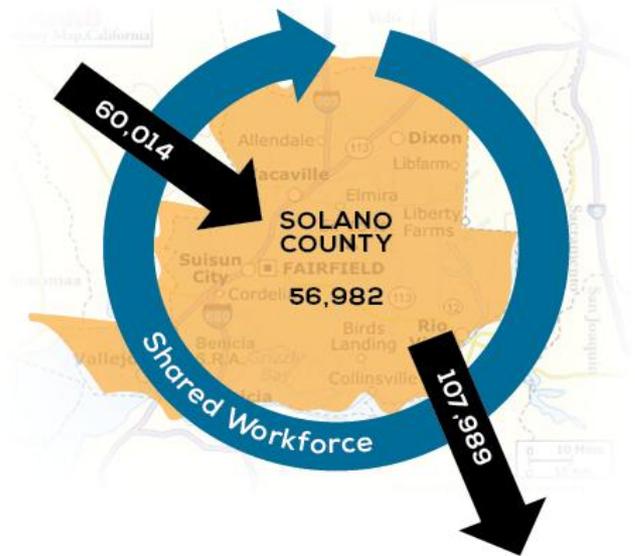
MOVE CLOSER ▶ to affordable living

SOLANO
NORTH BAY'S TRADE CORRIDOR

SHARED WORKFORCE

Your employees may already live here.

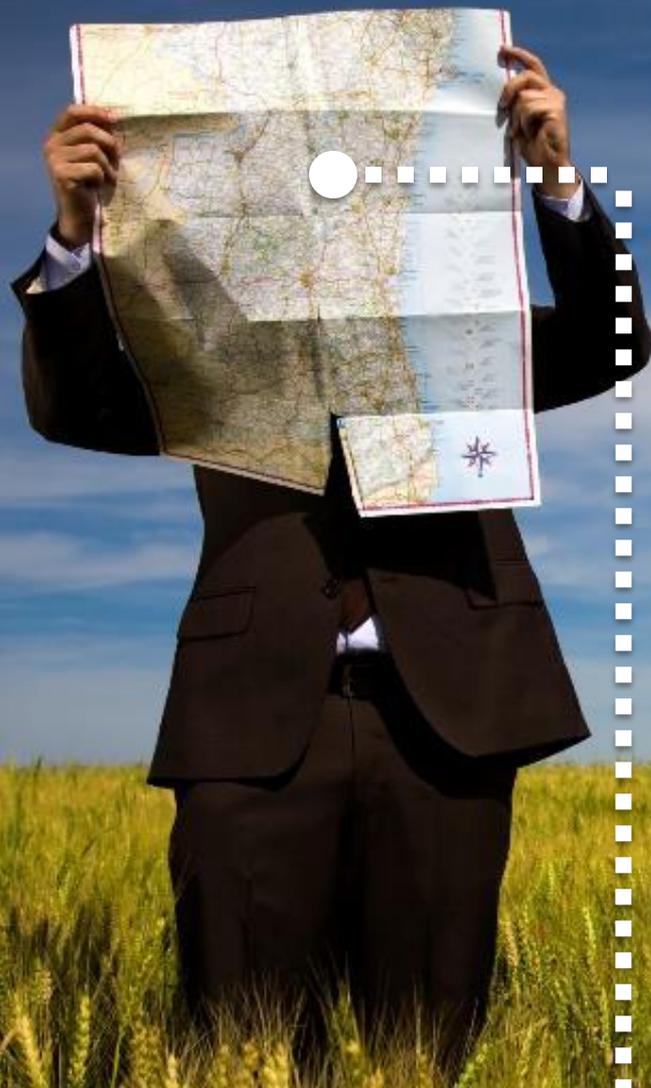
224,000 Laborshed



Check out our growing diverse population of young professionals calling Solano home.

Next Steps

- Finalize featured site review
- Begin moving info to GIS Property-based website
- Keyser Marston begin infrastructure financing review/opportunity
- Finalize cluster analysis
- Flush out strategy framework



WHY SOLANO?

**SOLANO
City County Coordinating Council
Staff Report**

Meeting of. August 11, 2016

Agency/Staff: Robert Macaulay, STA

Agenda Item No: V.3

Title /Subject: Plan Bay Area Update and OneBayArea Grant (OBAG) Cycle 2

Background:

The Regional Transportation Plan (RTP) is the primary planning and programming document for the Metropolitan Transportation Commission (MTC). The RTP must include a Sustainable Communities Strategy (SCS), which is mandated to reduce greenhouse gas (GHG) emissions from cars and light trucks while also housing projected population growth. The last RTP/SCS, known as Plan Bay Area, was adopted in 2013. The update of Plan Bay Area must be adopted in 2017.

One of the primary funding programs in Plan Bay Area is the OneBayArea Grant (OBAG) program, which consists of block grants to the Congestion Management Agencies (CMAs) to use for funding local programs and projects that advance Plan Bay Area goals. The second grant cycle (OBAG 2) covers fiscal years 2017-18 through 2021-22.

A second area of interest has been MTC's assessment of projects with a value of greater than \$100 million. These projects were assessed and of a benefit to cost ratio and a qualitative analysis regarding MTC's 13 performance measures.

A third area of interest is the development of a 'preferred land use and investment scenario.' This will serve as the 'project' analyzed in the Environmental Impact Report (EIR) for the project.

A final important aspect of the Plan Bay Area update is the status of countywide priority projects. MTC provides each CMA a budget to use in identifying local priorities that may be funded in the RTP. MTC has recently completed its evaluation of those projects, as well as their fiscal feasibility.

Discussion:

OBAG 2

MTC has finalized criteria for distributing OBAG funds to the nine Bay Area CMAs, and to assist the CMAs in sub-allocating funds to projects and programs. There are several significant items from the Commission's adopted OBAG guidelines:

- The OBAG 2 funds cover the 5-year period of FY 2017-18 through FY 2022-23.
- MTC dedicated \$32 million of additional FAST Act funds to the OBAG 2 program in order to bring the county funding levels for OBAG 2 up to almost the same level as was provided in the first round of OBAG.
- MTC will no longer provide regional dedicated funding for rideshare services or Safe Routes to Schools. This means that, in addition to having less funding, STA also has additional obligations if it wishes to continue to provide support for these popular and effective programs.
- MTC will not provide funds directly to the nine CMAs for Priority Development Area (PDA)

planning and implementation. STA used OBAG 1 funds to support PDA plans in five cities. MTC will allocate \$20 million for PDA support as part of a regionally competitive process.

- At the MTC commission meeting of July 27, there was significant debate regarding OBAG 2 policies related to affordable housing and displacement of current residents. One response is that MTC will require each jurisdiction to pass a resolution stating it is in compliance with the state Surplus Land Act. This Act requires cities and counties selling surplus land to give first right of refusal to affordable housing developers. The requirement currently will not be applied to charter cities pending outcome of a legal challenge.

MTC will also require CMAs to provide a project scoring benefit for communities that have certain affordable housing and anti-displacement policies. MTC staff is still working to finalize the language of the MTC resolution, and STA staff will provide this to the STA Board and 4Cs when it becomes available.

From STA staff's observation of the commission discussions and debates on OBAG 2 funding, it appears that affordable housing and residential displacement issues will continue to be prominent points of discussion in Plan Bay Area. Those jurisdictions that are providing new affordable housing and attempting to protect existing low income residents from the risk of displacement will be more likely to receive transportation funding. As MTC and ABAG planning staff's merge, and as MTC takes on more of the ABAG issues, the line between transportation and housing funding will likely continue to overlap.

STA is scheduled to issue its OBAG 2 call for projects in September, and have the STA Board approval of projects completed in January of 2017.

MAJOR PROJECT ASSESSMENT

MTC solicited CMA input on major projects with regionally significant impact, and assessed those projects with a cost of more than \$100 million against 13 criteria. MTC also performed a benefit: cost analysis for each project. The purpose of this assessment is to identify high-performing and low-performing projects, but not to act as an absolute set of selection criteria.

STA submitted a letter to MTC regarding the assessment of the I-80/I-680/SR-12 interchange project, which staff MTC had initially designated as a low performing project. MTC subsequently revised their assessment and designated the Interchange as a medium performing project. This will allow the Interchange to remain in the RTP, and remain eligible for federal, state and regional funding.

LAND USE AND INVESTMENT SCENARIOS

Plan Bay Area will be based upon a series of land use assumptions and transportation investments. MTC staff has developed three draft land use and transportation scenarios to guide the preliminary discussions. The scenarios are provided as attachments A, B and C. In summary the three scenarios are:

- Main Street - Growth will occur throughout the region, focused in the downtowns of every Bay Area community.
- Connected Neighborhoods – Growth is focused in identified priority development areas throughout the bay area and along major transit corridors. This scenario is more focused than the Main Street scenario.
- Big Cities – growth primarily occurs in San Jose, San Francisco and Oakland, and the major suburban communities immediately adjacent to the big three. This scenario accommodates the least growth in the suburban communities of the North Bay.

STA and several of the Solano cities submitted letters to MTC asking that the major Solano county transportation investments be included in the Connected Neighborhoods scenario. Those letters are attached. MTC has not released the preferred scenario, but is expected to do so in September of 2016. The final scenario which will be considered the project for the purposes of the EIR will be a combination of aspects from the three draft scenarios.

COUNTYWIDE PRIORITY PROJECTS

MTC expects to provide its preliminary assessment of the financial feasibility of STA's projects on August 5th. The projects submitted by STA are shown in attachment E. MTC staff has indicated that most, if not all, STA priority projects will be included in the RTP.

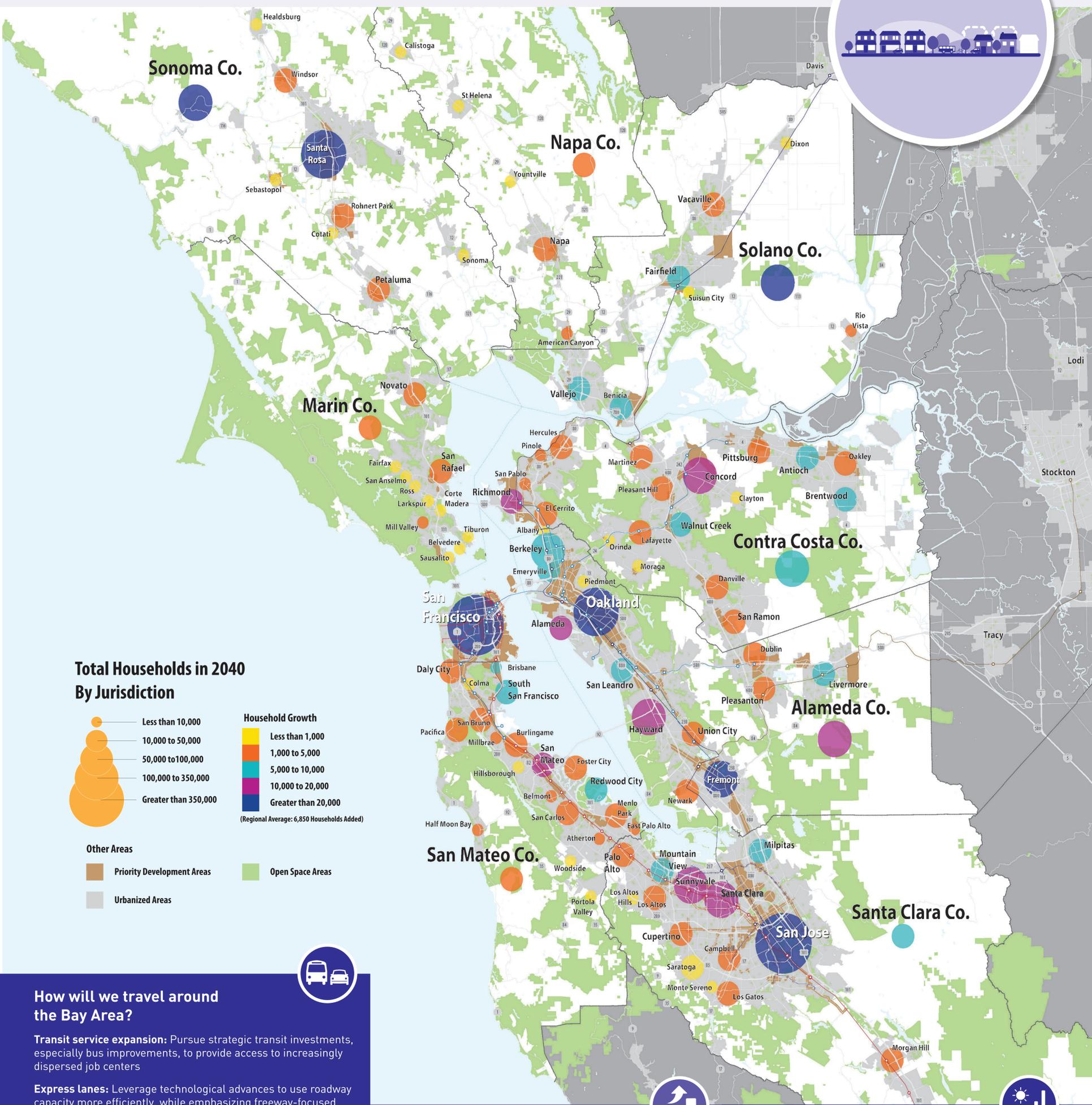
Recommendation: Receive a presentation.

Attachments:

- A – Main Street scenario
- B – Connected Neighborhoods scenario
- C – Big Cities scenario
- D – City and STA Comment Letters on Scenarios
- E – STA Priority Project List

The **Main Streets Scenario** targets future population and employment growth in the downtowns of every Bay Area city to foster a region of moderately sized, integrated town centers.

This scenario offers the most dispersed growth pattern, meaning cities outside of the region's largest — Oakland, San Jose and San Francisco — are likely to see higher levels of growth. In this scenario, more growth will occur in currently undeveloped areas outside of Priority Development Areas (PDAs) than the other two scenarios.



How will we travel around the Bay Area?

Transit service expansion: Pursue strategic transit investments, especially bus improvements, to provide access to increasingly dispersed job centers

Express lanes: Leverage technological advances to use roadway capacity more efficiently, while emphasizing freeway-focused pricing like Express Lanes / Managed Lanes as complementary strategies

Highway capacity: Invest in strategic highway capacity increases to accommodate this scenario's growth pattern

State of good repair: Emphasize investment into state of good repair (particularly for highways and local streets across all nine counties)

How will we accommodate population growth?

Investments for affordable housing in PDAs, Transit Priority Areas (TPAs), other transit-proximate locations outside PDAs and underutilized transportation corridors

Emphasis on multi-family and mixed-use development in downtowns

"Mobility management" solutions to link seniors, persons with disabilities and low-income communities to travel options that meet their specific needs

How will we address climate change?

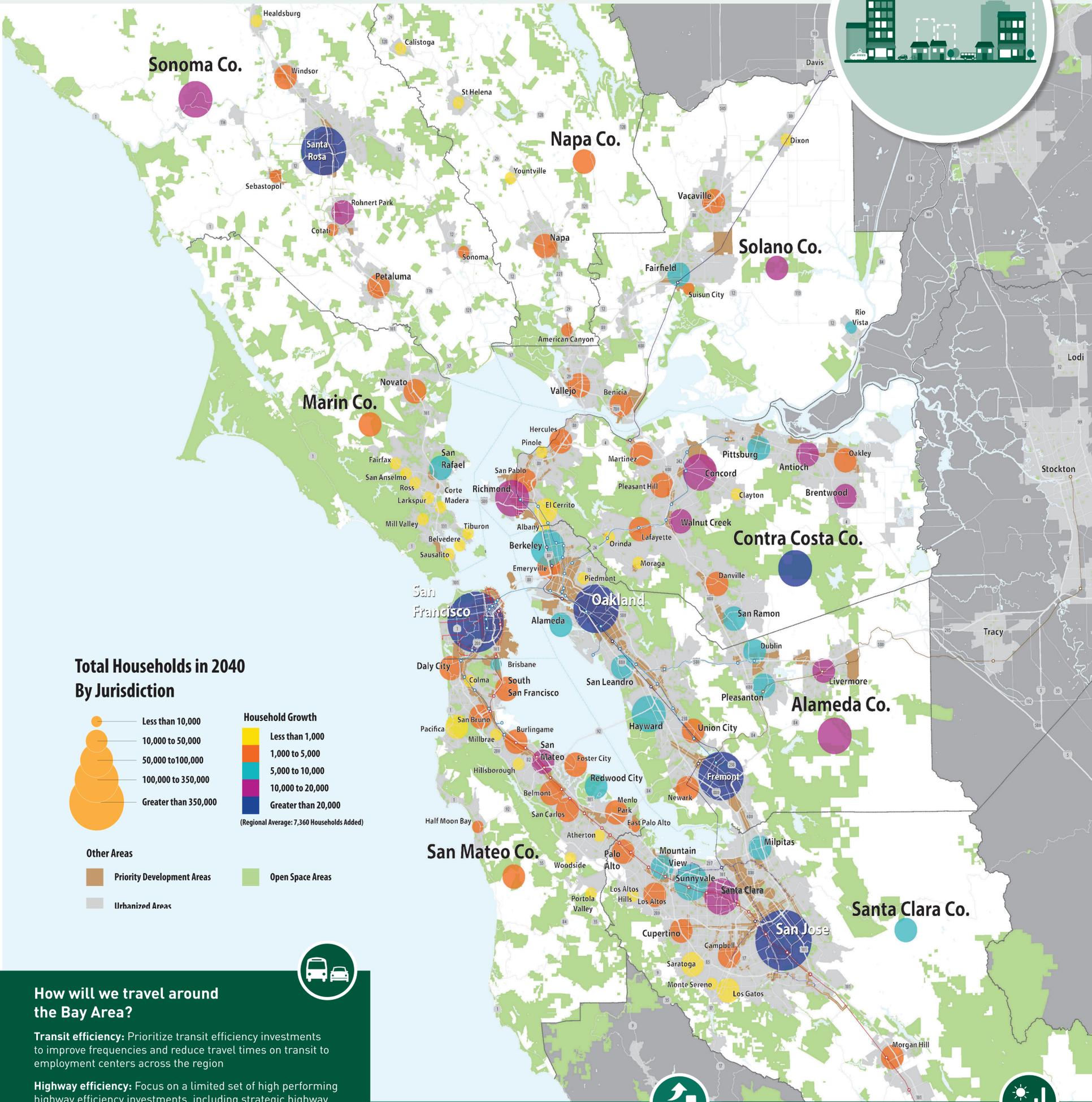
Investments in transportation alternatives, including clean vehicles, transportation demand management strategies and other innovative travel options

Scenarios Connected Neighborhoods Scenario

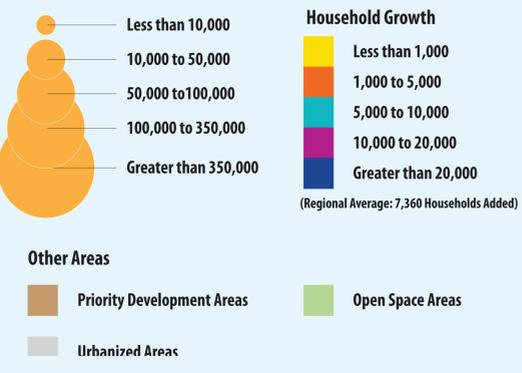
Plan Bay Area 2040

The **Connected Neighborhoods Scenario** targets future population and employment growth in locally adopted Priority Development Areas (PDAs) throughout the region.

This scenario emphasizes growth in medium-sized cities with access to the region's major rail services. Outside of PDAs, this scenario will see modest infill development and no growth outside the urban footprint on currently undeveloped land. This scenario builds on the adopted Plan Bay Area 2013.



Total Households in 2040 By Jurisdiction



How will we travel around the Bay Area?

Transit efficiency: Prioritize transit efficiency investments to improve frequencies and reduce travel times on transit to employment centers across the region

Highway efficiency: Focus on a limited set of high performing highway efficiency investments, including strategic highway capacity improvements to address bottlenecks and provide reliever routes to freeways within the urban core

Transit expansion: Fund the most cost-effective transit expansion projects that support the region's highest-growth PDAs

State of good repair: Balance maintenance needs with expansion and efficiency priorities for all modes; support PDA growth by repaving streets and upgrading buses

How will we accommodate population growth?

Investments for affordable housing will be dispersed across the Bay Area, with concentration in PDAs to support the development of affordable housing where the most population and employment growth is targeted

"Mobility management" solutions to link seniors, persons with disabilities and low-income communities to travel options that meet their specific needs

How will we address climate change?

Investments in transportation alternatives, including clean vehicles, transportation demand management strategies and other innovative travel options

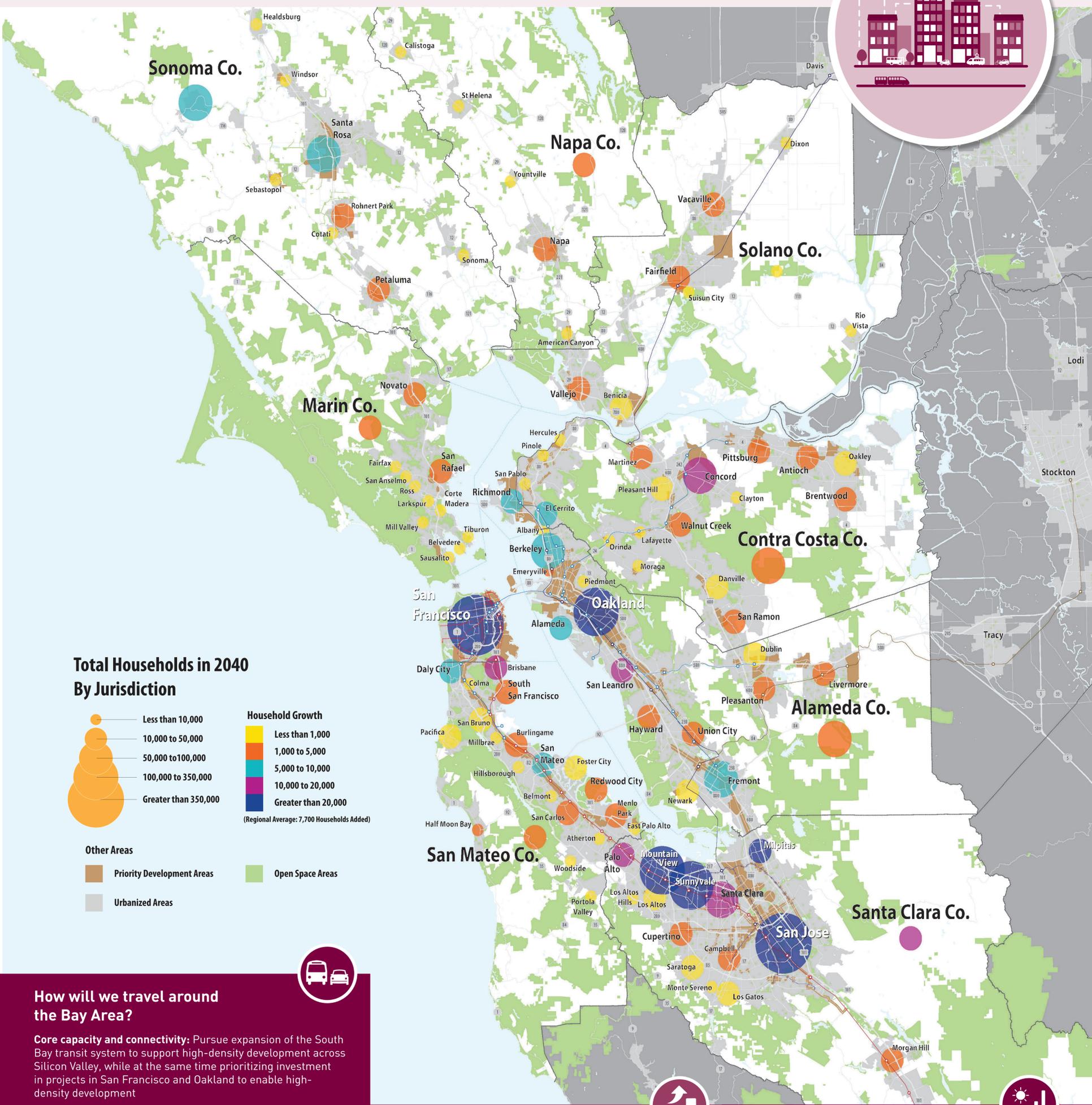
Scenarios

Big Cities Scenario

Plan Bay Area 2040

The **Big Cities Scenario** targets future population and employment growth in locally adopted Priority Development Areas (PDAs) within San Jose, San Francisco and Oakland.

Neighboring cities already well-connected to the region's three largest cities would also see growth, particularly in their locally adopted PDAs. Growth outside of these three cities would be small, with limited infill development in PDAs and no development on currently undeveloped land.



How will we travel around the Bay Area?

Core capacity and connectivity: Pursue expansion of the South Bay transit system to support high-density development across Silicon Valley, while at the same time prioritizing investment in projects in San Francisco and Oakland to enable high-density development

Transit enhancements and expansion: Link regional rail systems into the heart of the Bay Area's two largest cities – San Francisco and San Jose – while boosting service frequencies to support increasingly urban commute patterns

Congestion pricing: Support urban development in San Francisco by implementing cordon pricing and leveraging motorists' tolls to pay for robust and time-competitive transit services

State of good repair: Align operating and maintenance funds to prioritize investments into high-growth cities and high-ridership systems

How will we accommodate population growth?

Investments for affordable housing directed to cities taking on most growth with **emphasis** on making existing urban neighborhoods more compact and vibrant to enable residents and workers to easily take transit, bike or walk to clusters of jobs, stores, services and other amenities

"Mobility management" solutions to link seniors, persons with disabilities and low-income communities to travel options that meet their specific needs

How will we address climate change?

Investments in transportation alternatives, including clean vehicles, transportation demand management strategies and other innovative travel options



Solano Transportation Authority

... working for you!

SOLANO TRANSPORTATION AUTHORITY

Member Agencies:

Benicia • Dixon • Fairfield • Rio Vista • Suisun City • Vacaville • Vallejo • Solano County

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Email: info@sta.ca.gov • Website: sta.ca.gov

June 30, 2016

Mr. Ken Kirkey
Planning Director
Metropolitan Transportation Commission
375 Beale Street
San Francisco, CA 94105

RE: Comments on Land Use Scenarios for Update of Plan Bay Area

Dear Mr. Kirkey:

The Solano Transportation Authority (STA), along with planning staff from Solano County and the cities of Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville and Vallejo, have reviewed the draft three land use scenarios and associated transportation improvements prepared for the update of Plan Bay Area. We appreciate not only the opportunity to comment on these scenarios, but also the effort that went into their preparation. STA believes that the three scenarios provide a diverse series of land use and transportation options. This will enable MTC to prepare an informative analysis of different development and investment options.

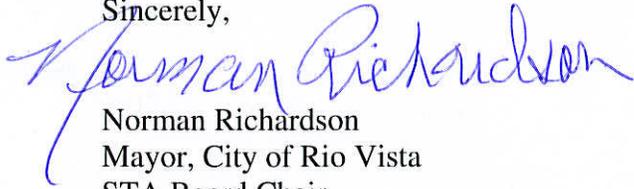
STA's comments pertain to three Solano County projects not being included as transportation investments for the "Connected Neighborhoods" scenario. The connected neighborhoods scenario focuses on growth in the larger priority development areas (PDAs) throughout the region. This includes a number of PDAs in Fairfield, Suisun City and Vacaville, as well as Solano County's largest community, Vallejo. Most of these PDAs will have access by transit vehicles and carpools/vanpools that pass through the I-80/I-680/SR-12 Interchange. The transit vehicles passing through this interchange, and also accessing the Vallejo PDA, are all reliant upon the Solano Express Bus Service Improvements. Finally, one of the local efforts efforts that STA, the cities of Fairfield, Suisun City, and Vacaville and the County of Solano are jointly taking to remove local traffic from the freeway system and support the new Fairfield/Vacaville train station is the construction of the Jepson Parkway project

All three of these projects – the I-80/I-680/SR-12 Interchange, Solano Express Bus Service Improvements and Jepson Parkway – are included in the transportation investments for the Main Street scenario, and STA agrees with this inclusion. All three projects are left out of the Connected Neighborhoods transportation investments. STA and our member agencies believe that this is an error, and that these investments are critical to the success of the Solano county portion of the connected neighborhoods scenario.

STA requests that the transportation investments for the Connected Neighborhoods scenario be modified to include the I-80/I-680/SR-12 Interchange, Solano Express Bus Service Improvements and Jepson Parkway.

Thank you for your consideration of this request. Please contact Robert Macaulay, STA Director of Planning at (707) 424-6075 if you have any questions.

Sincerely,



Norman Richardson
Mayor, City of Rio Vista
STA Board Chair

Cc: STA Board Members
Solano County Board of Supervisors
Birgitta Corsello, CAO, County of Solano
Solano County City Managers
Solano County Planning Directors

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

June 15, 2016

Mr. Ken Kirkey
Planning Director
Metropolitan Transportation Commission
Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Re: 2016 MTC/ABAG Scenarios for Plan Bay Area 2040

Mr. Kirkey:

The City of Fairfield would like to express our appreciation for the opportunity to comment on the scenarios under discussion for Plan Bay Area 2040, namely the Main Streets Scenario, Connected Neighborhoods, and Big Cities. Our understanding is that all three scenarios would enable the Bay Area to potentially meet obligations for greenhouse gas reduction (SB 375), housing production, and economic growth.

The City of Fairfield has reviewed the proposed scenarios with our neighboring cities of Vacaville and Suisun City and Solano Transportation Authority staff.

The City of Fairfield generally supports the Main Streets Scenario (Scenario 1). The scenario supports the vision established in the Heart of Fairfield and Train Station Specific Plans for Priority Development Areas, which will be major growth areas in the City over the next 25 years. We also believe this scenario will result in a more equitable distribution of discretionary transportation spending” and includes a realistic recognition that “traditional” suburban growth will continue.

The City of Fairfield also supports basic concepts in the Connected Neighborhoods scenario. As discussed above, we have been an active supporter of the Priority Development Area program and this scenario recognizes the impact of this program on guiding growth. However, the City of Fairfield joins Solano Transportation Authority and the Cities of Suisun City and Vacaville in expressing concern about the transportation investments proposed for this second scenario.

The three cities share several proposed transportation projects in common, namely the Jepson Parkway, I-80/I-680/SR 12 Interchange and the Solano Express Bus Service Improvements. All three of these projects are included in the transportation improvements for Scenario 1 (Main Streets), and we agree with this inclusion.

Our concern is over the exclusion of all three projects from Connected Neighborhoods. Our three cities will be taking the lion's share of future residential growth in Solano County, and we expect some of the new residents of our communities to commute to jobs in the Bay Area. A combination of the regional Express Lane network with the Interchange improvements and the Express Bus improvements create by far the greatest potential for these commuters to use some form of transit for their commute trips.

Not all of the trips through the Interchange or on Solano Express buses, or in carpools and van pools, will be residents from our cities commuting into the inner Bay. They will be commuting to jobs and classes in Vallejo and Benicia, just as residents of those cities will be coming to work, learn, and generally participate in life in our communities. No matter how those local trips are made – and the Solano Express Bus Service Improvements will make it much more attractive for those trips to be made by bus – they will mostly pass through the I-80/I-680/SR 12 Interchange. Many trips between our three cities can also take an alternative route if it is built – the Jepson Parkway, which links the three cities along their eastern borders, and avoids I-80. The Jepson Parkway is a bicycle- and transit-friendly corridor, with the new Fairfield/Vacaville Capitol Corridor train station at its center.

The Connected Communities scenario anticipates significant development in our three cities, although not as much as does the Main Street scenario. The existing congestion in the I-80 Corridor, from pass-through commuters, freight movement and Solano commuters, justifies the inclusion of the I-80/I-680/SR 12 Interchange, Solano Express Bus Improvements and Jepson Parkway projects in both scenarios.

The City of Fairfield does not support the Big Cities scenario. We do not believe this scenario represents a realistic framework for growth and will result in lack of investment in needed transportation infrastructure in Fairfield and Solano County. As in Scenario 2 (Connected Neighborhoods), the omission of Jepson Parkway, I-80/I-680/SR 12 and Solano Express Bus Improvements will have serious regional impacts.

Letter to Ken Kirkey

June 15 2016

Page 3

The City of Fairfield looks forward to participating, along with other agencies and jurisdictions, in the discussion about Plan Bay Area 2040. If you have any questions about this letter, please feel free to contact Brian K. Miller on my staff at bkmiller@fairfield.ca.gov or 707-428-7461.

Sincerely,

KARL A. DUMAS

Director

BKM/Im



CITY OF VACAVILLE

650 MERCHANT STREET
VACAVILLE, CALIFORNIA 95688-6908
www.cityofvacaville.com
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DILENNA HARRIS
Councilmember

CURTIS HUNT
Councilmember

MITCH MASHBURN
Councilmember

ESTABLISHED 1850

June 14, 2016

Mr. Ken Kirkey
Planning Director
Metropolitan Transportation Commission
Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Re: 2016 MTC/ABAG Scenarios for Plan Bay Area 2040

Mr. Kirkey:

The City of Vacaville would like to express our appreciation for the opportunity to comment on the three scenarios prepared for Plan Bay Area 2014, namely the Main Streets Scenario, Connected Neighborhoods, and Big Cities. Our understanding is that all three scenarios would enable the Bay Area to potentially meet obligations for greenhouse gas reduction (SB 375), housing production, and economic growth. All three scenarios present very aggressive strategies to concentrate development in Priority Development Areas (PSDAs) and town centers and to expand multi-modal opportunities.

Of the three scenarios, the City of Vacaville is most supportive of the Main Streets Scenario (Scenario 1). We also believe this scenario will result in a more equitable distribution of discretionary transportation spending and includes a realistic recognition that "traditional" suburban growth will continue.

The City of Vacaville joins the Cities of Suisun City and Fairfield in expressing concern about the transportation investments proposed for the second scenario, the "Connected Neighborhoods Scenario".

The three cities share several proposed transportation projects in common, namely the Jepson Parkway, I-80/I-680/SR 12 Interchange and the Solano Express Bus Service Improvements. All three of these projects are included in the transportation improvements for Scenario 1 (Main Streets), and we agree with this inclusion.

Our concern is over the exclusion of all three projects from the Connected Neighborhoods scenario. Our three cities will be taking the lion's share of future residential growth in Solano County, and we expect some of the new residents of our communities to commute to jobs in the Bay Area. A combination of the regional Express Lane network with the Interchange improvements and the Express Bus improvements create by far the greatest potential for these commuters to use some form of transit for their commute trips.

Not all of the trips through the Interchange or on Solano Express buses, or in carpools and van pools, will be residents from our cities commuting into the inner Bay. They will be commuting to jobs and classes in Vallejo and Benicia, just as residents of those cities will be coming to work, learn, and generally participate in life in our communities. No matter how those local trips are made – and the Solano Express Bus Service Improvements will make it much more attractive

for those trips to be made by bus – they will mostly pass through the I-80/I-680/SR 12 Interchange.

Many trips between our three cities can also take an alternative route when it is built, the Jepson Parkway, which links the three cities along their eastern borders, and avoids I-80. The Jepson Parkway is a bicycle- and transit-friendly corridor, with the new Fairfield/Vacaville Capitol Corridor train station at its center.

The Connected Communities scenario anticipates significant development in our three cities, although not as much as does the Main Street scenario. The existing congestion in the I-80 Corridor, from pass-through commuters, freight movement and Solano commuters, justifies the inclusion of the I-80/I-680/SR 12 Interchange, Solano Express Bus Improvements and Jepson Parkway projects in both scenarios.

The City of Vacaville does not support the Big Cities scenario. We do not believe this scenario represents a realistic framework for growth and will result in lack of investment in needed transportation infrastructure in Fairfield and Solano County. As in Scenario 2 (Connected Neighborhoods), the omission of Jepson Parkway, I-80/I-680/SR 12 and Solano Express Bus Improvements will have serious regional impacts.

The City of Vacaville looks forward to participating in the discussion about Plan Bay Area 2040. If you have any questions about this letter, please feel free to contact Community Development Director Barton Brierley at 707-449-5361 or barton.brierley@cityofvacaville.com.

Sincerely,

Leonard J. Augustine, Mayor
City of Vacaville

Cc: Robert McCauley, STA; Karl Dumas, Fairfield; John Kearns, Suisan City

Project Title	Project ID	Construction Start Year UPDATE	Cost 2017 UPDATE	Cost YOY UPDATE	Fund Comm Prior-2017	Fund Comm Post-2017	Fund Disc Regional UPDATED
I-80/I-680/SR12 Interchange (Packages 2-7)	e0e17b80-67c5-11e5-a572-0d5b8dbe8ac4	2018	\$380.0	\$380.0	\$5.5	\$90.0	\$284.5
Construct 4-lane Jepson Parkway from Route 12 to Leisure Town Road at I-80	e0706820-614c-11e5-aa7c-037dcd555765	2015	\$84.7	\$85.0	\$58.9	\$26.1	\$0.0
Construct train station building and support facilities at the new Fairfield / Vacaville multimodal station	5f73a2c0-66d1-11e5-a8a4-fd424b3492cc	2015	\$80.6	\$81.0	\$62.9	\$0.0	\$18.1
Solano MLIP Support Projects	a3aec9c0-66d0-11e5-a8a4-fd424b3492cc	2017	\$90.0	\$115.0	\$0.0	\$10.0	\$105.0
Improve interchanges and widen roadways serving Solano County Fairgrounds, including Redwood Parkway	dc85a800-67b0-11e5-a8a4-fd424b3492cc	2017	\$96.0	\$100.0	\$0.0	\$55.0	\$45.0
Parkway Blvd Overcrossing	d84267f0-67cf-11e5-af69-93a147a2643a	2017	\$10.1	\$10.0	\$0.0	\$10.0	\$0.0
Vallejo Station Parking Structure Phase B	d45955b0-6223-11e5-aa7c-037dcd555765	2020	\$28.0	\$30.0	\$0.0	\$0.0	\$30.0
SR 37 Sea Level Rise and Congestion Mitigation	c628c930-67c8-11e5-8ba0-71ce0cd7e4df	2017	\$9.0	\$10.0	\$0.0	\$2.0	\$8.0
Provide auxiliary lanes on I-80 in eastbound and westbound directions from I-680 to Airbase Parkway	e59f1020-67b0-11e5-a8a4-fd424b3492cc	2020	\$52.0	\$57.0	\$0.0	\$20.0	\$37.0
<i>Program: Highway - Safety and Security</i>	Implement safety improvements to state highways in Solano County		\$2.0	\$2.0	\$0.0	\$0.0	
	Total	2017	\$2.0	\$2.0	\$0.0	\$0.0	\$2.0
<i>Program: Travel Demand Management</i>	Implement ridesharing measures (includes ridematching, vanpool services, and commute trip planning/consulting)		\$14.0	\$19.0	\$0.0	\$0.0	
	Total	2017	\$14.0	\$19.0	\$0.0	\$0.0	\$19.0
<i>Program: Local Road - Preservation/Rehabilitation</i>	Local streets and roads operations and maintenance		\$400.0	\$576.0	\$0.0	\$0.0	
	Rehabilitate local bridges		\$1.0	\$1.0	\$0.0	\$0.0	
	Solano Countywide Program: Local Road - Preservation/Rehabilitation		\$0.0	\$0.0	\$0.0	\$0.0	
	Total	2017	\$25.0	\$39.1	\$0.0	\$14.1	\$25.0
<i>Program: Planning</i>	Implement Solano County's regional air quality and climate protection strategies		\$3.0	\$4.0	\$0.0	\$1.0	\$3.0
	Local Transportation and Land Use Planning support		\$10.0	\$13.0	\$0.0	\$1.0	\$12.0
	Total	2017	\$13.0	\$17.0	\$0.0	\$2.0	\$15.0
<i>Program: Public Transit - Minor Transit Improvements</i>	Provide Lifeline transit service countywide		\$55.0	\$75.0	\$0.0	\$65.0	\$10.0
	Provide transit service to seniors and individuals with disabilities (separate from Lifeline)		\$28.0	\$38.0	\$0.0	\$29.0	\$9.0
	Total	2017	\$83.0	\$113.0	\$0.0	\$94.0	\$19.0
<i>Program: Highway - Preservation/Rehabilitation</i>	Maintain state highways in Solano County		\$50.0	\$59.0	\$0.0	\$0.0	\$69.0
	Total	2017	\$50.0	\$59.0	\$0.0	\$0.0	\$59.0
SR-113 Realignment	d1883770-67cd-11e5-848a-4f3a62a80d42	2020	\$50.0	\$58.0	\$0.0	\$0.0	\$58.0
Conduct planning and design studies along SR-12 corridor in Solano County	4ace5160-67cd-11e5-afcc-998d62f92433	2020	\$50.0	\$58.0	\$0.0	\$10.0	\$48.0
<i>Program: Emission Reduction Technology</i>	Implement Solano County's local air quality and climate protection strategies		\$3.0	\$4.0	\$0.0	\$4.0	
	Total	2017	\$3.0	\$4.0	\$0.0	\$4.0	\$0.0
<i>Program: Highway - Minor Highway Improvements</i>	Implement enhancements on highways in Solano County (includes landscaping, soundwalls, gateways, multi-modal enhancements, and hardscaping)		\$1.0	\$1.0	\$0.0	\$1.0	
	Total	2017	\$1.0	\$1.0	\$0.0	\$1.0	\$0.0
<i>Program: Local Road - Multimodal Streetscape Improvements</i>	Enhance bicycle and pedestrian facilities		\$2.0	\$2.0	\$0.0	\$2.0	
	Total	2017	\$2.0	\$2.0	\$0.0	\$2.0	\$0.0
<i>Program: Local Road - New Bike/Pedestrian Facility</i>	Expand bicycle and pedestrian facilities		\$17.0	\$20.0	\$0.0	\$10.0	
	Total	2017	\$17.0	\$20.0	\$0.0	\$10.0	\$10.0
<i>Program: Local Road - Safety and Security</i>	Implement Solano County's Safe Routes to Schools Program		\$12.5	\$15.0	\$2.3	\$2.0	
	Total	2017	\$12.5	\$15.0	\$2.3	\$2.5	\$10.2
Totals						(\$0.0)	

**SOLANO
City County Coordinating Council
Staff Report**

Meeting of: August 11, 2016

Agency/Staff: Jim Leland, County of Solano

Agenda Item No: V.4

Title /Subject: Receive a presentation on the proposed Joint Land Use Study for Travis AFB.

Background:

The County of Solano (County) has undertaken a Joint Land Use Study (JLUS) on behalf of Travis Air Force Base (The Base). The study seeks to develop a consensus amongst the Base and the neighboring communities on a variety of community planning issues, including:

- Planning compatible civilian uses around local military facilities and to carry out efforts to ensure compatible use,
- Engaging the private sector to support compatible use, and
- Partnering with the Base as it seeks compatible civilian activities consistent with their local mission

The County was identified by the Department of Defense as the local partner to sponsor the JLUS and has since engaged Matrix Design Group, Inc. (Matrix Design) to conduct the study.

Discussion:

At your May 12, 2016 meeting, the City County Coordinating Council (Council) approved a request that it act as a Policy Committee for the preparation of the Joint Land Use Study.

Matrix Design has been conducting the initial data gathering and mapping activities and has conducted a series of stakeholder interviews with community representatives and personnel from the Base.

Matrix is preparing to transition into the policy formulation phase of the study and will be making a presentation (Attachment A) to the Council at its regular meeting on August 11, 2016. The presentation will include preliminary identification of issues and potential conflicts to be resolved by the JLUS planning effort. Matrix Design will also be meeting earlier that day with the Technical Advisory Committee (TAC). The TAC is comprised of staff from the cities of Fairfield, Suisun City and Vacaville as well as the County and the Base.

Recommendation:

Receive a presentation from the JLUS staff and Matrix Design on the work-to-date on the JLUS, and provide feedback, comments and concerns.

Attachments:

A: Travis Compatibility Issues Table



**Policy Committee
Technical Advisory Committee**

August 11, 2016

The table that follows is a first draft of the compatibility issues to be considered in the Travis AFB JLUS. These draft issues were identified from input obtained at the first Technical Advisory Committee (TAC) meetings and stakeholder interviews held in May. During these meetings and interviews, stakeholders provided insight about potential issues associated with the 25 compatibility factors shown in the graphic below. Based upon data review and our experience on other similar JLUS projects, Matrix identified some additional issues for consideration.

At the PC and TAC meetings scheduled for August 11th, the committee members will be asked to provide feedback on the draft issue statements provided on the following pages (edits to language and addition / deletion of issues). The TAC will also be asked to assign a priority level to each issue. The “Issue Priorities” box shown on this page lists the issue priority types that will be assigned to each issue.

These issue statements have not been reviewed by the committees nor has the validity of each statement been fully vetted by the project consultant, and should be considered at this time to only be items to evaluate further during the JLUS process.

COMPATIBILITY FACTORS			
AQ	Air Quality	LAS	Land / Air / Sea Spaces
AT	Anti-Terrorism / Force Protection	LU	Land Use
BIO	Biological Resources	LEG	Legislative Initiatives
CA	Climate Adaptation	LG	Light and Glare
COM	Coordination / Communication	MAR	Marine Environments
CR	Cultural Resources	NOI	Noise
DSS	Dust / Smoke / Steam	PT	Public Trespassing
ED	Energy Development	RC	Roadway Capacity
FSC	Frequency Spectrum Capacity	SA	Safety Zones
FSI	Frequency Spectrum Impedance / Interference	SNR	Scarce Natural Resources
HA	Housing Availability	VO	Vertical Obstructions
IE	Infrastructure Extensions	V	Vibration
		WQQ	Water Quality / Quantity

Issue Priorities:

- #1 High Priority**
These factors are critical to address within the year following completion of the JLUS.
- #2 Medium Priority**
These factors are important and should be addressed in the 1-3 years following completion of the JLUS.
- #3 Low Priority**
These factors need to be addressed in the 3-5 years following completion of the JLUS.
- #4 On-Going**
These issues need to be address on an on-going basis.
- #5 Awareness**
These issues do not need to be addressed in the short-term, but should be monitored.

Priority	ID	Issue Statement	ID By
Air Quality (AQ)			
	AQ-1	Air quality attainment The region around Travis AFB is not in attainment for PM2.5 and Ozone, which could potentially limit future missions at the installation.	Travis AFB Environmental
Anti-Terrorism / Force Protection (AT)			
	AT-1	Development at Main Gate Redevelopment in commercial center on Parker Ave could become a security concern if additional floors are added that could provide a visual of the gate and into the installation.	City of Fairfield Matrix
	AT-2	Security concerns at hospital If a medical emergency happens in the surrounding area and Travis's hospital is the nearest to it, they are taken there with, without background check / security clearance.	Travis AFB
	?	Physical security- base has raised issue (MORE INFORMATION NEEDED)	Solano County
Biological Resources (BIO)			
	BIO-1	Location of federally listed species on-base, including critical habitat There are several federally listed threatened and endangered species located on Travis AFB that impact operations on-base.	Travis AFB Environmental
	BIO-2	Habitat protection in area could impact installation Enhancement of habitat areas near Travis AFB flight paths and operation areas could attract additional birds to the area and increase bird-aircraft strike hazards.	Matrix
Climate Adaptation (CA)			
		<i>No issues identified to date.</i>	
Coordination / Communication (COM)			
	COM-1	Cannot hear radio communication from Nut Tree Airport Air Traffic Control Tower at Travis AFB cannot hear radio communications from pilots at Nut Tree Airport because of a hill. Nut Tree Airport does not have a control tower to communicate with Travis tower Hill blocks Nut Tree frequency and communication to pilots outside of base. Pilots must call base by cell phone prior to take off to communicate—unclear how they know to do so.	Travis AFB Frequency

Priority	ID	Issue Statement	ID By
	COM-2	Informal communication between Travis AFB and surrounding jurisdictions While there is generally good communication between Travis AFB and the surrounding communities, it is often done informally on a person-to-person basis and does not have a standardized procedure or established points of contact.	City of Vacaville Matrix
	COM-3	Technical guidance on Compatibility Local jurisdictions need clearer input from the Air Force regarding land use applications and plans and whether they are compatible with Travis.	City of Fairfield
	COM-4	Communicating between Travis AFB and communities Travis AFB personnel, such as fire, who often communicate with local communities have to use different frequencies because the communities cannot use DOD frequencies.	Travis AFB Frequency
Cultural Resources (CR)			
		<i>No issues identified to date.</i>	
Dust / Smoke / Steam (DSS)			
		<i>No issues identified to date.</i>	
Energy Development (ED)			
	ED-1	Development of new or modification of existing wind farms Potential for development of new wind farms or modifications of existing wind farms and create compatibility issues including frequency interference and vertical height concerns if not planned and sited with compatibility in mind in the region.	Matrix
	ED-2	Economic impacts from future alternative energy restrictions LUCP restrictions on alternative/green energy may impact future business opportunities, including alternative energy testing facilities.	Cities of Suisun City and Vacaville
Frequency Spectrum Capacity (FSC)			
		<i>See issues under Frequency Spectrum Impedance / Interference</i>	
Frequency Spectrum Impedance / Interference (FSI)			
	FSI-1	Radar impacts from wind turbines Location of wind turbines south of Travis AFB impact radar field of view. Windmills are creating false positives. This becomes more of an issue with lots of small aircraft going through the radar on their way to Napa County and the Bay Area.	Travis AFB Frequency

Priority	ID	Issue Statement	ID By
	FSI-2	Land Mobile Radio interferes with Part 15 devices Frequencies used by Travis AFB operations may interfere with Part 15 devices in the local communities, including garage doors.	Travis AFB
	FSI-3	Impacts to VORTAC radio navigation beacon The Sonoma Raceway has caused operational impacts to the VORTAC radio navigation beacon at Skaggs Island that have caused it to be shut down for periods of time.	Travis AFB Frequency
Housing Availability (HA)			
	HA-1	Availability of housing Airmen stationed at Travis AFB, especially enlisted personnel, often have trouble finding quality housing that is affordable in the local communities.	Travis AFB Housing City of Vacaville
Infrastructure Extensions (IE)			
	IE-1	Infrastructure growth outside southwest edge of Travis AFB Suisun City's General Plan shows a new interchange for an industrial park. This will also require infrastructure extensions to serve the area.	City of Fairfield
	IE-2	EUL development infrastructure The City of Fairfield would need to provide utilities (water, sewer), services (fire, police) to the EUL, and traffic/roadway maintenance	City of Fairfield
	IE-3	Fees Fee Programs do not include the NE area of the City of Fairfield. (NEED CLARIFICATION)	City of Fairfield
Land / Air/ Sea Spaces (LAS)			
	LAS-1	New Icon aircraft pilot school Nut Tree Airport has potential for expansion of facilities and operations, including the opening of a pilot school for the new Icon aircraft.	Travis AFB Frequency
	LAS-2	Lack of airspace control The Class D airspace above Travis AFB does not have the usual restrictions as other military installations, leaving it open to general aviation and creating moderately congested airspace.	Travis AFB Flight Safety
	LAS-3	Usage of drones There is a potential that an increase in drone usage could cause safety concerns	Travis AFB Flight Safety

Priority	ID	Issue Statement	ID By
	LAS-4	Crop dusting activities near Travis AFB Crop dusting activities in the vicinity of Travis AFB could cause safety concerns during flight operations.	Travis AFB Flight Safety
Land Use (LU)			
	LU-1	Land Development in APZs There is some interest in developing land in the southern APZ that could pose a compatibility issue.	Travis AFB Engineering
	LU-2	Compatibility of future EUL Development on Travis AFB Close coordination will be required to ensure future Enhanced Use Lease development potential on Travis is compatible with surrounding areas and is not competitive with planned community development.	Travis AFB Solano County
	LU-3	Override of Travis LUCP The County and cities are able to override/overrule the ALUC / LUCP decision, leading to the potential for incompatible land uses not approved by the ALUC.	Solano County
	LU-4	Flight patterns When the Air Force changes its flight patterns, it affects land planning and policy in the communities.	City of Fairfield
	LU-5	Future development south of Travis AFB City of Suisun City has received plans for development south of Travis AFB, including potential interchange.	City of Suisun City
	LU-6	Travis Preserve Area The protective Travis Preserve land use designation expires in 2020. After 2020, the designation can be renewed, adjusted, or removed.	City of Fairfield
Legislative Initiatives (LEG)			
	LEG-1	Impacts from ALUC Cities are required to send every rezoning application through the ALUC for commission hearing and approval.	City of Suisun City

Priority	ID	Issue Statement	ID By
	LEG-2	Stormwater retention and drainage areas Cities are required to build stormwater retention and drainage facilities as new growth occurs. City of Vacaville drainage basins near the eastern edge of city may attract wildlife as the number of basins increase with future development.	City of Vacaville
Light and Glare (LG)			
	LG-1	Potential for glint and glare from solar arrays There is a potential that new solar energy development could cause glint and glare that could impact pilots' vision.	Travis AFB Flight Ops
Marine Environments (MAR)			
		<i>No issues identified to date.</i>	
Noise (NOI)			
		Noise from aircraft operations The aircraft operations that occur at Travis AFB produce noise that can be heard outside the boundaries of the base, within surrounding communities.	Matrix
Public Trespassing (PT)			
		<i>No issues identified to date.</i>	
Roadway Capacity (RC)			
	RC-1	Commercial trucks using North Gate About once a week, commercial trucks try to enter to base from the North Gate and are forced to turn around, causing traffic delays due to limited facilities for such maneuvers.	Travis AFB Security Forces
	RC-2	Roadway capacity at North Gate Road capacity at North Gate is inadequate for safety, especially if there is an accident.	Travis AFB Security Forces
	RC-3	Main Gate traffic There are concerns about throughput at the Main Gate blocking traffic off-base at peak times.	Solano County
Safety Zones (SA)			
	SA-1	Fires from off-base impacting Travis AFB Fires have started in the grasslands outside Travis AFB and have burned areas on the base	Travis AFB Real Property

Priority	ID	Issue Statement	ID By
	SA-2	Bird / wildlife aircraft strike hazards Travis is located in the Pacific Flyway and has many water areas around it, which are natural bird attractants.	Travis AFB Flight Safety
	SA-3	Hazardous materials in pipelines Hazardous materials, such as jet fuel, travel through pipelines in the communities as they bring supplies to Travis AFB. Concerns over transit, potential for spills, and ensure adequate standoff distances.	Solano County City of Suisun City
	SA-4	Clear Zone Not all of the Clear Zone for Travis AFB is on government land.	Matrix
Scarce Natural Resources (SNR)			
		<i>No issues identified to date.</i>	
Vertical Obstructions (VO)			
	VO-1	Wind turbines Some existing wind turbines south of Travis AFB are planned to be switched out for taller models	Travis AFB Flight Safety
	VO-2	Infrangible fence The adjacent property north of the runway on the east side of Travis AFB has erected an infrangible fence against base fence. Runway fence must be collapsible for potential collisions at landing.	Travis AFB Public Works
Vibration (V)			
		<i>No issues identified to date.</i>	
Water Quality / Quantity (WQQ)			
	WQQ-1	Flooding of Union Creek onto base Union Creek on the south side of the airfield sometimes floods due to blockage at outfall where the creek leaves Travis AFB.	Travis AFB Public Works
	WQQ-2	Travis AFB water supply Ensure Travis AFB has a secure and reliable water supply.	Travis AFB
	WQQ-3	Pollution plumes There are historic plumes that extend off Travis AFB.	Travis AFB

Priority	ID	Issue Statement	ID By
Other Items Discussed			
		Quality of Schools- Public vs Private- Special Needs kids	Travis AFB
		Hospital Special Needs services	Travis AFB
		AAFES and Commissary Competition?	Travis AFB

**SOLANO
City County Coordinating Council
Staff Report**

Meeting of. August 10, 2016

**Agency/Staff: Mark Fink, Solano
County Library**

Agenda Item No: V.5

Title /Subject: Solano County Library's Strategic Planning Process

Background: Solano County Library (SCL) has undertaken a strategic planning process to inform the next five years of library service (2016-2021). The strategic plan will address the implications of the proposed goals for the overall library service model, including collections, programming, technology, staffing and facilities. It will also quantify the financial impacts of proposed goals, objectives and activities, and develop an annual assessment methodology.

Discussion:

SCL has hired a consultant, CIVIC Technologies, to work with staff, elected and appointed officials, library supporters and community stakeholders to create a strategic plan for the next five years of library service (2016-2021). The strategic plan will examine the community's growth patterns and demographics, and identify the need for services with respect to future trends and technologies.

The purpose of the strategic plan is to position SCL to proactively provide services that meet the changing library services needs in an efficient and cost-effective manner. This plan will be driven by community input as well as staff expertise and experience and be based on a thorough understanding of the County's changing demographics and interests. This process will provide a blueprint for revising existing services to match community interests and SCL needs, and for adjusting current and future staffing levels and expertise to meet these needs.

More specific information on SCL's strategic planning process is contained in attachment 1.

Recommendation: Receive the update for SCL's strategic planning process.

Attachments:

1. SCL's Strategic Planning Process

Solano County Library Highlights

After 102 years, Solano County Library (SCL) remains a thriving, essential community resource. Most of the branches have been modernized with a focus on quick, convenient customer service, good collections of books, movies, music and more: nice furnishings, up-to-date technology and a place for people to come, browse, relax, and read. Some notable statistics for FY 14-15 include:

- 1.5 million people visited SCL branches
- 2,988 free programs were offered at the branches, which were attended by 116,278 children, teens, and adults
- 10,930 free online tutoring sessions were provided to K-12 students
- E-books were borrowed more than 31,000 times
- 41,627 volunteer service hours were recorded
- SCL's Reach Out and Read Pediatric Literacy Program distributed its 200,000th free children's book since its inception in 1999

New Strategic Planning Process Underway

To meet evolving library needs and trends, SCL has hired a consultant, CIVIC Technologies, to work with the Library's administrative management team, library staff, elected and appointed officials, library supporters and community stakeholders to create a plan to inform the next five years of library service (2016-2021).

The strategic plan will include goals for the overall library service model, including collections, programming, technology, staffing and facilities. It will also quantify the financial impacts of the proposed goals, objectives and activities, and develop an annual assessment methodology.

The plan will include:

- An updated or new mission statement and values statement.
- Clear, concise, and attainable library service goals, objectives and activities.
- A five-year plan, with yearly milestones, and an implementation plan that focuses on the key issues that must be addressed immediately in order to ensure the achievement of multi-year strategic goals.
- Prioritization of current services and new services that will address the service priorities for the next five years.
- Impact of implementation of the service priorities on delivery approaches including design, planning, programming, promoting/marketing of library services, facilities, fiscal policies and staffing.

- Projections of future demand as affected by community needs and the opportunities they offer, future trends in technology, trends affecting the future of public libraries in general, and community organizations that either supplement or complement library services.
- Identification of strategies to build organizational capacity for addressing community library service needs.
- Identification of the financial implications of proposed recommendations with respect to the existing and future capital and operational models and budgets.
- Self-assessment methodology for the administrative management team and library staff, including appropriate tools and quantitative measures, for annual strategic planning goal achievement evaluation.

Public Engagement as Part of the Strategic Planning Process

There are eight public engagement methods being undertaken for this project. They will run from August 1st to October 31st:

Method #1: Site Visits and Casual Conversations

A consultant will engage with community members at retail and food service establishments, coffee houses, community centers, branches, etc. The consultant will focus these conversations with people who do not use the library, and engage in casual conversations to establish their needs and why they do not use the library.

Method #2: Conduct 14 Stakeholder Interviews

A consultant will conduct 45 minute interviews with 14 individuals from the public sector, nonprofit sector, or private sector. The Board of Supervisors will be invited to participate in this process. At these interviews, CIVIC Technologies will seek input on larger socio-economic issues that they believe confront the region today and that are on the horizon.

Method #3: Conduct Five Focus Groups

A consultant will facilitate five focus groups in five cities in the County. The focus groups will be based on thematic topics such as education, teens, seniors, business, and special needs populations. Focus groups will involve six to eight people and last for 1.5 hours.

Method #4: Conduct Five Town Hall Meetings

A consultant will facilitate five community town hall meetings. These sessions will be large public meetings that anyone can attend and provide input. The town halls will be held in Fairfield, Vallejo, Vacaville, Suisun City, and Rio Vista, and will last ninety minutes each.

Method #5: Conduct Qualitative Online Survey

SCL will offer a confidential online survey that solicits input on public service needs, priorities, barriers to access, envisioned library services, collections, programs and spaces. The survey will be in both English and Spanish. Primary survey access will be from the Library's home

page. The consultant will provide a summary and analysis of the responses.

Method #6: Conduct Online Survey for Elected and Appointed Officials

SCL will prepare a confidential online survey to solicit input from elected and appointed officials, including the Board of Supervisors, City Council members in the Library's service area, and Library Advisory Board members. Subjects will include public service needs, priorities, barriers to access, envisioned library services, collections, programs and spaces. CIVIC Technologies will provide a summary and analysis of the responses.

Method #7: Telephone Survey

SCL is working with a firm that is conducting a telephone survey of 766 local respondents. The survey is offered in English and Spanish and includes both landlines and cell phones. The survey includes quantitative questions and one qualitative "open ended" question. Interviews take approximately 12 minutes to administer with adults over the age of 18 in randomly selected households in the Library's service area.

Method #8: Online Staff Survey

SCL has developed a confidential online staff survey to seek input on a range of issues from customer service to organizational development to operations.

The online surveys for the public, staff, and elected/appointed officials will be open from Monday, August 22nd to Friday, September 30th.