



# Measure N

## City of Sebastopol

### Measure Question

Simple Majority Needed to Pass

Without raising current tax rates, and to maintain City services including Police and Fire, 9-1-1 emergency services, park maintenance and repair, youth and senior recreation, and for unrestricted general revenue purposes, shall an ordinance be adopted to continue the existing Utility Users Tax at the current rate of 3.75%, by removing the sunset date until voters otherwise decide, providing approximately \$700,000 annually that cannot be taken by the State?

### What Your Vote Means

YES	NO
A "yes" vote on Measure N is in favor of removal of the sunset clause.	A "no" vote is against removal of the sunset clause.

### For and Against Measure N

FOR	AGAINST
Patrick Slayter Mayor  Diana Gardner Rich Councilmember  Una Glass Councilmember  Sarah Glade Gurney Councilmember	No argument was submitted against Measure N



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Arguments and rebuttals are the opinions of the authors. They are printed exactly as submitted, including errors.

City Attorney's Impartial Analysis of Measure N	Argument in Favor of Measure N
<p>A Utility Users' Tax ("UUT") is a tax levied on each user of a utility within a city's boundaries. Since 2008 the City of Sebastopol has collected a Utility Users' Tax on the use of natural gas and electricity, and other utilities, generating revenue for the City of approximately \$700,000 per year. The UUT was renewed and modernized by the voters in 2014 and is set to sunset or expire on January 1, 2025.</p> <p>Measure N would remove the sunset date for the UUT ordinance, to continue the tax on gas and electricity, telecommunications, video, and garbage services. It would also retain the existing State of California "CARE" program, for exemption of low-income (or other persons in qualifying public assistance programs) from the gas and electricity UUT.</p> <p>The revenues from the City's current UUT are used exclusively within the City for general governmental services, including police and fire protection, maintenance and repair of public streets, sewers, parks, bicycle and pedestrian infrastructure, and other general services. Removal of the sunset would allow the City to continue to fund these essential services.</p> <p>The UUT ordinance requires an annual independent audit to ensure that taxes have been properly applied and collected. There can be no change to the tax rate, or the UUT ordinance, without voter approval.</p> <p>A "yes" vote on Measure N is in favor of removal of the sunset clause. A "no" vote is against removal of the sunset clause. A majority of "yes" votes is required for the ordinance to have the sunset clause removed.</p> <p>THE ABOVE STATEMENT IS AN IMPARTIAL ANALYSIS OF MEASURE N. IF YOU DESIRE A COPY OF THE MEASURE OR THE UTILITY USERS' TAX ORDINANCE, PLEASE CALL THE CITY CLERK'S OFFICE AT (707) 823-1153, AND A COPY WILL BE EMAILED OR MAILED AT NO COST TO YOU.</p> <p>Dated: August 18, 2022</p> <p style="text-align: right;">s/ Larry McLaughlin City Attorney</p>	<p>Vote Yes on Measure N to help maintain Sebastopol's progress and high quality of life. Measure N does not propose changing Sebastopol's Utility User Tax (UUT) rates, it simply considers removing the automatic sunset clause.</p> <p>The UUT represents approximately 7% of Sebastopol's General Fund and is critical to maintain City services that help make Sebastopol such a great place to live, work, and visit. Some examples of UUT money at work are: road repairs and improvements; providing emergency services; pedestrian and bicycle facility improvements; park enhancements; and vital social and environmental measures. These things, and so many more, are a direct result of leveraging our local tax dollars because we, as citizens of this remarkable city, are willing to put our money where our values are.</p> <p>The State of California has eliminated many revenue sources for cities while increasing mandated activities. Also, the need for stable revenue has increased through the COVID-19 pandemic. Preparing appropriate emergency response to natural disasters, including fires, floods, pandemics, and earthquakes, has become more important over the past several years. If disaster strikes, the City is well-prepared due to local efforts of Volunteers and City Staff with City-provided funding.</p> <p>In Sebastopol, we have consistently recovered from funding cuts and emergencies through a combination of fiscal restraint and raising funds locally, from residents and the many tourists and visitors who frequent our town. In this way we are able to maintain our roads, keep our police and fire departments well-funded, build strong financial reserves, prepare for retirement liabilities, provide for economic development, and sustain parks and recreation services, ensuring the highest quality of life for our citizens.</p> <p>We urge you to join a unanimous City Council in voting Yes on Measure N on Tuesday, November 8th. Let's keep Sebastopol moving forward by removing the sunset clause.</p> <p>s/ Patrick Slayter Mayor</p> <p>s/ Diana Gardner Rich Councilmember</p> <p>s/ Una Glass Councilmember</p> <p>s/ Sarah Glade Gurney Councilmember</p> <p style="text-align: center;"><b>No argument was submitted against Measure N</b></p>



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## Full Text of Measure N

Ordinance No. \_\_\_\_\_

Ordinance of the City of Sebastopol  
Amending Chapter 3.10 of the Sebastopol Municipal Code

The People of the City of Sebastopol ordain as follows:

**Section 1.** The Sebastopol Municipal Code is hereby amended to delete section 3.10.280 in its entirety, as shown below by ~~strike through~~ type.

### Chapter 3.10 UTILITY USERS TAX

#### ~~3.10.280. Termination of utility users tax.~~

~~A. The levy of taxes as provided in this chapter shall expire on January 1, 2025, unless reenacted by a separate ordinance of the City Council following a majority vote of the electorate.~~

~~B. The termination of the levy of taxes as provided herein shall not terminate the obligation to pay taxes levied on services used prior to such date. Taxes levied prior to such date shall remain a debt payable to the City. All provisions in this chapter, except those relating to the levy of taxes, shall continue in full force and effect after such date. (Ord. 1072 § 1, 2014)~~

**Section 2. Severability.** Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable, or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable. It is hereby declared to be the intention of the electorate that they would have adopted this Ordinance had such unconstitutional, illegal, or invalid provision, sentence, clause section, or part thereof not been included herein.

**Section 3. California Environmental Quality Act.** This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq., under, including without limitation, Public Resources Code section 21065, and CEQA Guidelines sections 15378(b)(4) and 15061(b)(3), as it can be seen with certainty that there is no possibility that the activity authorized herein may have a significant effect on the environment.

**Section 4. Liberal Construction.** This Ordinance shall be liberally construed to effectuate its purposes.

The full text of the proposed Ordinance shall be available for review at the Office of the City Clerk, 7120 Bodega Ave, Sebastopol, CA 95472.

The full text of the proposed Ordinance will also be available on the City of Sebastopol website.