



Local Ballot Measure: S

Measure S

City of Cotati

Measure Question

Cotati Fiscal Stability and Essential Services Extension Measure. To continue funding that cannot be taken by the State, to maintain/prevent cuts to 911 emergency dispatch/local public safety; domestic violence response; emergency/natural disaster preparedness; streets/pothole repair; parks; and other city services, shall the measure to extend Cotati's existing, voter-approved 1¢ sales tax be adopted until ended by voters, providing \$2,200,000 annually, with citizens' oversight, audits, and no increase in tax rates?

What Your Vote Means

YES	NO
A "Yes" vote is a vote to approve the tax extension.	A "No" vote is a vote against the tax extension.

For and Against Measure S

FOR	AGAINST
COTATI CITY COUNCIL Wendy Skillman, Mayor Amy Lyman Chair, Citizens Oversight Committee COTATI CHAMBER OF COMMERCE Erin Armstrong, President Michael McCullaugh Co-owner, Redwood Cafe Mark J Ackerman 50+ Year Resident	SONOMA COUNTY TAXPAYERS' ASSOCIATION Daniel A. Drummond, Executive Director



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City Attorney's Impartial Analysis of Measure S

The Cotati City Council placed Measure S on the ballot to ask the voters the question of whether to extend an existing, voter-approved one-percent (1%) sales tax in Cotati until ended by a majority vote of the voters. The existing tax adds a penny to the price of an item that costs a dollar. If approved, Measure S would extend the existing, voter-approved one-cent sales tax that would otherwise expire in 2023.

In 2014, Cotati voters approved Measure G, authorizing a one-cent sales tax to fund general City services for nine years. In accordance with the requirements of Measure G, the Citizens' Oversight Committee reviews annual audited reports of Measure G revenue and expenditures, which are available on the city website. If Measure S is not approved, the sales tax rate will be reduced to 8.25% on October 1, 2023, with a corresponding reduction in revenue available to fund city services and infrastructure. If Measure S is approved, the sales tax will remain at 9.25% until ended by a majority vote of the voters.

The existing "sales tax" is a combination of "sales and use tax" and "transactions and use tax." With some exceptions, both are levied on the sale or use of tangible personal property sold at retail. Retailers collect the tax at the time of sale and remit the funds to the California Department of Tax and Fee Administration, which administers the tax.

Because the revenue from the City's existing sales tax is not legally restricted to any specific purpose, it is classified as a "general tax." The tax proceeds are deposited into the City's general fund and are available to support the full range of city services and infrastructure. The ballot question lists the following examples of services and infrastructure funded by the existing voter-approved sales tax: 911 emergency dispatch/local public safety, domestic violence response, emergency/natural disaster preparedness, streets/pothole repair, parks, and other city services.

Measure S would continue the requirement for an independent auditor to provide an accounting of the revenue received as a result of the tax and expenditures of the revenue in the City's audited financial statements. The auditor must present a report to the City Council regarding the use of tax proceeds. The report must be a public record. The resolution placing Measure S on the ballot indicates that the Citizens' Oversight Committee will continue to review and report on the revenue and expenditure of the funds from this tax.

A "Yes" vote is a vote to approve the tax extension. A "No" vote is a vote against the tax extension. Measure S would be approved if it received a simple majority of "Yes" votes.

The above statement is an impartial analysis of Measure S. If you desire a copy of the proposed ordinance, please call the City Clerk's office at 707-665-3622 and a copy will be mailed at no cost to you.

DATED: August 17, 2020

s/ John Bakker
City Attorney

Continue to next page for arguments



Local Ballot Measure: S

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

Argument in Favor of Measure S	Rebuttal to Argument in Favor of Measure S
<p>Why we need Yes on S-</p> <p>Six years ago, Cotati faced the possibility, thanks to Sacramento money grabs, of losing our local police department, emergency dispatch, and even our status as an independent city.</p> <p>Cotati pulled together, voting to protect our community and local control. We've seen many results from that:</p> <p>Our city remains safe, with our own police department, not dependent on the county Sheriff. Cotati has been able to prepare for emergencies and natural disasters. Our streets are maintained, potholes are being filled, and Cotati's roads, unlike many others, are improving every year. Our parks are green, clean, and safe and our children and seniors have programs through our Recreation Department.</p> <p>We know now that the cost of this investment was small. Not even "pennies-on-the-dollar", but literally just one penny on the dollar. The majority of this is paid by out-of-town shoppers at local destinations like Lowes. It makes sense to have visitors who use our streets, sidewalks, parks and police protection pay their fair share.</p> <p>Yes on S continues this success. Yes on S doesn't increase our taxes at all, it simply keeps things as they are, with guaranteed locally controlled funding Sacramento can't touch.</p> <p>Yes on S keeps us secure, preventing the loss of our local, independent police department.</p> <p>Yes on S keeps us safe, improving safety and maintaining streets, sidewalks, and paths for all residents.</p> <p>Yes on S keeps Cotati independent, not part of the county or swallowed-up by another city.</p> <p>Yes on S continues to be transparent and accountable, including Independent Citizens Oversight, mandatory financial audits, and public reporting, making sure funds continue to be spent as promised.</p> <p>Let's keep Cotati a great place to live – join local business owners, community leaders, and neighbors in voting Yes on S.</p> <p>COTATI CITY COUNCIL s/ Amy Lyman s/ Wendy Skillman, Mayor Chair, Citizens Oversight Committee</p> <p>COTATI CHAMBER OF COMMERCE s/ Michael McCullaugh s/ Erin Armstrong, President Co-owner, Redwood Cafe</p> <p>s/ Mark J Ackerman 50+ Year Resident</p>	<p>Join us in telling Cotati city officials: "No, Not Now!" to future taxes in this time of uncertainty and chaos, especially ones that will never end. Vote No on Measure S.</p> <p>Don't they realize that people who have lost their jobs, businesses that have closed, farmers struggling to survive, seniors, and students all need help, especially financially? They don't need a forever tax.</p> <p>The pandemic and recession have caused record high unemployment, and tens of thousands of Sonoma County residents can barely pay their monthly living expenses. We taxpayers have to live within our means and so should Cotati.</p> <p>Local governments need to tighten their belts, adjust their spending like the rest of us, and not ask for new or extended taxes this year. 2020 is clearly the wrong time to ask voters for more money.</p> <p>Any new taxes or extensions of existing ones should only be considered when people are back to work and businesses have re-opened. We are united and stand strong in our opposition to taxes like Measure S that will push people into poverty and cause more businesses and non-profits to close forever, creating more job losses and higher unemployment.</p> <p>When we say "No, Not Now," we hear strong agreement from others in the community who want relief for those most impacted by COVID-19. They don't want additional future financial burdens brought on by tax measures that extend existing ones.</p> <p>Send city officials a clear, strong message: Vote No on Measure S on November 3rd.</p> <p>NORTH BAY LEADERSHIP COUNCIL SONOMA COUNTY FARM BUREAU s/ Cynthia Murray, CEO s/ Tawny Tesconi, Executive Director</p> <p>NCBE s/ Keith Woods, CEO</p>



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Argument Against Measure S	Rebuttal to Argument Against Measure S				
<p>Measure S is a forever tax that never goes away. If approved, you will never again be asked to renew it. You will never again have the opportunity to evaluate how your city council spends the tax proceeds. Your city council members will never again need to justify their spending decisions. Goodbye to transparency and accountability.</p> <p>Oh sure, your council members are telling you this tax remains only “until ended by voters.” That seemingly benign phraseology belies the near impossibility of average citizens getting a repeal measure on the ballot.</p> <p>Unless you and an army of volunteers intend to spend a month camped out in front of the grocery store and post office collecting signatures, plan on hiring professional paid signature gatherers to get the necessary signatures.</p> <p>Plan also on hiring expensive political consultants and attorneys to guide you through the legal process and draft the ballot language and other necessary paperwork. And should you manage to do all that, remember you still need to run a campaign supporting your measure. It is a daunting task, and one your council members are relying on to shield them from future scrutiny.</p> <p>The current tax doesn't even expire until 2023 so why are you being asked to renew it now? Your council members know that forever taxes are controversial and usually rejected by voters. By bringing the renewal now, they give themselves two bites at the apple – try now to get the renewal as a forever tax and if that doesn't work, bring it back in 2022 with the ten year expiration it should have had from the beginning.</p> <p>Your city council is employing a sneaky strategy that exploits your unfamiliarity with the ballot measure process. You deserve better from your elected representatives.</p> <p>Be informed. Vote No.</p> <p style="text-align: center;">SONOMA COUNTY TAXPAYERS' ASSOCIATION s/ Daniel A. Drummond, Executive Director</p>	<p>Don't be misled by out-of-town special interest groups who are using the same cookie-cutter arguments throughout the county.</p> <p>Cotati has a proud tradition of strong fiscal stewardship, including significant new investments in community safety and infrastructure, while maintaining rainy day reserves and balanced budgets for over a decade. Yes on S continues this tradition – with no increase in tax rates.</p> <p>Yes on S continues existing voter approved funding that Sacramento can't take, and doesn't ask for a penny more. The past six years have proven it's critical to maintain local control of our tax dollars to keep Cotati safe, well-maintained, and independent.</p> <p>Yes on S will prevent cuts to vital city services including emergency response, natural disaster preparedness, crime prevention, street and park maintenance, and recreation services for our children and seniors. Now more than ever, it's important to come together for the health and well-being of our community and protect our quality of life.</p> <p>Yes on S ensures continued transparency and accountability, with citizen oversight and annual audits. Measure S is not a tax on your home or property, and it's not applied to food purchased as groceries or prescription medication.</p> <p>Yes on S keeps Cotati safe, secure, and fiscally stable. This benefits all of us - residents and businesses alike. That's why so many of our neighbors, local businesses and a unanimous City Council support Yes on S.</p> <p>Keep Cotati safe, secure, independent and accountable – Join us in voting Yes on S!</p> <p>Get the facts: cotaticity.org</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">COTATI CITY COUNCIL s/ Wendy Skillman, Mayor</td> <td style="width: 50%;">COTATI CHAMBER OF COMMERCE s/ Liz Derammelaere, Executive Director/Resident</td> </tr> <tr> <td>OLIVERS MARKET s/ Steve Maas, President</td> <td>RANCHO ADOBE FIREFIGHTERS UNION s/ Jimmy Bernal, President/Fire Captain</td> </tr> </table> <p style="text-align: center;">s/ Moose Jamal Local Business Owner</p>	COTATI CITY COUNCIL s/ Wendy Skillman, Mayor	COTATI CHAMBER OF COMMERCE s/ Liz Derammelaere, Executive Director/Resident	OLIVERS MARKET s/ Steve Maas, President	RANCHO ADOBE FIREFIGHTERS UNION s/ Jimmy Bernal, President/Fire Captain
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Full Text of Measure S

ORDINANCE NO. _____

AN ORDINANCE OF THE VOTERS OF THE CITY OF COTATI AMENDING CHAPTER 3.05 OF THE MUNICIPAL CODE TO EXTEND THE EXISTING TRANSACTIONS AND USE TAX ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

BE IT ORDAINED BY THE VOTERS OF THE CITY OF COTATI:

SECTION 1. FINDINGS. The voters of the City of Cotati hereby find and declare as follows:

- a. Ordinance 848 was placed on the ballot as Measure G at the June 2014 election.
- b. At the June 2014 election, a majority of Cotati voters adopted Measure G, which imposed a transactions and use ("sales") tax of one percent (1.0%) in the City of Cotati ("City") which will sunset on its ninth anniversary in 2023, unless extended by a majority vote of Cotati voters.
- c. Measure G was codified in Chapter 3.05 "Transaction and Use Tax" of the Cotati Municipal Code.
- d. Measure G has provided the City with a guaranteed source of local funding for City services that cannot be taken by the state and has helped maintain the financial viability of the City and the ability to prepare and respond to natural disasters. Since voters enacted Measure G, the City has maintained a full-service Police Department, with the ability to prevent and investigate property, domestic violence and other types of crime, including the addition of a new police officer, half time dispatcher, and dedicated traffic officer assignment; added a public works maintenance worker position for improved infrastructure maintenance; brought back the Recreation Department and completed numerous infrastructure projects, including \$4.3 million to date restoring our streets, parks and public buildings, which are detailed in the annual Measure G reports to the Citizen's Oversight Committee.
- e. Measure G expenditures have been reviewed annually in public meetings by the Citizens Oversight Committee to ensure expenditures meet the requirements of the voter approved revenue, with annual reports to the City Council and posted on the City website at www.cotaticity.org.
- f. Measure G revenue continues to allow the City to leverage local funds to bring in significant matching state and federal funds to our community, totaling \$3.6 million in grant dollars to date.
- g. The State continues to create unfunded mandates through new state laws that the City is required to implement, continuing to create significant demands on staff time and City funding.
- h. Because of changes in State law, particularly the approval of Propositions 62 and 218, the City has very few means available for increasing General Fund revenue.
- i. Unless extended, the existing revenue measure will expire in 2023, resulting in the loss of over \$2.2 million in local funding, representing 28% of the City General Fund budget for essential City services.
- j. Unless extended, the City Council would have no choice other than to implement severe reductions in City services, including and potential elimination of the Police Department, Recreation Department, elimination of staff in public works, including supporting staff, and completely de-fund nearly all park, public

building, and street maintenance projects, reversing the progress made with Measure G and allowing City infrastructure to fall into disrepair and far costlier to repair later.

- k. The full impacts of not extending Measure G can be found on the City website, at www.cotaticity.org.

SECTION 2. AMENDMENT TO MUNICIPAL CODE. Section 3.05.150 "Termination Date" of the Cotati Municipal Code is hereby amended to read as follows:

Section 3.05.150 Termination date.

The authority to levy the tax imposed by this chapter shall expire when ended by a majority vote of the voters of the city.

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. EFFECTIVE DATE. This ordinance relates to the levying and collecting of the City transactions and use taxes, and shall take effect immediately, but shall not become operative unless approved by a majority vote of the voters voting on the ordinance at the election held on November 3, 2020. This ordinance, if approved by a majority of the voters of the City of Cotati at the election on November 3, 2020, shall become effective ten (10) days after the declaration of the results of that election by the City Council of the City of Cotati, pursuant to Elections Code section 9217.

SECTION 5. PUBLICATION. The Clerk of the City of Cotati shall cause this ordinance to be published in accordance with applicable provisions of law.

SECTION 6. EXECUTION. The Mayor is hereby authorized to attest to the adoption of the Ordinance by the voters of the City by signing where indicated below.

It is hereby certified that the foregoing Ordinance No. _____ was APPROVED by the following vote of the People of the City of Cotati on November 3, 2020:

YESES:

NOES:

It is hereby further certified that the foregoing Ordinance No. _____ was ADOPTED by Declaration of the November 3, 2020 election results by the City Council of the City of Cotati on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Wendy Skillman, Mayor

Lauren Berges, City Clerk