

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager

DATE: August 1, 2018

PREPARED BY: John Harper, City Attorney
Cheryl Link, City Clerk

SUBJECT: Re-adopting **Resolution No. 2018-43** with amendments, and adopting **Resolution No. 2018-50**, to Meet the 75-Word Count of the Ballot Label for the Transactions and Use Tax Measure on the November 6, 2018 General Municipal Election Ballot

RECOMMENDATIONS: 1) Re-adopt **Resolution No. 2018-43 (amended)** and adopt **Resolution No. 2018-52**, calling and providing for a municipal election to be consolidated with the statewide general election to be held in the City of Norco on Tuesday, November 6, 2018, for the purpose of approving an ordinance enacting a transactions and use tax to be administered by the California Department of Tax and Fee Administration formerly known as State Board of Equalization, and ordering the submittal of the ordinance to the voters for the election; and

2) Direct the City Attorney and City Clerk to take all actions necessary to place this measure on the November 6, 2018 General Municipal Election.

SUMMARY: On July 18, 2018, the City Council unanimously adopted Resolution No. 2018-43 calling and providing for a municipal election to be consolidated with the statewide general election to be held on November 6, 2018, for the purpose of approving an ordinance enacting a transactions and use tax, and ordering the submittal of the ordinance to the voters.

On July 25, 2018, the County of Riverside Registrar of Voters Office (Registrar) confirmed receipt of Resolution No. 2018-43, Resolution No. 2018-44, and Ordinance No. 1041. A preliminary review by the Registrar of the items submitted was acceptable. Upon further review by the Registrar, minor amendments are required of the ballot label (title and summary) to meet the 75-word count limit. Staff is proposing to amend the ballot label as shown on the following page:

Item Added by Urgency

City of Norco	
CITY OF NORCO (HORSETOWN USA) LIFESTYLE PROTECTION AND VITAL SERVICES MEASURE To keep Norco “Norco”! To continue protecting Norco’s unique animal-keeping, open space, large-lot lifestyle, avoid further deterioration of infrastructure, continue restoring and maintaining local streets, trails, public facilities, equestrian amenities and parks, and prevent additional cuts to police, fire and emergency medical services; shall the City of Norco adopt a locally-controlled one-cent sales tax, generating approximately \$4.5 million annually, until ended by voters, requiring independent audits and a Citizens’ Oversight Committee?	YES
	NO

Staff is recommending that the City Council re-adopt Resolution 2018-43 as amended and adopt Resolution No. 2018-52 with the revisions to the ballot label to meet requirements set forth by the County of Riverside Registrar of Voters Office. The Registrar will select the resolution which is acceptable according to legal counsel.

Attachment: Resolution No. 2018-43 (Amended)
Resolution No. 2018-52

RESOLUTION NO. 2018-43 (AMENDED)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, CALLING AND PROVIDING FOR A MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD IN THE CITY OF NORCO, CALIFORNIA ON TUESDAY, NOVEMBER 6, 2018, FOR THE PURPOSE OF APPROVING AN ORDINANCE ENACTING A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION, AND ORDERING THE SUBMITTAL OF THE ORDINANCE TO THE VOTERS FOR THE ELECTION

WHEREAS, due to the dissolution of the Redevelopment Agency by the State in 2012, Norco lost millions of dollars in local tax increment revenue leaving annual funding gap of over \$4.5 million in streets, roads, trails, parks and public facilities; and

WHEREAS, the City has invested over \$240 million in these important community assets which are in serious jeopardy of abandonment/loss if replacement revenues to the funds lost to Sacramento cannot be found; and

WHEREAS, due to the rising costs of providing public safety services including police, fire, 9-1-1 emergency medical services and other vital services, the City's General Fund budget has projected budget deficit of \$1.4 million in Fiscal Year 2018-2019 and growing to over \$4 million annually by Fiscal Year 2022-2023; and

WHEREAS, current staffing levels for police and fire, which are at bare minimum, cannot be sustained unless a guaranteed source of local funding, which can only be spent locally for Norco residents and cannot be taken by Sacramento, is implemented; and

WHEREAS, public safety is a top priority of the City Council and residents, and the City desires to maintain sheriff deputies, firefighters, paramedics, to protect public safety and ensure low response times; and

WHEREAS, this measure helps to maintain funding for public safety, and protect investments in local streets, roads, trails, and public facilities; and

WHEREAS, sales taxes are not charged on food purchased such as groceries or prescription medication, real-estate transactions, insurances; and is also paid by visitors who come to Norco to shop and dine limiting its impact on Norco residents; and

WHEREAS, the proposed measure includes tough fiscal accountability and transparency, including requiring annual independent financial audits and a Citizens' Oversight Committee to ensure that every dollar generated from this measure is accounted for and spent appropriately in Norco; and

WHEREAS, staff presented the proposed Transactions and Use Tax to the Economic Development Advisory Council (EDAC), and the members unanimously recommended that the City Council approve the placement of a Transactions and Use Tax measure on the November 6, 2018 General Municipal Election ballot; and

WHEREAS, pursuant to California Revenue and Taxation Code Section 7285.9 the City of Norco ("City") has the authority to levy a Transactions and Use Tax for general purposes; and

WHEREAS, on July 25, 2018, the County of Riverside Registrar of Voters Office ("Registrar") confirmed receipt of Resolution No. 2018-43, Resolution No. 2018-44, and Ordinance No. 1041, and upon further review by the Registrar, the ballot label (measure title and summary) requires amendments in order to meet the 75-word count limit.

NOW, THEREFORE, the City Council of the City of Norco, California, does hereby resolve, declare, and determine as follows:

SECTION 1. 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.

SECTION 2. Pursuant to California Elections Code Sections 9222 and 10201, the City Council hereby orders that a municipal election in and for the City of Norco, California shall be held on Tuesday, November 6, 2018, for approving a transaction and use tax measure. The full text of Ordinance No. 1041, attached to this Resolution as "Attachment A," shall be printed in the voter pamphlet. The measure to be submitted to the voters is hereby amended and shall appear and be printed on the ballot as follows:

City of Norco	
CITY OF NORCO (HORSETOWN USA) LIFESTYLE PROTECTION AND VITAL SERVICES MEASURE	YES
To keep Norco “Norco,” continue protecting Norco’s unique animal-keeping lifestyle, avoid further infrastructure deterioration, continue restoring and maintaining local streets, trails, facilities, equestrian amenities and parks, and prevent additional cuts to police, fire and emergency medical services; shall the City of Norco adopt a locally-controlled one-cent sales tax, generating approximately \$4.5 million annually, until ended by voters, requiring independent audits and a Citizens’ Oversight Committee?	NO

SECTION 3. City Council hereby approves proposed Ordinance No. 1041 to be submitted to the voters. The proposed measure is a general tax as defined in Article XIIC 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 4. The ballot measure to be submitted to the voters for the approval of Ordinance No. 1041 shall be conducted in conjunction with the general municipal election to be held on November 6, 2018.

- A. The City Attorney is hereby directed to prepare an impartial analysis of the measure pursuant to Elections Code Section 9280.
- B. The City Council hereby authorizes Mayor Pro Tem Robin Grundmeyer and Council Member Kevin Bash to prepare and/or submit a ballot argument in favor of the measure pursuant to Elections Code Section 9282 and further authorizes rebuttal arguments to be submitted pursuant to Elections Code Section 9285.
- C. Pursuant to Elections Code Sections 10400–10403.5, the City Council of the City of Norco, California hereby requests the consolidation of the municipal election for the ballot measure described in Section 2 with the statewide general election to be held on November 6, 2018. The City Council further requests that the Registrar of Voters of the County of Riverside canvass the returns of said election. Within the City of Norco, California, the election precincts, polling places, and voting booths shall, in

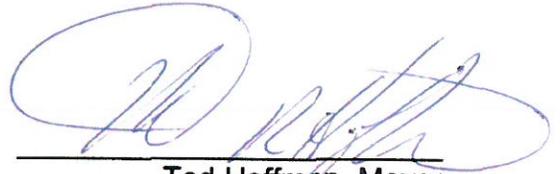
every case, be the same, and there shall be only one set of election officers in each of the precincts which shall be the same as those selected and designated by the Riverside County Registrar of Voters. Only qualified electors of the City of Norco, California shall be permitted to vote for the measure placed on the ballot by the City Council.

- D. Except for those services routinely conducted by the City Clerk as the local elections official, delegation is hereby made to the Riverside County Registrar of Voters to conduct said election for the ballot measure described in Section 2 in accordance with all applicable laws and procedures. The Riverside County Registrar of Voters is hereby authorized, instructed, and directed to canvass the returns of the general municipal election and give such further or additional notice of said election, in time, form, and manner as required by law.
- E. That the Board of Supervisors is requested to issue instructions to the Riverside County Registrar of Voters to take all steps necessary for the holding of the consolidated election for the ballot measure described in Section 2.
- F. Said election for the ballot measure described in Section 2 shall be held and conducted as provided by law for holding consolidated municipal elections. Said consolidated election shall be held and conducted in the manner prescribed in Elections Code Section 10418.
- G. The City of Norco, California recognizes that additional costs will be incurred by the County, by reason of this consolidation, and agrees to reimburse the County for such additional costs.

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

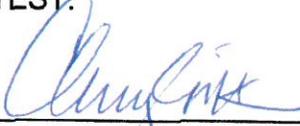
SECTION 6. The City Clerk shall certify to the passage and adoption of this resolution.

PASSED AND ADOPTED by the City Council of the City of Norco, California, at a regular meeting held on August 1, 2018.



Ted Hoffman, Mayor
City of Norco, California

ATTEST:



Cheryl L. Link, CMC, City Clerk
City of Norco, California

I, Cheryl Link, City Clerk of the City of Norco, California, do hereby certify that the foregoing Resolution was introduced and adopted by the City Council of the City of Norco, California at a regular meeting thereof held on August 1, 2018, by the following vote of the City Council:

AYES: BASH, GRUNDMEYER, HANNA, NEWTON, HOFFMAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on August 1, 2018.



Cheryl L. Link, CMC, City Clerk
City of Norco, California

APPROVED AS TO FORM:



John R. Harper, City Attorney
City of Norco, California

Attachment: Ordinance No. 1041

ORDINANCE NO. 1041

AN ORDINANCE OF THE PEOPLE OF THE CITY OF NORCO, CALIFORNIA, ADDING CHAPTER 3.05 TO THE NORCO MUNICIPAL CODE TO IMPOSE A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

WHEREAS, due to the dissolution of the Redevelopment Agency by the State in 2012, Norco lost millions of dollars in local tax increment revenue leaving annual funding gap of over \$4.5 million in streets, roads, trails, parks and public facilities; and

WHEREAS, the City has invested over \$240 million in these important community assets which are in serious jeopardy of abandonment/loss if replacement revenues to the funds lost to Sacramento cannot be found; and

WHEREAS, due to the rising costs of providing public safety services including police, fire, 9-1-1 emergency medical services and other vital services, the City's General Fund budget has projected budget deficit of \$1.4 million in Fiscal Year 2018-2019 and growing to over \$4 million annually by Fiscal Year 2022-2023; and

WHEREAS, current staffing levels for police and fire which are at bare minimum cannot be sustained unless a guaranteed source of local funding which can only be spent locally for Norco residents and cannot be taken by Sacramento is implemented; and

WHEREAS, public safety is a top priority of the City Council and residents; and the City desires to maintain sheriff deputies, firefighters, paramedics, to ensure low response times; and

WHEREAS, this measure helps to maintain funding for public safety, and protect investments local streets, roads, trails, and public facilities; and

WHEREAS, sales taxes are not charged on food purchased as groceries or prescription medication, real-estate transactions, insurances; and is also paid by visitors come to Norco to shop and dine limiting its impact on Norco residents; and

WHEREAS, the proposed measure includes tough fiscal accountability and transparency, including requiring annual independent financial audits, Citizens' Oversight Committee to ensure that every dollar generated from this measure is accounted for and spent appropriately; and

WHEREAS, pursuant to California Revenue and Taxation Code Section 7285.9 the City of Norco ("City") has the authority to levy a Transactions and Use Tax for general purposes; and

WHEREAS, the people of the City desire to levy a one percent (1%) Transactions and Use Tax for general purposes to fund the maintenance and replacements of City's investments in community assets including streets, roads, trails, parks and public facilities; and to fund essential City services, including public safety services; and

WHEREAS, the people of the City believe that only a locally-approved voter funding source would guarantee that new revenue stays in Norco to help the City fund the maintenance and replacement of community assets and provide essential services to its residents; and

WHEREAS, the City's Transactions and Use Tax Ordinance is necessary to protect the public's health, safety, and welfare and will be added to the Norco Municipal Code as Chapter 3.05; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORCO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title. This ordinance shall be known as the Norco Transactions and Use Tax Ordinance, the text of which is set forth in Attachment A, attached hereto.

SECTION 2: the Norco Municipal Code is hereby amended to add Chapter 3.05, "Transactions and Use Tax," as follows:

Chapter 3.05- Transactions and Use Tax

Sections:

3.05.010 - Purpose.

3.05.020 - Contract with State.

3.05.030 - Transactions Tax Rate.

3.05.040 - Place of Sale.

3.05.050 - Use Tax Rate.

3.05.060 - Adoption of Provisions of State Law.

3.05.070 - Limitations on Adoption of State Law and Collection of Use Taxes.

3.05.080 - Permit Not Required.

3.05.090 - Exemptions and Exclusions.

3.05.100 - Amendments.

3.05.110 - Enjoining Collection Forbidden.

3.05.115 - Severability.

3.05.120 - Effective Date.

3.05.125 - Termination Date.

3.05.010 – 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 California Department of Tax and Fee Administration 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 California Department of Tax and Fee Administration 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.

3.05.020 - Contract with State.

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration 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 California Department of Tax and Fee Administration 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.

3.05.030 - Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed

upon all retailers in the incorporated territory of the City at the rate of one 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 of this ordinance.

3.05.040 - 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 California Department of Tax and Fee Administration.

3.05.050 - Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of one percent (1%) 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.

3.05.060 - 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.

3.05.070 - 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, Victims 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.

3.05.080 - 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.

3.05.090 - 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.

3.05.100 - 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.

3.05.110 - 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.

3.05.115 – 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.

3.05.120 – Effective Date.

This ordinance relates to the levying and collecting of the City transactions and use

taxes and shall take effect immediately.

3.05.125 – Independent Financial Audit.

By no later than December 31, of each year, the City's independent auditors shall complete a City of Norco Transactions and Use Tax Ordinance Compliance and Internal Control Audit Review to determine whether the tax revenues collected pursuant to this chapter are collected, managed, expended and reported in accordance with the requirements of this ordinance. The Independent Auditor's Report shall be presented to the Citizens' Oversight Committee.

3.05.130 – Citizens' Oversight Committee.

No later than 180 days after the passage of this ordinance, the City Council of the City of Norco shall by resolution establish a Transactions and Use Tax Oversight Committee who shall act in advisory capacity to the City Council to review of revenues and expenditures pertaining to this chapter.

SECTION 3. 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 4. Approval by the Voters. Pursuant to California Elections Code section 9217, this Ordinance shall take effect only if approved by a majority of the eligible voters of the City of Norco voting at the Regular Election of November 6, 2018 and shall take effect ten (10) days after the City Council has certified the results of that election by resolution.

SECTION 5. 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.

PASSED AND ADOPTED by the City Council of the City of Norco, California at
at a regular meeting held on (DATE)_____.

Mayor, City of Norco, California

ATTEST:

Cheryl L. Link, CMC, City Clerk
City of Norco, California

I, Cheryl L. Link, CMC, City Clerk of the City of Norco, California, do hereby certify that
the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of
Norco, California, duly held on, (DATE) and thereafter at a regular meeting of said City Council
duly held on (DATE), it was duly passed and adopted by the following vote of the City Council.

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official
seal of the City of Norco, California, on (DATE)_____.

Cheryl L. Link, CMC, City Clerk
City of Norco, California

APPROVED AS TO FORM:

John R. Harper, City Attorney
City of Norco, California

RESOLUTION NO. 2018-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, CALLING AND PROVIDING FOR A MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD IN THE CITY OF NORCO, CALIFORNIA ON TUESDAY, NOVEMBER 6, 2018, FOR THE PURPOSE OF APPROVING AN ORDINANCE ENACTING A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION, AND ORDERING THE SUBMITTAL OF THE ORDINANCE TO THE VOTERS FOR THE ELECTION

WHEREAS, due to the dissolution of the Redevelopment Agency by the State in 2012, Norco lost millions of dollars in local tax increment revenue leaving annual funding gap of over \$4.5 million in streets, roads, trails, parks and public facilities; and

WHEREAS, the City has invested over \$240 million in these important community assets which are in serious jeopardy of abandonment/loss if replacement revenues to the funds lost to Sacramento cannot be found; and

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WHEREAS, public safety is a top priority of the City Council and residents, and the City desires to maintain sheriff deputies, firefighters, paramedics, to protect public safety and ensure low response times; and

WHEREAS, this measure helps to maintain funding for public safety, and protect investments in local streets, roads, trails, and public facilities; and

WHEREAS, sales taxes are not charged on food purchased such as groceries or prescription medication, real-estate transactions, insurances; and is also paid by visitors who come to Norco to shop and dine limiting its impact on Norco residents; and

WHEREAS, the proposed measure includes tough fiscal accountability and transparency, including requiring annual independent financial audits and a Citizens' Oversight Committee to ensure that every dollar generated from this measure is accounted for and spent appropriately in Norco; and

WHEREAS, staff presented the proposed Transactions and Use Tax to the Economic Development Advisory Council (EDAC), and the members unanimously recommended that the City Council approve the placement of a Transactions and Use Tax measure on the November 6, 2018 General Municipal Election ballot; and

WHEREAS, pursuant to California Revenue and Taxation Code Section 7285.9 the City of Norco ("City") has the authority to levy a Transactions and Use Tax for general purposes; and

NOW, THEREFORE, the City Council of the City of Norco, California, does hereby resolve, declare, and determine as follows:

SECTION 1. 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.

SECTION 2. Pursuant to California Elections Code Sections 9222 and 10201, the City Council hereby orders that a municipal election in and for the City of Norco, California shall be held on Tuesday, November 6, 2018, for approving a transaction and use tax measure. The full text of Ordinance No. 1041, attached to this Resolution as "Attachment 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 Norco	
<p>CITY OF NORCO (HORSETOWN USA) LIFESTYLE PROTECTION AND VITAL SERVICES MEASURE</p> <p>To keep Norco "Norco," continue protecting Norco's unique animal-keeping lifestyle, avoid further infrastructure deterioration, continue restoring and maintaining local streets, trails, facilities, equestrian amenities and parks, and prevent additional cuts to police, fire and emergency medical services; shall the City of Norco adopt a locally-controlled one-cent sales tax, generating approximately \$4.5 million annually, until ended by voters, requiring independent audits and a Citizens' Oversight Committee?</p>	YES
	NO

SECTION 3. City Council hereby approves proposed Ordinance No. 1041 to be submitted to the voters. The proposed measure is a general tax as defined in Article XIIC 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 4. The ballot measure to be submitted to the voters for the approval of Ordinance No. 1041 shall be conducted in conjunction with the general municipal election to be held on November 6, 2018.

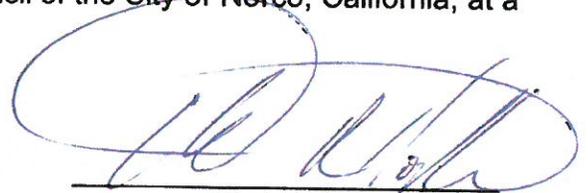
- A. The City Attorney is hereby directed to prepare an impartial analysis of the measure pursuant to Elections Code Section 9280.
- B. The City Council hereby authorizes Mayor Pro Tem Robin Grundmeyer and Council Member Kevin Bash to prepare and/or submit a ballot argument in favor of the measure pursuant to Elections Code Section 9282 and further authorizes rebuttal arguments to be submitted pursuant to Elections Code Section 9285.
- C. Pursuant to Elections Code Sections 10400–10403.5, the City Council of the City of Norco, California hereby requests the consolidation of the municipal election for the ballot measure described in Section 2 with the statewide general election to be held on November 6, 2018. The City Council further requests that the Registrar of Voters of the County of Riverside canvass the returns of said election. Within the City of Norco, California, 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 which shall be the same as those selected and designated by the Riverside County Registrar of Voters. Only qualified electors of the City of Norco, California shall be permitted to vote for the measure placed on the ballot by the City Council.
- D. Except for those services routinely conducted by the City Clerk as the local elections official, delegation is hereby made to the Riverside County Registrar of Voters to conduct said election for the ballot measure described in Section 2 in accordance with all applicable laws and procedures. The Riverside County Registrar of Voters is hereby authorized, instructed, and directed to canvass the returns of the general municipal election and give such further or additional notice of said election, in time, form, and manner as required by law.
- E. That the Board of Supervisors is requested to issue instructions to the Riverside County Registrar of Voters to take all steps necessary for the holding of the consolidated election for the ballot measure described in Section 2.
- F. Said election for the ballot measure described in Section 2 shall be held and conducted as provided by law for holding consolidated municipal elections. Said consolidated election shall be held and conducted in the manner prescribed in Elections Code Section 10418.

- G. The City of Norco, California recognizes that additional costs will be incurred by the County, by reason of this consolidation, and agrees to reimburse the County for such additional costs.

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

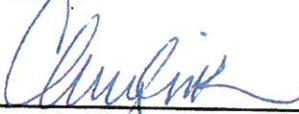
SECTION 6. The City Clerk shall certify to the passage and adoption of this resolution.

PASSED AND ADOPTED by the City Council of the City of Norco, California, at a regular meeting held on August 1, 2018.



Ted Hoffman, Mayor
City of Norco, California

ATTEST:

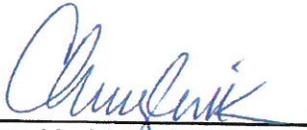


Cheryl L. Link, CMC, City Clerk
City of Norco, California

I, Cheryl Link, City Clerk of the City of Norco, California, do hereby certify that the foregoing Resolution was introduced and adopted by the City Council of the City of Norco, California at a regular meeting thereof held on August 1, 2018 by the following vote of the City Council:

AYES:	BASH, GRUNDMEYER, HANNA, NEWTON, HOFFMAN
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on August 1, 2018.



Cheryl L. Link, CMC, City Clerk
City of Norco, California

APPROVED AS TO FORM:



John R. Harper, City Attorney
City of Norco, California

Attachment: Ordinance No. 1041

ORDINANCE NO. 1041

AN ORDINANCE OF THE PEOPLE OF THE CITY OF NORCO, CALIFORNIA, ADDING CHAPTER 3.05 TO THE NORCO MUNICIPAL CODE TO IMPOSE A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

WHEREAS, due to the dissolution of the Redevelopment Agency by the State in 2012, Norco lost millions of dollars in local tax increment revenue leaving annual funding gap of over \$4.5 million in streets, roads, trails, parks and public facilities; and

WHEREAS, the City has invested over \$240 million in these important community assets which are in serious jeopardy of abandonment/loss if replacement revenues to the funds lost to Sacramento cannot be found; and

WHEREAS, due to the rising costs of providing public safety services including police, fire, 9-1-1 emergency medical services and other vital services, the City's General Fund budget has projected budget deficit of \$1.4 million in Fiscal Year 2018-2019 and growing to over \$4 million annually by Fiscal Year 2022-2023; and

WHEREAS, current staffing levels for police and fire which are at bare minimum cannot be sustained unless a guaranteed source of local funding which can only be spent locally for Norco residents and cannot be taken by Sacramento is implemented; and

WHEREAS, public safety is a top priority of the City Council and residents; and the City desires to maintain sheriff deputies, firefighters, paramedics, to ensure low response times; and

WHEREAS, this measure helps to maintain funding for public safety, and protect investments local streets, roads, trails, and public facilities; and

WHEREAS, sales taxes are not charged on food purchased as groceries or prescription medication, real-estate transactions, insurances; and is also paid by visitors come to Norco to shop and dine limiting its impact on Norco residents; and

WHEREAS, the proposed measure includes tough fiscal accountability and transparency, including requiring annual independent financial audits, Citizens' Oversight Committee to ensure that every dollar generated from this measure is accounted for and spent appropriately; and

WHEREAS, pursuant to California Revenue and Taxation Code Section 7285.9 the City of Norco ("City") has the authority to levy a Transactions and Use Tax for general purposes; and

WHEREAS, the people of the City desire to levy a one percent (1%) Transactions and Use Tax for general purposes to fund the maintenance and replacements of City's investments in community assets including streets, roads, trails, parks and public facilities; and to fund essential City services, including public safety services; and

WHEREAS, the people of the City believe that only a locally-approved voter funding source would guarantee that new revenue stays in Norco to help the City fund the maintenance and replacement of community assets and provide essential services to its residents; and

WHEREAS, the City's Transactions and Use Tax Ordinance is necessary to protect the public's health, safety, and welfare and will be added to the Norco Municipal Code as Chapter 3.05; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORCO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title. This ordinance shall be known as the Norco Transactions and Use Tax Ordinance, the text of which is set forth in Attachment A, attached hereto.

SECTION 2: the Norco Municipal Code is hereby amended to add Chapter 3.05, "Transactions and Use Tax," as follows:

Chapter 3.05- Transactions and Use Tax

Sections:

3.05.010 - Purpose.

3.05.020 - Contract with State.

3.05.030 - Transactions Tax Rate.

3.05.040 - Place of Sale.

3.05.050 - Use Tax Rate.

3.05.060 - Adoption of Provisions of State Law.

3.05.070 - Limitations on Adoption of State Law and Collection of Use Taxes.

3.05.080 - Permit Not Required.

3.05.090 - Exemptions and Exclusions.

3.05.100 - Amendments.

3.05.110 - Enjoining Collection Forbidden.

3.05.115 - Severability.

3.05.120 - Effective Date.

3.05.125 - Termination Date.

3.05.010 – 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 California Department of Tax and Fee Administration 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 California Department of Tax and Fee Administration 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.

3.05.020 - Contract with State.

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration 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 California Department of Tax and Fee Administration 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.

3.05.030 - Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed

upon all retailers in the incorporated territory of the City at the rate of one 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 of this ordinance.

3.05.040 - 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 California Department of Tax and Fee Administration.

3.05.050 - Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of one percent (1%) 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.

3.05.060 - 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.

3.05.070 - 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, Victims 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.

3.05.080 - 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.

3.05.090 - 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.

3.05.100 - 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.

3.05.110 - 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.

3.05.115 – 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.

3.05.120 – Effective Date.

This ordinance relates to the levying and collecting of the City transactions and use

taxes and shall take effect immediately.

3.05.125 – Independent Financial Audit.

By no later than December 31, of each year, the City's independent auditors shall complete a City of Norco Transactions and Use Tax Ordinance Compliance and Internal Control Audit Review to determine whether the tax revenues collected pursuant to this chapter are collected, managed, expended and reported in accordance with the requirements of this ordinance. The Independent Auditor's Report shall be presented to the Citizens' Oversight Committee.

3.05.130 – Citizens' Oversight Committee.

No later than 180 days after the passage of this ordinance, the City Council of the City of Norco shall by resolution establish a Transactions and Use Tax Oversight Committee who shall act in advisory capacity to the City Council to review of revenues and expenditures pertaining to this chapter.

SECTION 3. 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 4. Approval by the Voters. Pursuant to California Elections Code section 9217, this Ordinance shall take effect only if approved by a majority of the eligible voters of the City of Norco voting at the Regular Election of November 6, 2018 and shall take effect ten (10) days after the City Council has certified the results of that election by resolution.

SECTION 5. 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.

PASSED AND ADOPTED by the City Council of the City of Norco, California at
at a regular meeting held on (DATE)_____.

Mayor, City of Norco, California

ATTEST:

Cheryl L. Link, CMC, City Clerk
City of Norco, California

I, Cheryl L. Link, CMC, City Clerk of the City of Norco, California, do hereby certify that
the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of
Norco, California, duly held on, (DATE) and thereafter at a regular meeting of said City Council
duly held on (DATE), it was duly passed and adopted by the following vote of the City Council.

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official
seal of the City of Norco, California, on (DATE)_____.

Cheryl L. Link, CMC, City Clerk
City of Norco, California

APPROVED AS TO FORM:

John R. Harper, City Attorney
City of Norco, California