

IMPARTIAL ANALYSIS BY CITY ATTORNEY— MEASURE E

This ballot measure, if adopted by City of American Canyon (“City”) voters, would amend the City of American Canyon Municipal Code by raising the transient occupancy tax rate from the current rate of 10 percent to 12 percent.

The transient occupancy tax is a tax paid by hotel and motel guests who spend 30 consecutive days or less in a hotel or motel in the City. The tax is on the rent paid for each room. For example, a hotel guest currently pays \$10.00 tax per night on a \$100.00 hotel room. If the ballot measure is adopted, the hotel guest would pay \$12.00 tax per night on a \$100.00 hotel room.

The ballot measure allows City voters to make changes to the tax by putting measures on the ballot in future elections. It also allows the City Council to make changes to the transient occupancy tax that do not increase the tax rate or expand the application of the tax without putting a measure on the ballot.

Currently 100 percent of transient occupancy tax revenues, computed at the rate of 10 percent, are dedicated to the City’s General Fund. All revenue generated by the tax rate increase would also be deposited in the City’s General Fund.

Because the proposed transient occupancy tax rate increase would be imposed for general government purposes, the ballot measure proposes a general tax as defined by Article XIIC of the California Constitution. Accordingly, for the ballot measure to be adopted, it must receive a majority “yes” vote.



William D. Ross, City Attorney

The above statement is an impartial analysis of Measure E. If you desire a copy of Measure E, please call the City Clerk’s office at (707) 647-4352 and a copy will be mailed at no cost to you.

IMPARTIAL ANALYSIS BY CITY ATTORNEY— MEASURE F

This ballot measure, if adopted by City of American Canyon (“City”) voters, would amend the City of American Canyon Municipal Code by establishing a new cardroom admission tax of \$2.00 on each patron who enters a cardroom or participates in a cardroom event. In other words, simply entering to watch others play would be taxed. The cardroom admission tax is in addition to all other taxes, license, and permit fees required by the City.

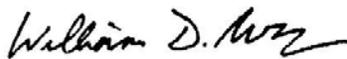
The ballot measure requires anyone who has a permit to operate a cardroom (“cardroom operators”) to pay the cardroom admission tax revenues to the City, to comply with the rules in the ballot measure, and to comply with any additional rules created by the City’s finance director.

The ballot measure creates penalties for late payments, failure to pay, and fraud, authorizes the City’s finance director to charge interest on late payments, gives the City the ability to audit the cardroom operators, to suspend or revoke their permits if they refuse to pay the tax or if they refuse to allow the City to conduct an audit, and also gives the City the ability to prosecute violations of the new ordinance and to sue cardroom operators for the amount of any tax that they owe to the City.

The ballot measure provides an exemption for cardroom operators who enter into a development agreement with the City pursuant to Government Code Section 65864 *et seq.* The ballot measure provides that the City will not impose a tax on those cardroom operators and will instead collect development fees on a schedule provided in the development agreement.

The ballot measure allows City voters to make changes to the cardroom admission tax by putting measures on the ballot in future elections. It also allows the City Council to make changes to the tax that do not increase the tax rate or expand the application of the tax without putting a measure on the ballot.

All revenue generated by the cardroom admission tax will be deposited in the City’s General Fund. Because the proposed cardroom admission tax would be imposed for general government purposes, the ballot measure proposes a general tax as defined by Article XIII C of the California Constitution. Accordingly, for the ballot measure to be adopted, it must receive a majority “yes” vote.



William D. Ross, City Attorney

The above statement is an impartial analysis of Measure F. If you desire a copy of Measure F, please call the City Clerk’s office at (707) 647-4352 and a copy will be mailed at no cost to you.