



OFFICE OF THE CITY ATTORNEY
Long Beach, California

C-4

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April 5, 2016

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt Resolution of the City Council of the City of Long Beach Creating the Transactions and Use Tax Citizens' Advisory Committee.

DISCUSSION

Pursuant to your request of February 23, 2016, this office has prepared and submits the above-described resolution for your consideration.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By

AMY R. WEBBER
Deputy City Attorney

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH CREATING THE TRANSACTIONS
5 AND USE TAX CITIZENS' ADVISORY COMMITTEE
6

7 WHEREAS, on February 23, 2016, the City Council approved the
8 placement of a general tax measure for the June 7, 2016 regular election to adopt a
9 transactions and use tax ("TUT") for a period of ten years; and

10 WHEREAS, in Resolution No. RES-16-0018, the City Council expressed
11 priorities for the use of the TUT revenue, if approved by the voters; and

12 WHEREAS, the City Council also requested that a five-member
13 Transactions and Use Tax Citizens' Advisory Committee be created to periodically review
14 the City's use of TUT revenue and make recommendations on the use of TUT revenue,
15 in keeping with the intent expressed in Resolution No. RES-16-0018 and the language
16 contained in the ballot measure expressed in Resolution No. RES-17-0017;

17 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
18 follows:

19 Section 1. Creation. There is hereby created an advisory committee to
20 be known as the Transactions and Use Tax Citizens' Advisory Committee, for the
21 purpose of reviewing the City's use of the TUT revenue and advising and making
22 recommendations to the City Council regarding the use of TUT revenue.

23 Section 2. Members. The Committee shall be composed of five (5)
24 members, appointed by the Mayor and confirmed by the City Council. The members are
25 required to be residents of the City.

26 Section 3. Except as expressly set forth herein, the requirements set
27 forth in Chapter 2.18 of the Long Beach Municipal Code shall apply to the Committee.

28 Section 4. Duties. The purpose of the Transactions and Use Tax

1 Citizens' Advisory Committee shall be to advise the City Council regarding the use of
2 TUT revenue according to the priorities enumerated in Resolution No. RES-16-0018 and
3 with the language contained in the ballot measure expressed in Resolution No. RES-16-
4 0017. In furtherance of its purpose, the Transactions and Use Tax Citizens' Advisory
5 Committee may engage in any of the following activities:

6 A. Receiving and reviewing periodic reports prepared by
7 Financial Management, through the City Manager, in connection with the
8 analysis of the use of the TUT revenues as result of a successful voter-
9 approved ballot measure on June 7, 2016. A review should include the
10 examination of TUT revenue use for all infrastructure projects.

11 "Infrastructure" is as defined in Resolution No. RES-16-0018 and with the
12 language contained in the ballot measure expressed in Resolution No.
13 RES-16-0017.

14 B. Receiving and reviewing copies of the City's annual financial
15 reports and any associated audits.

16 C. Reviewing projects funded with TUT revenue, and receiving
17 periodic updates from City staff on the status of those projects.

18 D. Provide periodic reports to the City Council on the City's use
19 of TUT revenues.

20 Section 5. The City Manager, or City Manager designated department(s),
21 shall provide the Transactions and Use Tax Citizens' Advisory Committee with technical
22 assistance and shall provide administrative assistance in furtherance of its purpose and
23 sufficient resources to publicize the conclusions of the committee, including any periodic
24 reports to the Budget Oversight Committee and/or City Council on the work of the
25 Transactions and Use Tax Citizens' Advisory Committee and the proposed use of the
26 TUT revenues, and may use TUT revenue for that purpose.

27 Section 6. All committee proceedings shall be open to the public and
28 shall comply with the Ralph M. Brown Act. The committee shall issue regular reports on

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1 the results of its activities. A report shall be issued at least once a year. Minutes of the
2 proceedings of the Transactions and Use Tax Citizens' Advisory Committee and all
3 documents received and reports issued shall be a matter of public record and be made
4 available on an internet website maintained by the City.

5 Section 7. If the TUT measure is not approved by the voters at the June
6 7, 2016 general election, this resolution shall be of no force or effect.

7 Section 8. This resolution shall take effect immediately upon its adoption
8 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

9 I hereby certify that the foregoing resolution was adopted by the City
10 Council of the City of Long Beach at its meeting of _____, 2016,
11 by the following vote:

12
13 Ayes: Councilmembers: _____

14 _____

15 _____

16 _____

17 Noes: Councilmembers: _____

18 _____

19 Absent: Councilmembers: _____

20 _____

21
22
23 _____

City Clerk

24
25
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27
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