

**CITY OF RED BLUFF  
MEASURE R  
ORDINANCE NO. 1085**

**AN ORDINANCE OF THE CITY OF RED BLUFF IMPOSING A TRANSACTIONS AND USE TAX  
TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE  
ADMINISTRATION**

The Red Bluff City Council ordains as follows:

**SECTION 1. TITLE.**

This Ordinance shall be known and may be cited as, "Measure R: Red Bluff Street Repair and Safety Measure" which shall establish and implement a retail transaction and use tax. The City of Red Bluff hereinafter shall be called "City." This ordinance shall be applicable in the incorporated territory of the City.

**SECTION 2. DEFINITIONS.**

- 2.01. "Authority" means the Red Bluff City Council, pursuant to the Local Transportation Authority and Improvement Act set forth at California Public Utilities Code Section 180000 et seq.
- 2.02. "City" means the City of Red Bluff.
- 2.03. "County" means the County of Tehama.
- 2.04. "Expenditure Plan" means the Expenditure Plan attached to this Ordinance as **Exhibit "A"** and incorporated herein.
- 2.05. "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of the ordinance, the date of such adoption being as set forth below.
- 2.06. "Ordinance" means the Measure R: Red Bluff Street Repair and Safety Measure ordinance which establishes and implements the retail transaction and use tax set forth herein.

**SECTION 3. EXPENDITURE PLAN PURPOSES.**

- 3.01. This Ordinance provides for the implementation of the Expenditure Plan, as approved and adopted by the City of Red Bluff, which will result in citywide local street improvements, ADA upgrades adjacent to street improvements, pedestrian, bicyclist, and driver safety improvements. These needed improvements shall be funded by a three quarters of one percent retail transactions and use tax established for a twenty-year period. The revenues shall be deposited in a special fund, used solely for the transportation projects, improvements and programs described in the **Expenditure Plan** which is considered a part of this Ordinance and hereby incorporated by reference as if fully set forth herein.
- 3.02. 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 7285.91 of Part 1.7 of Division 2 which authorizes the City of Red Bluff to adopt this tax ordinance which shall be operative if two-thirds of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.
- 3.03. To adopt a retail transaction 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

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Taxation Code.

3.04. 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.

3.05. 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

#### **SECTION 4. REQUEST FOR ELECTION.**

4.01. The City of Red Bluff hereby requests the Tehama County Board of Supervisors place this Ordinance before the voters for approval on the November 5, 2024, ballot.

4.02. The proposition to be placed on the ballot shall contain a summary of the projects, improvements, and programs and shall read substantially as follows:

**Red Bluff Street Repair and Safety Measure.** Shall the measure providing Red Bluff funding to fix potholes; maintain and repair deteriorating local streets and roads; reduce expensive future repairs; improve safety for drivers, pedestrians, disabled residents, including safe routes to children's school; and make the City eligible for state/ federal matching funds, by establishing a locally controlled  $\frac{3}{4}$  of one-cent sales tax providing approximately \$3,800,000 annually for 20 years; requiring independent audits and public disclosure.

#### **SECTION 5. EFFECTIVE, OPERATIVE AND TERMINATION DATES.**

5.01. This Ordinance shall become effective on November 5, 2024, only if a two-thirds majority of the electors voting on this Ordinance at the election held on November 5, 2024, vote to approve the Ordinance. If so approved, the provisions of this Ordinance shall become operative on April 1, 2025, and shall be imposed and collected for a period of twenty (20) years thereafter.

5.02. The authority to levy the tax authorized pursuant to this Ordinance shall expire on March 31, 2045.

#### **SECTION 6. CONTRACT WITH STATE.**

6.01. Prior to the operative date, the City of Red Bluff 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 of Red Bluff 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.

#### **SECTION 7. TRANSACTIONS AND USE TAX RATE.**

7.01. For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated City of Red Bluff at the rate of  $\frac{3}{4}$  of one-cent (.75%) 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.

7.02. An excise tax is hereby imposed on the storage, use or other consumption in the incorporated City of Red Bluff 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 three-quarters of one percent (0.75%) 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.

## **SECTION 8. EXPENDITURE PLAN PROCEDURES**

8.01. It is the intent of the Legislature and the City of Red Bluff that revenues provided from this Ordinance be used to supplement existing revenues being used for transportation projects, improvements and programs.

8.02. Pursuant to the intent of the Public Utilities Code section 180001, a jurisdiction cannot redirect monies currently being used for transportation purposes to other uses, and then replace the redirected funds with local street maintenance and improvement dollars from the retail transaction and use tax.

## **SECTION 9. ORDINANCE PURPOSES.**

9.01. This Ordinance is adopted to achieve the following, among other purposes, and directs the provisions hereof be interpreted in order to accomplish these purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Division 19 (commencing with Section 180000) of the California Public Utilities Code, and Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code and Section 7285.91 of Part 1.7 of Division 2 which authorizes the Authority to adopt this tax ordinance which shall be operative if two-thirds (2/3) 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 Division 19 (commencing with Section 180000) of the California Public Utilities Code, and Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor 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. The funds generated by the transaction and use tax authorized by this Ordinance may only be used for transportation purposes including the administration of the Expenditure Plan, as may be amended, including defense or prosecution of legal actions related thereto, the construction, acquisition, maintenance, streets, highways, including state highways and for related transportation purposes, including project management and oversight of the projects to be funded using the transaction and use tax, such as project delivery. These purposes include expenditures for planning, environmental reviews,



engineering and design costs, adjacent ADA improvements, construction management and related right-of-way acquisition, if necessary. Expenditures also include, but are not limited to, debt services on bonds or other indebtedness, and expenses and reserves in connection with the issuance of the same.

## **SECTION 10. ADOPTION OF PROVISIONS OF STATE LAW.**

10.01. 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.

## **SECTION 11. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES.**

11.01. Wherever the State of California is named or referred to as the taxing agency, the name of this City of Red Bluff shall be substituted, therefore. 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, 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 of Red Bluff or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, 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.

11.02. 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.

1. "A retailer engaged in business in the District" shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars (\$500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

## **SECTION 12. ADDITIONAL PERMIT NOT REQUIRED.**

12.01. If a seller's permit has been issued to a retailer under section 6067 of the California Revenue and Taxation Code, an additional transactor's permit shall not be required by this Ordinance.



## **SECTION 13. EXEMPTIONS AND EXCLUSIONS.**

13.01. 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.

13.02. There are exemptions 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 of Red Bluff which is shipped to a point outside the City of Red Bluff, 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 of Red Bluff 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 of Red Bluff 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 of Red Bluff 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.

13.03 There are exemptions from the use tax imposed by this ordinance, the storage, use or other consumption in this City of Red Bluff 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 of Red Bluff 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 of Red Bluff or participates within the City of Red Bluff 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 of Red Bluff or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City of Red Bluff under the authority of the retailer.

7. "A retailer engaged in business in the City of Red Bluff" 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 of Red Bluff.

13.04 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.

#### **SECTION 14. PLACE OF SALE.**

14.01. For the purposes of this Ordinance, all retail transactions 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 for the purpose of a transaction tax imposed by this Ordinance shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

#### **SECTION 15. BONDING AUTHORITY.**

15.01. The City of Red Bluff shall have the power to sell or issue, at any time, and from time to time, limited tax bonds payable from and secured by the proceeds from the sales tax authorized by this Ordinance in order to finance and refinance the projects identified in the Expenditure Plan.

15.02. The maximum bonded indebtedness which may be outstanding at any one time shall be an amount equal to the sum of the principal of, and interest on, the bonds, but not to exceed the estimated proceeds of the tax. The amount of bonds outstanding at any one time does not include the amount of bonds, refunding bonds, or bond anticipation notes for which funds necessary for the payment thereof have been set aside for that purpose in a trust or escrow account.



## **SECTION 16. AMENDMENTS TO EXPENDITURE PLAN.**

16.01. The City of Red Bluff may annually review and propose amendments to the Expenditure Plan to provide for the use of additional federal, state, and local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances. The City of Red Bluff may not amend the sales tax revenue set forth in the Expenditure Plan as the allocations may be amended only if four-fifths majority of the City Council vote to approve.

16.02. Amendments to the Expenditure Plan must be passed by a four-fifths majority vote of the Red Bluff City Council by a roll call vote entered in the minutes of the City of Red Bluff following a noticed, public hearing of the Red Bluff City Council.

16.03. The Expenditure Plan shall be updated by the City of Red Bluff every five years that the sales tax is in effect to reflect current and changing priorities and needs in the City. Any changes to the Expenditure Plan must be adopted with current law in effect at the time of the update and must be based on findings of necessity for change by the City of Red Bluff.

## **SECTION 17. AMENDMENTS TO THIS ORDINANCE.**

17.01. This Ordinance may be amended to further its purposes by the Red Bluff City Council consistent with the provisions of the Red Bluff Municipal Code and State of California law.

17.02. Upon completion of that process, amendment(s) to this Ordinance must be passed by a four-fifths majority of the Red Bluff City Council by a roll call vote entered in the minutes the City. The Red Bluff City Council must hold a noticed, public hearing on the matter before formal adoption of any amendment to the Ordinance. Notice of the public hearing shall be published pursuant to Government Code section 6062.

17.03. 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

## **SECTION 18. AUTHORITY COMMITTEES.**

18.01. The following committee structure is established to advise the Red Bluff City Council in the administration of the Expenditure Plan and this Ordinance:

A. Measure R Oversight Committee is established to review the independent fiscal audit of the expenditure of the tax funds and issue an annual report on its findings regarding compliance with the requirements of the Expenditure Plan and the Ordinance to the Red Bluff City Council. The Measure R Oversight Committee is responsible for oversight of the proper use of sales tax funds and implementation of the programs and projects set forth in the Expenditure Plan and making recommendations to the Red Bluff City Council. The committee is not a policy making body. The Measure R Oversight Committee shall consist of 5 residents, business owners, property owners within the City of Red Bluff, in any combination thereof as long as there is at least one resident, one business owner and one property owner on the Committee. Members of the Measure R Oversight Committee shall not be members of the Red Bluff City Council nor the Tehama County Board of Supervisors.



## **SECTION 19. STATUTORY AMENDMENTS.**

19.01. 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.

## **SECTION 20. CREATION OF SEPARATE ACCOUNT.**

20.01. All retail transaction and use tax revenue, plus interest, will be deposited in a special fund for the projects identified in the Expenditure Plan. The fund(s) authorized under this Ordinance will be administered by the City of Red Bluff.

20.02. The City of Red Bluff shall allocate funds to projects and programs identified in the Expenditure Plan as necessary to meet contractual and program obligations. The City of Red Bluff may allocate funds as described but may reserve the right not to disburse monies until needed to meet contractual project or program obligations. Any interest earned on funds allocated pursuant to this Ordinance shall be expended only for those purposes for which the funds were allocated.

## **SECTION 21. CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

21.01. This Ordinance is not a project as defined in Section 15378 of the California Environmental Quality Act (CEQA) Guidelines and is therefore exempt from CEQA requirements. Prior to the commencement of any project included in the Expenditure Plan, any necessary environmental review required by CEQA shall be completed.

## **SECTION 22. IMPLEMENTING ORDINANCES.**

22.01. Upon approval of this Ordinance by the voters, the City of Red Bluff may, in addition to the local rules required to be provided pursuant to this Ordinance, adopt implementing ordinances, rules and administrative procedures, and take such other actions as may be necessary and appropriate to carry out its responsibilities to implement the Expenditure Plan.

## **SECTION 23. DESIGNATION OF FACILITIES.**

23.01. Each project or program in excess of \$500,000 funded in whole or in part by revenues from this Ordinance shall be clearly designated in writing by signs and/or documents, during its construction or implementation as being funded by revenues from this Ordinance.

## **SECTION 24. CONTRACTING FOR PROJECT DELIVERY.**

24.01. The City of Red Bluff shall have the power to contract for project delivery of any project or program of the Expenditure Plan in the City of Red Bluff.





**SECTION 25. ANNUAL REPORT.**

25.01. An annual report will be prepared by the City of Red Bluff within 180 days of the end of the fiscal year identifying the actions and accomplishments of the City in meeting the adopted Expenditure Plan.

**SECTION 26. SEVERABILITY.**

26.01. 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 27. ANNUAL APPROPRIATIONS LIMIT.**

27.01. Article XIII B of the California Constitution requires the establishment of an annual appropriations limit for certain governmental entities. The maximum annual appropriations limit for the City of Red Bluff has been established as \$23 million dollars. The appropriations limit shall be subject to adjustment as provided by law. All expenditures of the retail transaction and use tax revenues authorized pursuant to this Ordinance are subject to the appropriations limit of the City of Red Bluff.

**SECTION 28. ENJOINING COLLECTION FORBIDDEN.**

28.01. 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 of Red Bluff, or against any officer of the State or the City of Red Bluff, 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.

**SECTION 29. CAPTIONS.**

29.01. The titles and headings to the sections set forth in this Ordinance are not part of this Ordinance and shall have no effect upon the construction or interpretation of any part hereof.

**SECTION 30. EFFECTIVE DATE.**

30.01 This ordinance relates to the levying and collecting of the City of Red Bluff transactions and use taxes and shall take effect immediately.

**SECTION 31. TERMINATION DATE.**

31.01 The authority to levy the tax imposed by this ordinance shall expire March 31, 2045.



## SECTION 32. ADOPTION OF ORDINANCE.

32.01. This Ordinance was introduced and the title thereof read at the regular meeting of the City of Red Bluff City Council on July 16, 2024, and adopted at the regular meeting of the City of Red Bluff City Council on August 6, 2024, with further reading thereof having been waived by a vote of the members present.

ADOPTED 4 TO 1

AYES: Councilmembers: Hurton, Gonzales, Deiters and Parker

NOES: Councilmembers: Strock

ATTEST:

s/ CLAY PARKER  
CLAY PARKER, MAYOR

s/ ANITA RICE  
ANITA RICE, DEPUTY CITY CLERK

EXHIBIT "A"

### City of Red Bluff Expenditure Plan

State and federal transportation funding has dropped severely in recent years, with once dependable funds becoming increasingly unreliable. Transportation's primary fund source, the gas tax, and our vehicles are more fuel-efficient than ever with the State of California push to EV and alternative fuels vehicles, which further erodes revenue generated by the gas tax. Therefore, the revenues available to operate, maintain and improve our local transportation system have not kept up with the needs of the City. Over the next decade, City of Red Bluff residents will experience a sharp decline in the condition of the City's local streets.

***Based upon a Pavement Condition Index (PCI) survey that was completed in December 2023, the average PCI of Red Bluff streets is 39 out of 100. Projections show the average PCI would drop to 20 over the next decade if nothing is done to improve street conditions.***

***A new, reliable source of transportation funding is needed to maintain our City's streets.***

City of Red Bluff voters are being asked to approve a 20-year, ¾ of one cent sales tax to address these needs. Twenty-four other counties in California have already approved similar ballot measures making them 'Self-Help' Counties. With these voter-approved local transportation funds, Self-Help Counties are able to maintain and improve their transportation systems. They are also more successful in competing for funding and

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leveraging a larger share of state and federal dollars. Self-Help funds generated must stay local and can only be spent on transportation. If the City of Red Bluff voters pass a sales tax measure, then the City would increase our odds in competing for funds because we will also be a Self-Help City.

The City of Red Bluff Expenditure Plan (“Plan”) was developed through a comprehensive review and examination of the Pavement Condition Index survey, which is a product of the City’s Pavement Management Program (PMP). The Plan outlines the streets set for improvement and includes costs for engineering design, adjacent ADA improvements, construction, and construction management. The Plan has been supported and approved by the Red Bluff City Council.

***Self-Help in the City of Red Bluff would:***

- Generate approximately \$3.8 million per year based on ¾ of one cent sales tax for an estimated total of \$76 million over the course of the measure’s lifetime,
- Be required to be used for LOCAL projects and LOCAL priorities to benefit only Red Bluff, prohibiting Sacramento from taking possession of these funds;
- Be subject to strict accountability including annual financial audits and full public disclosure to ensure funds are used efficiently, effectively, and as promised.
- Allow the City of Red Bluff to compete for State and Federal matching funds and grants, thereby increasing revenues;
- Deliver an Expenditure Plan with a specific list of projects; and
- Include an Oversight Committee to ensure projects and programs in the Plan are actually funded and/or completed

The Expenditure Plan

***Revenue Estimates and Distribution***

Over the course of the 20-year plan, it is estimated that \$76 million dollars will be generated for local transportation investments. This amount was calculated based on a 10-year average of sales tax revenues throughout the City of Red Bluff that was then reduced to reflect a conservative estimate.

Allocation of Self-Help revenues is established within this Plan. The estimated revenue and allocation among categories is based upon 2024 value of money and is not binding or controlling.

This funding will serve as an investment that will leverage future local, State and Federal grant opportunities. Funds may be used for all phases of project implementation, including planning, environmental, permits, and design, right-of-way, and/or construction capital and operations projects. State and federal fund sources that may also be used to implement transportation projects and programs in the next decade include the State Regional Transportation Improvement Program (STIP), Senate Bill 1 (SB1), Inter-regional Transportation Improvement Program (ITIP), Fixing America’s Surface Transportation (FAST) Act Freight and Highway Projects Program, Congestion Mitigation Air Quality.



All revenue estimates and allocations contained in this Plan are for illustrative purposes. Actual net revenues may fall above or below the projections contained in the Expenditure Plan, therefore actual revenue allocations to each category will be based on revenue received by year.

**Local Control 100%**

***Local Streets, 100%, \$76,000,000***

Recognizing that streets are the backbone of our transportation system, this Plan provides funds to the City of Red Bluff, distributed primarily based on sales tax revenues generated to support local streets. These funds will be used exclusively for repair and maintenance – no new streets will be funded. These funds must be used to augment current transportation spending and cannot be used to replace a local agency's general fund expenditures.

***Available uses for the Local Control funding category include:***

- Fixing potholes,
- Maintaining local streets and roads,
- Providing safe route to school for children,
- Improving safety for drivers, pedestrians, and cyclists,
- Maintaining, improving or constructing streets, bridges, and bicycle and pedestrian facilities,
- Community Enhancements, such as downtown streetscapes, ADA improvements, transportation enhancements, way finding, and accessibility improvements, street lighting, street furniture and trees,
- Programs that reduce transportation demand,
- Storm damage repair and improvements to transportation facilities
- Street drainage facilities,
- Traffic signal coordination, intersection and channelization, and
- Traffic management.





**TEN-YEAR GENERAL REPAIR ESTIMATES FOR THE STREETS OF THE CITY OF RED BLUFF**

<b>Project</b>	<b>From/To</b>	<b>Description</b>	<b>Engineering/ Design</b>	<b>ADA</b>	<b>Construction Management</b>	<b>Construction</b>	<b>Total Cost</b>
Airport Boulevard	Luther Road / Vista Way		\$ 218,000	\$ 1,802,000	\$ 218,000	\$ 1,647,000	\$ 3,885,000
Aloha / Willow Street	Paskenta Road / South Main Street		\$ 643,000	\$ 3,671,000	\$ 643,000	\$ 4,880,000	\$ 9,837,000
Antelope Boulevard	Main Street / Trinity Avenue	CalTrans	\$ -	\$ -	\$ -	\$ -	\$ -
Baker Road	Monrovia Street / Walnut Street/	Partially County	\$ 118,000	\$ 4,763,000	\$ 118,000	\$ 1,337,000	\$ 6,336,000
Breckenridge Street	Johnson Street/ North Main Street		\$ 216,000	\$ 2,132,000	\$ 216,000	\$ 1,667,000	\$ 4,231,000
Diamond Avenue	South Main Street / I-5		\$ 232,000	\$ 873,000	\$ 232,000	\$ 1,801,000	\$ 3,138,000
Gilmore Road	Antelope Blvd / Howell Avenue		\$ 214,000	\$ 2,171,000	\$ 214,000	\$ 1,653,000	\$ 4,252,000
Jackson Street	North city to Red Bank Creek	incl. So. Jackson	\$ 881,000	\$ 7,014,000	\$ 881,000	\$ 6,976,000	\$ 15,752,000
Kimball Road	Airport Blvd / Montgomery Road		\$ 481,000	\$ 1,403,000	\$ 481,000	\$ 3,736,000	\$ 6,101,000
Luther Road	Airport Blvd / South Main Street		\$ 521,000	\$ 2,487,000	\$ 521,000	\$ 3,963,000	\$ 7,492,000
Main Street	I-5 / Oak Street	CalTrans	\$ -	\$ -	\$ -	\$ -	\$ -
Monroe Street	Highway 36 West / Ash Street		\$ 182,000	\$ 6,409,000	\$ 182,000	\$ 2,062,000	\$ 8,835,000
Montgomery Road	South Main Street / City Limit line		\$ 333,000	\$ 3,700,000	\$ 333,000	\$ 2,698,000	\$ 7,064,000
Oak Street	South Jackson / Main Street		\$ 235,000	\$ 400,000	\$ 235,000	\$ 1,696,000	\$ 2,566,000
Park Avenue	Baker Road / Johnson Street		\$ 223,000	\$ 1,849,000	\$ 223,000	\$ 1,770,000	\$ 4,065,000
Paskenta Road	Walnut Street / Stonebrook Dr.	Partially County	\$ 65,000	\$ 3,676,000	\$ 65,000	\$ 923,000	\$ 4,729,000
Sale Lane	Belle Mill Road / Gilmore Ranch Road		\$ 366,000	\$ 1,733,000	\$ 366,000	\$ 2,838,000	\$ 5,303,000
South Main Street	Oak Street / City Limit Line		\$ 391,000	\$ 2,643,000	\$ 391,000	\$ 3,491,000	\$ 6,916,000
Vista Way	Airport Blvd / South Ridge Drive		\$ 238,000	\$ 3,351,000	\$ 238,000	\$ 1,981,000	\$ 5,808,000
Walbridge Street	Baker Road / Johnson Street		\$ 302,000	\$ 2,377,000	\$ 302,000	\$ 2,359,000	\$ 5,340,000
Walnut Street	Baker Road / Rio Street		\$ 504,000	\$ 3,697,000	\$ 504,000	\$ 3,992,000	\$ 8,697,000
<i>Local Residentials</i>	<b>**All other local streets**</b>	<i>various</i>	\$ 16,580,000	\$ 132,150,000	\$ 16,580,000	\$ 110,533,000	\$ 275,843,000
<b>Totals</b>			\$ 22,943,000	\$ 188,301,000	\$ 22,943,000	\$ 162,003,000	\$ 396,190,000

## **Safeguards Built Into The Plan**

This Expenditure Plan includes strong taxpayer safeguards to ensure that the projects approved by the voters are funded and delivered.

### ***Citizen Oversight***

An Oversight Committee will be created to provide an enhanced level of accountability for expenditures made under the Plan to ensure that all voter mandates are carried out and that the financial integrity and performance of the program is maintained. The Oversight Committee will include five members, which will include at least one resident, one business owner and one property owner within the City of Red Bluff limits.

### ***Annual Independent Audit and Annual Reporting***

Annual fiscal and compliance audits will be conducted by a CPA, to assure that the revenues expended are necessary and reasonable. The audits and annual Report must be published and made available to the public.

### ***Sunset Date***

This measure terminates in 20 years.

### ***No revenue generated from this tax shall be used to replace fair share contribution from new development.***

Revenues provided from this measure shall not be used to replace private developer funding that has been or will be committed for any project to help alleviate the direct traffic impacts of any new or redeveloped residential, commercial or industrial development in the City of Red Bluff.

### ***Strategic Plan***

The City of Red Bluff will prepare and adopt a Local Streets Strategic Plan (LSSP) within twelve months of the sales tax taking effect. The LSSP will include project cost estimates, revenue estimates, other matching funds, and a draft timeline for project delivery. Its prime purpose is to clarify program and project costs, schedule, financial plans and project readiness to expedite project delivery and to allow projects that are 'ready' to proceed forward within the parameters of the Expenditure Plan.

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**IMPARTIAL ANALYSIS BY CITY COUNSEL  
THE CITY OF RED BLUFF  
MEASURE R**

The Red Bluff City Council has placed Measure R on the ballot. Ballot Measure R would adopt a  $\frac{3}{4}$  percent (3/4%) transactions and use tax (commonly referred to as a “sales tax”) in Red Bluff. The proceeds of this tax would be placed in a special fund to be used only for local street repair and transportation safety projects, including, among other things:

- repairing potholes;
- maintaining local streets;
- providing safe routes to school for children;
- improving safety for drivers, pedestrians, and cyclists;
- upgrading sidewalks to improve disabled access;
- qualifying for state and federal matching funds.

The tax would be in addition to existing sales tax, and it would be 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 State Board of Equalization, which administers the tax. Tax proceeds cannot be confiscated by the state.

An Independent Oversight Committee will be established to review an independent audit of tax receipts and how they are spent each year and will advise the City of Red Bluff on how tax money should be spent. The City of Red Bluff must discuss the audit results at a public meeting each year and post them on its website.

Because Measure R limits the purposes for which the tax revenue can be used, it is a “special tax” requiring two-thirds (2/3) voter approval. If approved, the tax will remain in effect for twenty (20) years and is estimated to raise approximately \$3,800,000.00 annually over the twenty-year period.

A “yes” vote is a vote in favor of authorizing the  $\frac{3}{4}$  percent (3/4%) transactions and use tax.

A “no” vote is a vote against authorizing the transaction and use tax.

The above statement is an impartial analysis of Measure R. For a copy of the measure, please contact the City Clerk Department at (530) 527-2605 or email [arice@cityofredbluff.org](mailto:arice@cityofredbluff.org), a copy will be mailed to you at no cost.

s/ Sophia Meyer  
Sophia Meyer, City Attorney

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## ARGUMENT IN FAVOR OF MEASURE R

Red Bluff streets are crumbling, with an average street condition well below “at risk.” Our *poor* and *failing* pavement condition makes us one of the few cities in the region whose streets rank **SIGNIFICANTLY** worse than the state average.

**Vote YES on R to fix potholes, maintain local streets, and provide safe routes to school for children.**

Measure R creates dedicated funding **only** for local street, sidewalk maintenance, and pothole repairs according to a detailed expenditure plan. Measure R must follow an ordinance with extremely strict accountability provisions and taxpayer protections – nothing can be redirected to other projects or taken by the state.

### Vote Yes on Measure R to:

- **Fix and prevent** potholes
- **Maintain** local streets
- **Provide** safe routes to school for children
- **Prevent** damage to our vehicles
- **Improve** safety for drivers, pedestrians, and cyclists
- **Upgrade** sidewalks to improve disabled access

### Strict Taxpayer Protections Required:

- By law, annual independent financial audits and full public disclosure of all spending required
- All funds must be spent locally **only** for Red Bluff
- A Citizens' Oversight Committee ensures funds are spent properly
- The state cannot take Measure R funding away
- Basic necessities like groceries and prescription medications **WON'T** be taxed

Red Bluff has 113 miles of streets in need of repairs **now**. Measure R is a prudent, responsible plan that makes Red Bluff eligible for state and federal matching funds, potentially doubling our investment.

Join us in **voting YES on Measure R.**

s/ Matthew Petersen  
Vice President, Red Bluff Fire Fighters Association

s/ Clay D. Parker  
Mayor, City of Red Bluff

s/ Araceli Gutierrez Renteria  
Small Business Owner

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