

APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER

CITY CLERK
CITY OF GLENDALE

TO: CITY/TOWN CLERK

2014 JUN -6 AM 10:32

The undersigned intends to circulate and file an INITIATIVE or a REFERENDUM (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the MEASURE or CONSTITUTIONAL AMENDMENT (circle appropriate word) intended to be INITIATED or REFERRED (circle appropriate word) at the next general election.

SUMMARY: A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

This Glendale Taxpayer Protection Act of 2014 reduces the Glendale sales tax by .7% effective August 1, 2017. The Glendale City Council passed a .7% sales tax increase in 2012, and this tax increase ordinance included a provision that the tax increase would expire on August 1, 2017. This Act will ensure that the tax increase does expire. The Act also requires at any future increases in the sales tax to be passed by a supermajority vote of three-quarters of the Glendale City Council, effective upon passage and proclamation of this Act.

Scot Mussi
Signature of Applicant
Scot Mussi
Printed Name of Applicant
2415 E Camelback Rd Ste 700
Address
Phoenix AZ 85016
City State Zip
602-346-5061
Telephone Number

Protect Glendale Taxpayers
in support of the ballot measure
Name of Organization (if any)
2415 E Camelback Rd Ste. 700
Address
Phoenix AZ 85016
City State Zip
602-346-5061
Telephone Number

Name of Officer and Title

Address

City State Zip

Telephone Number

Name of Officer and Title

Address

City State Zip

Telephone Number

Date of Application	<u>06/06/14</u>
Signatures Required	<u>10,434</u>
Deadline for Filing	<u>*07/03/14*</u> (SEE BELOW)
Serial Number Issued	107734 <u>6610614</u> <u>F-14-01</u>
FOR OFFICE USE ONLY	

* Under the Arizona Constitution and state statute, the initiative filing deadline depends upon the election date for a proposed measure. Petition signatures are valid for only 24 months. Ariz. Const. art. IV, Pt. 1, Sec. 1(4); A.R.S. Sec. 19-121(D). For the November 4, 2014 General Election, petition signatures are due no later than 5:00 p.m. on July 3, 2014.

OFFICIAL TITLE
AN INITIATIVE MEASURE

CITY CLERK
CITY OF GLENDALE
2014 JUN -6 AM 10: 34

ADOPTING THE GLENDALE TAXPAYER PROTECTION ACT OF 2014, WHICH AMENDS THE GLENDALE CITY CHARTER, ARTICLE VI, SECTION 7, BY DECREASING THE TRANSACTION PRIVILEGE TAX RATE, AS DEFINED IN THE ACT, BY SEVEN-TENTHS OF ONE PERCENT (.7%), WITH SUCH DECREASE TAKING EFFECT AUGUST 1, 2017, AND REQUIRING A SUPERMAJORITY VOTE OF THE COUNCIL TO INCREASE THE TRANSACTION PRIVILEGE TAX, EFFECTIVE UPON PASSAGE AND PROCLAMATION OF THE ACT.

TEXT OF PROPOSED AMENDMENT

Be it enacted by the People of the City of Glendale:

Section 1. Short Title.

This Act shall be known as the Glendale Taxpayer Protection Act of 2014.

Section 2. Findings and Intent.

The People of the City of Glendale find and declare the following:

- (1) The Glendale City Council passed a “temporary” increase in taxes on food, groceries, power for cooling and heating homes, and other items in 2012.
- (2) The Glendale City Council and other proponents of the tax increase committed that the tax increase would expire on August 1, 2017.
- (3) This Act is necessary to ensure that the commitment made to citizens when the transaction privilege tax increase was passed in 2012 is kept by ensuring that the transaction privilege tax is reduced to its rate prior to the 2012 sales tax increase.
- (4) The increase in taxes on food, groceries, power for cooling and heating homes, and other items has been used to compensate for financial mismanagement by the City of Glendale.
- (5) Transaction privilege tax increases have a particularly negative effect on the poor and the elderly, and others on limited or fixed incomes.
- (6) The citizens of Glendale should not have to pay the price for continued financial management by elected officials and employees of Glendale.
- (7) Requiring a supermajority to increase the transaction privilege tax provides necessary protections for the citizens of Glendale in the future but will also ensure that the Glendale City Council does not negate this Act by passing a preemptive transaction privilege tax or rate increase to offset the transaction privilege tax reduction provided for in this Act with a vote of only four members of Council.

Section 3. Article VI, Section 7 of the Glendale City Charter is amended to read:

A. SUBJECT TO THE RESTRICTIONS IN SUBSECTIONS B, C AND D OF THIS SECTION, The council shall have the power to levy and collect taxes in addition to the taxes herein authorized to be levied and collected,

sufficient to pay the interest and maintain the sinking fund of the bonded indebtedness of the city, and to provide for the establishment and support of free public libraries, and for advertising the advantages of the city, and an additional amount deemed to be advisable and necessary to create a reserve fund to provide for replacement of equipment for the furnishing of city services and the maintenance of all municipally owned and operated utilities.

The council shall have the power to levy a transaction privilege tax (sales tax) subject to approval by a majority of the qualified electors voting in the election.

B. NOTWITHSTANDING ANY OTHER PROVISION, EFFECTIVE AUGUST 1, 2017, THE TRANSACTION PRIVILEGE TAX SHALL BE REDUCED BY SEVEN-TENTHS OF ONE PERCENT (.7%) FROM THE RATE AT WHICH THE TAX WAS ON THE DATE OF JUNE 1, 2014.

C. ANY ACTION BY THE COUNCIL TO INCREASE THE TRANSACTION PRIVILEGE TAX SHALL REQUIRE AN AFFIRMATIVE VOTE OF THREE-QUARTERS OF THE MEMBERS OF COUNCIL.

D. "TRANSACTION PRIVILEGE TAX" IS DEFINED AS ALL OF THE FOLLOWING TAXES:

1. TAX ON ADVERTISING AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-405.
2. TAX ON AMUSEMENTS, EXHIBITIONS AND SIMILAR ACTIVITIES, AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-410.
3. TAX ON CONSTRUCTION CONTRACTING AND CONSTRUCTION CONTRACTORS AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-415.
4. TAX ON CONSTRUCTION CONTRACTING AND SPECULATIVE BUILDERS AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-416.
5. TAX ON CONSTRUCTION CONTRACTING AND OWNER-BUILDERS WHO ARE NOT SPECULATIVE BUILDERS AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-417.
6. TAX ON JET FUEL SALES AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-422.
7. TAX ON JOB PRINTING AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-425.
8. TAX ON MANUFACTURED BUILDINGS AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-427.
9. TAX ON TIMBERING AND OTHER EXTRACTION AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-430.
10. TAX ON PUBLISHING AND PERIODICALS DISTRIBUTION AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-435.
11. TAX ON HOTELS AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-444.
12. TAX ON RENTAL, LEASING AND LICENSING FOR USE OF REAL PROPERTY AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-445.
13. TAX ON RENTAL, LEASING AND LICENSING FOR USE OF TANGIBLE PERSONAL PROPERTY AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-450.

14. TAX ON RESTAURANTS AND BARS AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-455.

15. TAX ON RETAIL SALES AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-460.

16. TAX ON TELECOMMUNICATION SERVICES AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-470.

17. TAX ON TRANSPORTING FOR HIRE AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-475.

18. TAX ON UTILITY SERVICES AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-480.

19. TAX ON USE AS PROVIDED IN GLENDALE CITY CODE SECTION 21.1-610.

Section 4. Conflicting Provisions.

The provisions of this Act shall prevail over all any conflicting or inconsistent provisions in the Charter, ordinances, resolutions or other enactments of the Glendale City Council.

Section 5. Construction.

This Act shall be liberally construed to accomplish its intent; interpreted in a manner consistent with all federal and state laws, rules and regulations; and construed to avoid an interpretation that would render all or any part of the Act invalid.

Section 6. Severability.

If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 7. Effective date.

Except as specifically provided herein, if passed by the voters this Act shall take effect on the date of its proclamation into law as provided by the Arizona Constitution.