

IMPARTIAL ANALYSIS OF MEASURE X

The California Constitution and state law authorize the County of San Mateo Board of Supervisors, upon approval of a majority of the voting electorate, to impose a general tax.

By this measure, the Board of Supervisors proposes to add Chapter 5.152 to the San Mateo County Ordinance Code. A copy of the proposed ordinance is printed in the sample ballot. This measure and the corresponding ordinance would authorize the County to levy a business license tax on operators of commercial parking facility businesses in the unincorporated area of the County. The tax would be imposed at the rate of eight percent (8%) on the gross rental receipts of commercial parking facility businesses in the unincorporated area. All gross receipts collected on or after July 1, 2012, will be subject to the tax. Facilities in the incorporated areas of the County are not subject to this proposed tax.

The proposed ordinance defines a “commercial parking facility” as any privately-operated facility which receives compensation in exchange for providing parking or storage for motor vehicles, certain recreational vehicles, motorcycles, trailers, bicycles, or other similar means of transportation. The term “commercial parking facility” does not include facilities that rent parking or storage space in connection with the rental of residential dwelling units or any facility that only makes space available for boats or other water craft.

The proceeds of the business license tax will be placed in the County’s general fund to support general County services and functions.

The ordinance imposes certain obligations in relation to the tax, including that each operator of a facility covered by the tax must register with the Tax Collector, report gross receipts to the Tax Collector on a quarterly basis, and preserve supporting documentation for three years. The ordinance also includes: provisions for collecting the tax, refunding overpayments, and appealing decisions of the Tax Collector; financial penalties for fraud or delinquency; and criminal (misdemeanor) penalties for refusal to comply with the ordinance or making a false/fraudulent report or claim relating to the tax.

A “yes” vote on this measure is a vote to approve and authorize the imposition of a business license tax at the rate of 8% of gross receipts on commercial parking facility businesses in the unincorporated area of San Mateo County as will be set forth in Chapter 5.152 of the San Mateo County Ordinance Code. The tax would be used to support general County services and functions.

A “no” vote on this measure would not allow the County to impose a business license tax on commercial parking facility businesses.

This measure passes if a majority of those voting on the measure vote “yes.”