

CITY ATTORNEY'S IMPARTIAL ANALYSIS – MEASURE BB

The City of San Clemente placed Measure BB on the ballot for the voters to decide whether to approve adding a one half percent (0.5%) special transactions and use tax (commonly known as “sales tax”) to the retail sales price, or 1/2 cent for an item that costs one dollar.

Currently, the tax on retail sales within the City of San Clemente is 7.75%, which includes the base tax rate of 7.25% and Orange County’s 0.5% local transportation tax. Of the 7.25% base tax collected by the State, the City of San Clemente receives 1.00% directly.

The City estimates a new 0.5% transaction and use tax would result in additional revenue of approximately \$6.75 million annually to the City of San Clemente until repealed by the voters.

Because this measure legally restricts the use of tax revenue to specific purposes, it is a “special tax”. The proceeds must be used exclusively for the specific public purposes provided in the ordinance’s expenditure plan, which are: the preservation of the City’s coastal resources, including, but not limited to, maintaining local beaches, maintaining beach access for residents, keeping sand on local San Clemente beaches, reducing beach erosion, protecting ocean water quality, protecting surfing and ocean swimming locations, enhancing and maintaining clean local beaches, and restoring and maintaining beach infrastructure, including the beach trail, the City pier and City lifeguard lifesaving equipment and facilities.

The City Council approved the ordinance for submittal to the voters on August 6, 2024. If approved by 2/3rds of the voters at the November 5, 2024 election, California law authorizes the City of San Clemente to levy the proposed tax and a 1/2 cent per dollar tax will be levied on the retail sale or use of all tangible personal property in the City of San Clemente. It would be collected in the same manner and at the same time as sales taxes.

All proceeds will be deposited into a new City special fund to be known as the Beach Protection, Restoration and Clean Ocean Fund subject to the same independent annual audit as other City funds. The City’s Investment Advisory Committee will serve as an Oversight Committee, reviewing expenditures of all revenue collected to determine whether such funds are expended for the purposes specified. An accounting of revenues received and expenditures made from the tax will be presented annually to the City Council and made available for public review.

A “Yes” vote is a vote in favor of the tax. A “No” vote is a vote against the tax. Measure BB will be approved if it receives 2/3rds (66.7%) of “Yes” votes. If this measure is approved, the total sales tax rate within the City of San Clemente will increase to 8.25%.

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The above statement is an impartial analysis of Measure BB. If you desire a copy of the ordinance or measure, please call the elections official's office at 949-361-8301 and a copy will be mailed at no cost to you. You may also view the full text of Measure BB at www.san-clemente.org/electioninformation.