



Office of the City Manager

ACTION CALENDAR

June 24, 2014

To: Honorable Mayor and Members of the City Council

From:  Christine Daniel, City Manager

Submitted by: Mark Numainville, City Clerk

Subject: Placing a Parks Maintenance Tax Measure on the November 4, 2014 Ballot

RECOMMENDATION

1. Adopt a Resolution submitting a ballot measure to increase the existing special tax to support parks, playgrounds, City trees and landscaping operations and maintenance, to a vote of the electors at the November 4, 2014 General Municipal Election.

2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.

FISCAL IMPACTS OF RECOMMENDATION

The table below shows the year-by-year costs for elections since 2006. The costs for 2010 and 2012 do not include the costs associated with Ranked Choice Voting as those costs are candidate-specific and not impacted by the number of measures placed on the ballot.

The dramatic cost increase in 2012 is primarily due to the need for an additional ballot card for Berkeley voters as a result of the high number of measures placed on the ballot.

	Election				
	Nov. 2006	Nov. 2008	June 2010	Nov. 2010	Nov. 2012
Total Cost	\$272,581	\$224,576	\$191,732	\$164,816	\$367,884
No. of Measures	6	7	1	3	10
No. of Candidates	23	25	0	31	26

CURRENT SITUATION AND ITS EFFECTS

At the May 20, 2014 City Council meeting, the City Council acted to move forward with both the 16% increase in the Parks Tax and the Mello-Roos Community Facilities District. This item would place a measure on the ballot to increase the existing parks tax supporting parks, playgrounds, City trees and landscaping operations and maintenance. The Mello-Roos Community Facilities District item appears separately on

this agenda. If adopted, the attached resolution will request that the Registrar of Voters place the matter on the ballot for consideration by Berkeley voters.

Additionally, with respect to measures placed on the ballot by the legislative body, Elections Code Section 9282(b) provides that the legislative body, or any member or members of the legislative body authorized by that body may submit an argument for the measure.

BACKGROUND

This item is being presented based on the previous discussions and direction by the City Council.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

The City Clerk is presenting this action in accordance with the direction given by the City Council at the May 20, 2014 meeting.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1: Resolution

Exhibit A: Text of Measure

RESOLUTION NO. -N.S.

SUBMITTING TO THE BERKELEY ELECTORATE A BALLOT MEASURE TO INCREASE THE EXISTING SPECIAL TAX SUPPORTING PARKS, PLAYGROUNDS, CITY TREES AND LANDSCAPING OPERATIONS AND MAINTENANCE ON THE NOVEMBER 4, 2014 BALLOT

WHEREAS, the Berkeley City Council has elected to submit to the voters at the November 4, 2014 General Municipal Election, a measure to increase the existing special tax supporting parks, playgrounds, city trees and landscaping operations and maintenance; and

WHEREAS, in accordance with the provisions of Section 10002 and 10403 of the Elections Code of the State of California, the Alameda County Board of Supervisors is requested to consolidate the City of Berkeley General Municipal Election with the Statewide General Election to be held November 4, 2014; and

WHEREAS, the City of Berkeley hereby requests that the Alameda County Board of Supervisors permit the Registrar of Voters of Alameda County to perform services in connection with said election at the request of the City Clerk. These services to include all necessary services related to official ballot creation, sample ballot and voter information pamphlet preparation, vote-by-mail, polling places, poll workers, voter registration, voting machines, canvass operations, and any and all other services necessary for the conduct of the consolidated election; and

WHEREAS, the Council desires to submit this measure to be placed upon the ballot at said consolidated election.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Board of Supervisors of Alameda County is hereby requested to include on the ballots and sample ballots the measure enumerated above to be voted on by the voters of the qualified electors of the City of Berkeley.

BE IT FURTHER RESOLVED that the full text of the measure shall be printed in the Voter Information Pamphlet mailed to all voters in the City of Berkeley.

BE IT FURTHER RESOLVED that the above enumerated measure requires a two-thirds (2/3) vote threshold for passage.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Charter of the City of Berkeley, the Government Code and the Elections Code of the State of California.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to obtain printing, supplies and services as required.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to enter into any contracts necessary for election consulting services, temporary employment services, printing services, and any such other supplies and services as may be required by the statutes of the State of California and the Charter of the City of Berkeley for the conduct of the November General Municipal Election.

BE IT FURTHER RESOLVED that Pursuant to Elections Code Section 9285 (b), the City Council hereby adopts the provisions of Elections Code Section 9285 (a) providing for the filing of rebuttal arguments for city ballot measures.

BE IT FURTHER RESOLVED that said proposed tax measure shall appear and be printed upon the ballots to be used at said election as follows:

CITY OF BERKELEY TAX MEASURE	
Shall the special tax supporting parks, playgrounds, City trees and landscaping operations and maintenance be amended to increase the per square foot tax rate from \$0.1256 to \$0.1466 and change the annual inflation adjustment?	YES
<u>Financial Implications</u> The total annual cost in fiscal year 2016 would increase from \$238.64 to \$278.54 for a 1,900 square foot home and from \$1256.00 to \$1466.00 for a 10,000 square foot building.	NO

BE IT FURTHER RESOLVED that the text of the ordinance be shown as Exhibit A, attached hereto and made a part hereof.

Exhibits

A: Text of Ordinance

ORDINANCE NO. -N.S.

INCREASING THE PARKS, TREES AND LANDSCAPING MAINTENANCE TAX

BE IT ORDAINED by the people of the City of Berkeley as follows:

Section 1. Sub-section 7.10.020.B of the Berkeley Municipal Code is hereby amended to read as follows:

B. The tax rate for the fiscal year ~~2001-02~~ 2016 shall be ~~8.90¢~~ \$0.1466 per square foot of taxable improvements provided that this rate shall be increased or decreased annually in May ~~2004~~ pursuant to Section 7.10.020.D ~~to account for changes in the cost of living in the San Francisco Bay Area during the period of May 2000 to May 2004.~~

Section 2. Sub-section 7.10.020.C of the Berkeley Municipal Code is hereby amended to read as follows:

C. The tax imposed by this chapter shall be operative on July 1, ~~1997~~ 2015.

Section 3. Sub-section 7.10.020.D of the Berkeley Municipal Code is hereby amended to read as follows:

D. The tax ~~shall~~ may be increased or decreased annually in May, according to the greater of the increase or decrease in the cost of living in the immediate San Francisco Bay Area or personal income growth in the state of California, as verified by official United States economic reports.

Section 4. Section 7.10.110 of the Berkeley Municipal Code is hereby amended to read as follows:

7.10.110 Increase appropriations limit.

Pursuant to California Constitution Article XIII B, the appropriation limit for the City is increased by the aggregate sum authorized to be levied by this special tax for each of the four fiscal years from ~~2013-14~~ through ~~2016-17~~.

