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OAKLAND

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Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Ordinance No. 13384 C.M.S.

ORDINANCE AUTHORIZING A FISCAL YEAR 2016-17 INCREASE IN ACCORDANCE WITH THE CONSUMER PRICE INDEX, FIXING THE RATE OF PROPERTY TAX, AND LEVYING A TAX ON REAL AND PERSONAL PROPERTY IN THE CITY OF OAKLAND FOR FISCAL YEAR 2016-2017 FOR VOTER APPROVED MEASURE M (THE EMERGENCY MEDICAL SERVICES RETENTION ACT), MEASURE N (THE 1997 PARAMEDIC SERVICES ACT), MEASURE Q (THE LIBRARY SERVICES AND RETENTION ACT), AND MEASURE Z (THE PUBLIC SAFETY AND SERVICES ACT OF 2014)

WHEREAS, the City of Oakland must annually set the property tax levy rates and inform the County of Alameda of these rates by August 10th for inclusion on that year's property tax bill for Measures M, N, Q, and Z; and

WHEREAS, the passage of this ordinance will provide additional documentation needed for the City to levy and collect the FY 2016-2017 revenues included in the FY 2015-2017 Adopted Policy Budget related to Measures M, N, Q, and Z; and

WHEREAS, in 1997 the voters of Oakland approved Measure M, a special tax to fund emergency medical services to impose a special tax on all parcels in the City of Oakland, except where the parcels are otherwise exempt from taxation by Section 3 of the Ordinance, and provided that beginning in Fiscal Year 1998-1999 and each fiscal year thereafter, the Oakland City Council may increase the tax only upon a finding that the cost of living in the immediate San Francisco Bay Area, as shown by the Consumer Price Index (CPI) for all items, has increased since the 1997 index year; and

WHEREAS, in 1997 Oakland voters approved Measure N, a special tax to fund paramedic emergency services to impose a special tax on all parcels in the City of Oakland, except where the parcels are otherwise exempt from taxation by Section 3 of the Ordinance, and provided that beginning in fiscal year 2000-2001 and each fiscal year thereafter, the Oakland City Council may increase the tax only upon a finding that the cost of living in the immediate San Francisco Bay Area, as shown by the CPI for all items, has increased since the 1997 index year; and

WHEREAS, the voters of Oakland in 2004 approved Measure Q, the Library Services Retention and Enhancement Act of 2004, which extended the original Measure O Library Services Retention and Enhancement of 1994, through June 30, 2024 imposing this special tax on all parcels in the City of Oakland, except where the parcels are otherwise exempt from taxation by Section 6 of the Ordinance, allowing the City Council to increase the tax annually upon a finding that the cost of living in the immediate San Francisco Bay Area, as shown on the Consumer Price Index (CPI) for all items, has increased since the 1994 index year; and

WHEREAS, the City of Oakland voters passed Measure Z, the 2014 Oakland Public Safety and Services Violence Prevention Act ("Measure Z"), in November 2014, approving a series of taxes to support violence intervention objectives, including police services and programs and services that provide support for at-risk youth and young adults to interrupt the cycle of violence and recidivism, and for youth and young adults at highest risk of violence as guided by data analysis; and

WHEREAS, Measure Z imposes the same special tax from the Violence Prevention and Public Safety Act of 2004 (Measure Y) on all parcels in the City of Oakland, except where the parcels are otherwise exempt from taxation by Part 3 Section 4 of the Ordinance, and provides that beginning in FY 2015-2016 and each fiscal year thereafter, the Oakland City Council may increase the tax only upon a finding that the cost-of-living in the immediate San Francisco Bay Area, as shown by the Consumer Price Index (CPI) for all items, has increased since the 2014-15 index year; now, therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby finds that the Consumer Price Index for all items in the San Francisco Bay Area was 251.99 for calendar year 2014 and 258.57 for calendar year 2015. Thus the cost-of-living in the immediate San Francisco Bay Area, as shown by the Consumer Price Index (CPI) for all items, has increased 2.6 percent from calendar year 2014 to calendar year 2015 and the increases set forth in the Ordinance conform to that increase.

Section 2. The Measure M, N, Q, and Z special tax rates upward adjustments shall be 2.6 percent, effective July 1, 2016. The following rates shall be levied, effective July 1, 2016, for FY 2016-2017 for Measures M, N, Q, and Z as noted below by Measure and parcel type:

Measure	RATES			
	Parcel Type	Current Parcel Rate	Proposed Increase	FY 2016-17 Parcel Rate
Measure M	Single Family Residential Parcels	\$13.64	\$0.35	\$13.99
	Multiple Residential (2 to 4 units)	\$27.26	\$0.71	\$27.97
	Multiple Residential (5+ units)	\$68.18	\$1.77	\$69.95
	Commercial	\$27.26	\$0.71	\$27.97
	Industrial	\$54.53	\$1.42	\$55.95
	Rural	\$13.64	\$0.35	\$13.99
	Institutional	\$13.64	\$0.35	\$13.99
Measure N	Single Family Residential Parcels	\$10.86	\$0.28	\$11.14
	Multiple Residential (2 to 4 units)	\$21.70	\$0.56	\$22.26
	Multiple Residential (5+ units)	\$54.27	\$1.41	\$55.68
	Commercial	\$21.70	\$0.56	\$22.26
	Industrial	\$43.41	\$1.13	\$44.54
	Rural	\$10.86	\$0.28	\$11.14
	Institutional	\$10.86	\$0.28	\$11.14
Measure Q	Single Family Residential Parcels	\$96.17	\$2.50	\$98.67
	Multiple Residential	\$65.69	\$1.71	\$67.40
	Non-Residential Parcels	\$49.25	\$1.28	\$50.53
Measure Z	Single Family Residential Parcels	\$99.77	\$2.59	\$102.36
	Multiple Residential	\$68.15	\$1.77	\$69.92
	Non-Residential Parcels	\$51.09	\$1.33	\$52.42

Section 3. The provisions of this Ordinance are severable, and if any clause, sentence, paragraph, provision, or part of this Ordinance, or the application of this Ordinance to any person, is held to be invalid, such holding shall not impair or invalidate the remainder of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such provisions not been included.

Section 4. This Ordinance shall be in full force and effect immediately upon its passage as provided by Section 216 of the City Charter if adopted by at least six members of the City Council, or upon the seventh day after final adoption if adopted by fewer votes.

IN COUNCIL, OAKLAND, CALIFORNIA, July 19, 2016

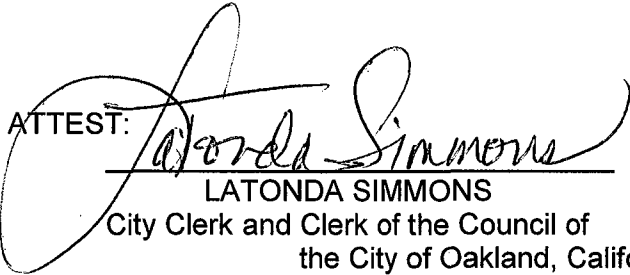
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, CAMPBELL WASHINGTON, GALLO, ~~GUILLEN~~, KALB, KAPLAN, REID, AND PRESIDENT GIBSON MCELHANEY - 7

NOES- Guillen - 1

ABSENT- 0

ABSTENTION- 0

ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California

Introduction Date

JUN 07 2016

Date of Attestation July 27, 2016

NOTICE AND DIGEST

REGARDING AN ORDINANCE AUTHORIZING A FISCAL YEAR 2016-17 INCREASE IN ACCORDANCE WITH THE CONSUMER PRICE INDEX, FIXING THE RATE OF PROPERTY TAX, AND LEVYING A TAX ON REAL AND PERSONAL PROPERTY IN THE CITY OF OAKLAND FOR FISCAL YEAR (FY) 2016-2017 FOR VOTER-APPROVED MEASURE M (THE EMERGENCY MEDICAL SERVICES RETENTION ACT), MEASURE N (THE 1997 PARAMEDIC SERVICES ACT), MEASURE Q (THE LIBRARY SERVICES AND RETENTION ACT), AND MEASURE Z (THE PUBLIC SAFETY AND SERVICES ACT OF 2014).

On Tuesday, June 7, 2016, the City Council of Oakland, California will consider an ordinance authorizing an increase to the special parcel tax imposed for emergency medical services retention, paramedic services, library services and retention, and violence prevention and public safety services in accordance with the Voter-Approved Measure M (The Emergency Medical Services Retention Act), Measure N (The 1997 Paramedic Services Act), Measure Q (The Library Services And Retention Act), And Measure Z (The Public Safety And Services Act Of 2014). The ordinance proposes an increase, effective July 1, 2016, of 2.6 percent consistent with the Consumer Price Index for the San Francisco Bay Area and also authorizes the City to levy the tax at the new rates. The Public Hearing is set for Tuesday, June 7, 2016 at 6:30 p.m., to be held before the City Council in the Council Chambers located on the Third Floor of City Hall, One Frank H. Ogawa Plaza, Oakland, California.