

**DRAFT**

Oakland City Attorney's Office

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2010 JAN -7 PM 7:52 OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

Introduced by Council Members Jean Quan

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**RESOLUTION IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010, WHICH WILL PROHIBIT THE STATE FROM TAKING LOCAL REVENUE.**

**WHEREAS**, California voters have repeatedly and overwhelmingly passed separate ballot measures to stop state raids of local government funds, and to dedicate the taxes on gasoline to fund local as well as state transportation improvement projects; and

**WHEREAS**, these local government funds are critical to provide the police and fire, emergency response, parks, libraries, and other vital local services that residents rely upon every day, and the gas tax funds are vital to maintain and improve local streets and road, to make road safety improvements, relieve traffic congestion, and provide mass transit; and

**WHEREAS**, despite the fact that voters have repeatedly passed measures to prevent the State from taking these revenues dedicated to funding local government services and transportation improvement projects, the State Legislature has seized and borrowed billions of dollars in local government and transportation funds in the past few years; and

**WHEREAS**, this year's borrowing and raids of local government, redevelopment and transit funds, as well as previous and ongoing raids of local government and transportation funds, have lead to severe consequences, such as layoffs of police, fire and paramedic first responders, fire station closures, stalled economic development, healthcare cutbacks, delays in road safety improvements, public transit fare increases and cutbacks in public transit services; and

**WHEREAS**, state politicians in Sacramento have continued to ignore the will of the voters, and current law provides no penalties when state politicians take or borrow these locally-dedicated funds; and

**WHEREAS**, a coalition of local government, transportation and transit advocates recently filed a constitutional amendment with the California Attorney General, called the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010, for potential placement on California's November 2010 statewide ballot; and

**WHEREAS**, approval of this ballot initiative would close loopholes and change the constitution to further prevent state politicians in Sacramento from seizing, diverting, shifting, borrowing, transferring, suspending or otherwise taking or interfering with tax

revenues dedicated to funding local government services, including redevelopment, or dedicated to transportation improvement projects and mass transit.

**NOW THEREFORE BE IT RESOLVED:** that the City of Oakland formally endorses the Local Taxpayer, Public Safety and Transportation Protection Act of 2010, a proposed constitutional amendment; and

**BE IT FURTHER RESOLVED:** that we hereby authorize the listing of the City of Oakland in support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 and instruct staff to fax a copy of this resolution to the office of the Local Taxpayer, Public Safety and Transportation Act of 2010.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST:

\_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California