



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Jamie Turbak
Library Director

SUBJECT: Adoption of Legislation to Place a
Library Parcel Tax on the June 7,
2022 Ballot

DATE: February 2, 2022

City Administrator Approval

Date: Feb 3, 2022

RECOMMENDATION

Staff Recommends That The City Council Adopt:

A Resolution 1) On The City Council's Own Motion Submitting To The Voters At The June 7, 2022 Election, A Proposed Ordinance Extending The Library Services Retention And Enhancement Act Of 1994 (The "Act") And Making Certain Amendments To The Act; And 2) Directing The City Clerk To Take All Actions Necessary Under Law To Prepare For And Conduct The June 7, 2022 Municipal Election.

EXECUTIVE SUMMARY

The Library Services Retention and Enhancement Act (the "Act") generates approximately \$18 million in annual revenue for the purpose of supporting the Oakland Public Library (Library). The Act is scheduled to sunset in 2024. In order to continue providing important library programs, services and materials to the Oakland community, staff recommends that City Council approve a resolution to extend the Act and place this proposed Ordinance before the Oakland electorate on June 7, 2022.

BACKGROUND / LEGISLATIVE HISTORY

The Library provides a variety of services promoting literacy and reading, as well as meeting the City of Oakland's (City) cultural, business, and recreational needs. The Library system includes the Main Library, 16 branches, Second Start Adult Literacy Program, Oakland History Center, Tool Lending Library, and the African American Museum and Library at Oakland (AAMLO). Two branches, Asian Branch and César Chávez Branch, house large collections in multiple languages.

In June 1994, the Oakland electorate approved, by more than a two-thirds majority, Measure O, the Library Services Retention and Enhancement Act. The Act imposed a parcel tax for the purpose of raising revenue necessary to retain and enhance the services provided by the Oakland Public Library. In March 2004, the Oakland electorate reauthorized, increased and

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extended the Act, again by more than a two-thirds majority. The Act's reauthorization provided guidelines for spending the tax revenue through 12 objectives:

1. Keep neighborhood libraries open a minimum of six days per week and increase weekend hours.
2. Retain availability of library services at the Main Library seven days per week.
3. Enhance and expand library collections, including acquisition of new books and materials.
4. Continue to provide educational and cultural programs for youth in every library, including after school tutoring, literacy, and children's programs.
5. Expand library-based programs in support of literacy, lifelong learning, and information technology.
6. Operate an African American museum and library program.
7. Increase joint educational activities with local schools, including library services.
8. Retain Children's Librarians in every library facility.
9. Operate the joint school-public library in East Oakland.
10. Upgrade and enhance information technology in all libraries and improve access to computers and technology in the libraries.
11. Support after school homework programs; and
12. Support teen programs.

The Act requires that a panel of citizens, the Library Advisory Commission (LAC), provide oversight. In addition, the Act also requires the City Auditor to perform regular audits affirming the City is adhering to the Act's requirements. The legislation mandates that the revenue can only be used for direct library services that further the objectives listed above.

ANALYSIS AND POLICY ALTERNATIVES

The services of the Oakland Public Library are available at no charge to all people of all ages to acquire knowledge, develop skills and access the resources that they need to assure equity in educational, employment, and housing opportunities and improve quality of life. Library locations across the City offer a safe and welcoming place for youth to study, play and grow. The Library serves communities that experience the greatest poverty and violence and who may lack housing and quality education. In great demand, are library services related to technology, such as free WiFi, public access computers, fast Internet, printing, scanning and charging personal devices. Continuing to fund the Library through reauthorization of the Act, will advance Citywide priorities of holistic community safety, cultural security, vibrant infrastructure, and responsive, trustworthy government.

This Resolution will place legislation on the municipal June 7, 2022 ballot asking voters to reauthorize the Act for a period of thirty (30) years until June 30, 2052. The Act does not increase the current tax rate except to allow for annual percentages authorized by City Council that are up to the greater of Consumer Price Index (CPI) or California per capita personal income. The Act provides an additional exemption for low-income seniors and residents. This legislation updates the minimum General Purpose Fund (GPF) commitment for library services to the FY 2021-2022 appropriation level and eliminates the "Reserve Fund Requirement".

FISCAL IMPACT

During FY 2021-2022, Council authorized slightly over \$18 million in appropriations from the Act for library services. The total annual budget for the Library is approximately \$45.7 million. Loss of the Act's revenue will force a reduction of forty percent of all Library expenditures. A fiscal depletion of this magnitude will result in significant elimination of library staff, operating hours and the number of libraries open to the public.

This Ordinance will impact the General Purpose Fund because it requires that for any year that the tax is in effect, the City Council may collect parcel tax revenue only if the General Purpose Fund appropriation is maintained at a level no lower than the appropriation for FY 2021-2022. This amount is \$14,100,000 (\$14.1 million).

PUBLIC OUTREACH / INTEREST

The Friends of Oakland Public Library (FOPL) commissioned EMC Research to conduct a community survey of likely 2022 voters to assess thresholds of support for a reauthorization of the Act. The survey was conducted during the week of September 29 through October 6, 2021 and a summary of conclusions from the poll have been kindly shared by FOPL in **Attachment A**. The key findings were:

- Generally, voters are happy with and value the libraries and see a need for additional funding—at even greater numbers than seen in the past.
- Today, voters are supportive of extending the parcel tax at the current \$105 rate for 30 years and support for a measure is solidified after they learn more— being able to say this isn't a tax increase is compelling.
- Support for a measure that would extend and increase the parcel tax to \$148 hovers at the 2/3 threshold throughout the survey.
- Opposition messaging is impactful and affects support.
- Many believe that the projects and programs tested are important and particularly prioritize youth space and programs and keeping the libraries open, clean, and maintained.

COORDINATION

This report and legislation have been reviewed by the Office of the City Attorney and the Budget Bureau.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

The Library has fulfilled the mandates sought by the voters who supported the Act. The key findings from a City Auditor's report dated February 11, 2021 (**Attachment B**) are:

- The Library spent Measure Q and D proceeds in accordance with their respective requirements.

- The City met the minimum General Fund appropriation requirement.
- The Library met the Measure Q Reserve Fund requirement.
- The Measure Q parcel tax and the General Fund over time was inadequate to provide the necessary financial support for the Library.

The City Auditor concludes an introduction to this report stating, “To that end, this audit found the Library in compliance with both Measure Q and Measure D and secured the Administration’s full commitment to enhance the Library Commission’s ability to provide oversight of the Library.”

SUSTAINABLE OPPORTUNITIES

Economic: *The sustained funding permitted by a reauthorization of the Act will allow for job opportunities for Oakland residents. As well, the Library serves as an anchor to attract Oaklanders to neighboring retail and business areas in close proximity to library branches.*

Environmental: *There are no environmental impacts known at this time.*

Race & Equity: *The Act retains and enhances the equitable disbursement of Library services, programs, staffing, facilities, technology and resources in order to decrease disparities in life outcomes of marginalized communities and to facilitate equity of opportunity throughout Oakland.*

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 *et seq.* (“CEQA”), since in accordance with CEQA Guidelines Section 15061, subdivision (b)(3), it can be seen with certainty that there is no possibility that the activity authorized herein may have a significant effect on the environment.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends The City Council Adopt A Resolution 1) On The City Council’s Own Motion Submitting To The Voters At The June 7, 2022 Election, A Proposed Ordinance Extending The Library Services Retention And Enhancement Act Of 1994 (The “Act”) And Making Certain Amendments To The Act; And 2) Directing The City Clerk To Take All Actions Necessary Under Law To Prepare For And Conduct The June 7, 2022 Municipal Election.

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For questions regarding this report, please contact JAMIE TURBAK, LIBRARY DIRECTOR, at (510) 238-6110.

Respectfully submitted,



JAMIE TURBAK
Director, Oakland Public Library

Attachments (2):

A: Survey of Likely 2022 Voters

B: City Auditor Report, February 11, 2021

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