

CITY OF OAKLAND

MEMORANDUM

FILED
OFFICE OF THE CITY CLERK
OAKLAND

QW 8

TO: Rules & Legislation Committee
ATTN: Assistant to the City Manager
FROM: Name: Vice Mayor Henry Chang, Jr.
Phone No. : 238-7008
Address/Agency/Dept: At-Large Council Office
DATE: March 9, 2004

2004 MAR 10 AM 11:44

SUBJECT: REQUEST TO SCHEDULE AGENDA ITEM

TITLE: A RESOLUTION EXPRESSING THE CITY OF OAKLAND'S SUPPORT FOR A STATEWIDE BALLOT INITIATIVE TO REQUIRE VOTER APPROVAL BEFORE STATE GOVERNMENT MAY TAKE LOCAL TAX FUNDS

SCHEDULING RECOMMENDATION:

- A. Committee _____
(Please specify Committee. Committees meet 2nd & 4th Tuesdays)
- City Council _____ Redevelopment Agency
(Council/Agency meets on 1st, 3rd, and 5th Tuesdays)
- B. Meeting Date: April 6, 2004

Is there a statutory, regulatory, financial or grant deadline? **No**

Is a staff report required/requested? **No**

What is the fiscal impact on the City/Agency? **Approval of this ballot measure would make it more difficult for the State to take away tax revenues that are rightfully owed to local jurisdictions.**

If the ten-day (Sunshine Ordinance) agenda deadline cannot be met, please indicate reason:

- Item constitutes an "emergency" (Crippling disaster, work stoppage or other activity which severely impacts public health and/or safety)
- It was not reasonably possible to place the proposed item on the two-week agenda AND any of the following exist:
 - Item requires immediate action to avoid a substantial adverse impact if action is deferred to a subsequent special or regular meeting;
 - Item requires immediate action relating to federal or state legislation;
 - Item requires immediate action relating to eligibility for a grant or gift; OR
 - Item is ceremonial.

Explain why item could not have been placed on the 10-day agenda:

04-0221

OFFICE OF THE CITY CLERK

OAKLAND CITY COUNCIL

City Attorney

2003 MAR 10 11:11:44

RESOLUTION No. _____ C.M.S.

DRAFT

A RESOLUTION EXPRESSING THE CITY OF OAKLAND'S SUPPORT FOR A STATEWIDE BALLOT INITIATIVE TO REQUIRE VOTER APPROVAL BEFORE STATE GOVERNMENT MAY TAKE LOCAL TAX FUNDS

WHEREAS, state government annually seizes more than \$5.2 billion local property tax funds (ERAF) statewide, costing local governments more than \$40 billion in lost revenues over the past 12 years, including more than \$800 million annually for cities, or \$6.9 billion over the past 12 year, thereby seriously reducing resources available for local public safety and other services; and

WHEREAS, this drain of local resources has continued even during periods when the state's budget has been overflowing with surpluses as well as during difficult economic times; and

WHEREAS, the Governor's budget proposal for FY 2004-05 would increase the amount of the ERAF property tax shift by \$1.3 billion on a permanent basis, an increase of approximately 25 percent over the current ERAF shift; and

WHEREAS, the proposed FY 2004-05 budget would also, for the first time, permanently extend the ERAF shift to redevelopment agencies at an initial cost of \$135 million a year, undermining the ability of cities to leverage private investments in job-creating economic activities and resulting in approximately \$1.3 billion in lost bonding capacity, \$810 million to \$945 million in lost public and private investments, 12,000 to 16,000 lost jobs, primarily in construction, and related lost income taxes to the state of California; and

WHEREAS, the current state budget appropriates local vehicle license fee backfill and redevelopment property tax funds that are needed to finance critical city services such as public safety, parks, street maintenance, housing and economic development; and

WHEREAS, the adopted FY 2003-04 state budget assumes an ongoing structural budget deficit of at least \$8 billion, and the Legislative Analyst estimates that full implementation of the Governor's proposed budget for FY 2004-05, including passage by the voters of his \$15 billion deficit financing bond, would result in an ongoing structural deficit of \$7 billion, continuing to put city resources and services at risk in future years to additional state revenue raids; and

WHEREAS, it is abundantly clear that state leaders will continue to use local tax funds to balance the state budget unless the voters limit the power of the Legislature and Governor to do so; and

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WHEREAS, the voters of California are the best judges of whether local tax funds should be diverted, confiscated, shifted or otherwise taken to finance an ever-expanding state government; and

WHEREAS, the General Assembly of Voting Delegates of the League of California Cities at its September 10 2003 meeting voted to sponsor a statewide ballot initiative to empower the voters to limit the ability of state government to confiscate local tax funds to fund state government; and

WHEREAS, the League has requested that cities offer support for the Local Taxpayers and Public Safety Protection Act, a November 2004 ballot initiative, also known as the LOCAL initiative, that will allow voters to decide whether state government may appropriate local tax funds to fund state government operations and responsibilities; now therefore, be it

RESOLVED: That the Oakland City Council hereby expresses its strong support for the Local Taxpayers and Public Safety Protection Act, also known as the LOCAL initiative, a statewide ballot initiative to allow voters to decide whether local tax funds may be taken, confiscated, shifted, diverted or otherwise used to fund state government operations and responsibilities; and be it

FURTHER RESOLVED: That the Oakland City Council and staff are authorized to provide impartial informational materials on the initiative as may be lawfully provided by the city's representatives. No public funds shall be used to campaign for or against the initiative; and be it

FURTHER RESOLVED: That the residents of the City of Oakland are encouraged to become well informed on the initiative and its possible impacts on the critical local services on which they rely; and be it

FURTHER RESOLVED: That the city manager is hereby directed to send a copy to the Executive Director of the League of California Cities.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, REID, QUAN, WAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California