

4-15-11 OAKLAND CITY CLERK
OAKLAND
JULY 26 PM 7:15

Approved as to Form and Legality

M. Moorhan
Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Ordinance No. 13073 - C.M.S.

ORDINANCE AUTHORIZING A FISCAL YEAR 2011-12 INCREASE TO A SPECIAL TAX IMPOSED FOR LIBRARY SERVICES, IN ACCORDANCE WITH THE CONSUMER PRICE INDEX, AND PURSUANT TO THE LIBRARY SERVICES RETENTION AND ENHANCEMENT ACT OF 2004 (MEASURE Q)

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; and

WHEREAS, Measure Q continued imposition of 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; and

WHEREAS, the Measure Q legislation allows 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 Measure Q legislation further provides that any tax rate adjustment imposed by the City Council pursuant to the ordinance shall not exceed five percent of the tax rate imposed during the immediately preceding fiscal year; and

WHEREAS, a public hearing on this ordinance to increase the Measure Q special parcel tax was held on June 7, 2011 at 6:30 p.m. in City Hall, One Frank H. Ogawa Plaza, Oakland, California; now, therefore,

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

1. The Oakland City Council hereby finds that the Consumer Price Index for all items in the San Francisco Bay Area was 224.40 for calendar year 2009 and 227.47 for calendar year 2010.
2. The cost-of-living in the immediate San Francisco Bay Area as shown by the Consumer Price Index, has increased 1.4 percent between calendar year 2009 and calendar year 2010.
3. The Measure Q special tax rate upward adjustment shall be 1.4 percent, effective July 1, 2011.
4. The following rate structure will be imposed on parcels within the City of Oakland effective July 1, 2011 for FY 2011-12:

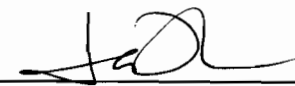
PROPOSED MEASURE Q TAX INCREASES BY PARCEL TYPE			
Parcel Type	Current Parcel Rate	Proposed Increase	FY 2011-12 Parcel Rate
Single Family Residential Parcels	\$85.69	\$1.18	\$86.87
Multiple Residential (2 to 4 units)	\$58.53	\$0.81	\$59.34
Non-Residential Parcels	\$43.89	\$0.60	\$44.49

5. The City's FY11-13 budget will be passed at the end of June 2011. This ordinance will be deemed null and void **if** the General fund appropriation for Library Services in the Adopted FY11-13 budget is lower than \$9,059,989, as stipulated in the Measure Q legislation.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 21 2011

PASSED BY THE FOLLOWING VOTE:

- AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, BRUNNER, AND PRESIDENT REID - 8
- NOES - 0
- ABSENT - 0
- ABSTENTION - 0

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

Introduction Date JUN 7 2011

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SPECIAL TAX IMPOSED FOR LIBRARY SERVICES IN ACCORDANCE
WITH THE CONSUMER PRICE INDEX, AND PURSUANT TO THE LIBRARY
SERVICES RETENTION AND ENHANCEMENT ACT OF 2004 (MEASURE Q)**

NOTICE AND DIGEST

This Ordinance authorizes an increase to a special tax imposed by the Library Services Retention and Enhancement Act of 1994 (Measure O) continued by the Library Services Retention and Enhancement Act of 2004 (Measure Q), the latter of which was approved by the voters in March 2004. The Act allows rates to be adjusted for changes in the Consumer Price Index, in an amount not to exceed five percent (5.0%), as provided in Section 7(b) of the original Measure O legislation (Resolution No. 70776 C.M.S.) and continued in the Measure Q legislation (Resolution No. 78223 C.M.S.). The proposed changes are a total increase of 1.4 percent for FY 2011-12. Effective July 1, 2011 the Single Family Residential rate would increase from \$85.69 to \$86.87, the Multiple Unit Residential rate would increase from \$58.53 to \$59.34 and the Non-Residential rate would increase from \$43.89 to \$44.49.