



*City
Council
Report*

Item: 16
Category: OLD BUSINESS
Meeting Date: June 5, 2018

TITLE: Consideration of Revenue Measure Ballot Language

RECOMMENDED ACTION

Consider potential ballot language and provide staff with direction to return to the City Council and present a Resolution of Necessity and an Ordinance placing a general obligation bond measure on the November 6, 2018 general election ballot.

BACKGROUND

At the May 1, 2018 City Council meeting, direction was given to staff to pursue a general obligation bond in support of the Civic Center Master Plan. The Council indicated its interest in a general obligation bond with a par amount not to exceed \$50 million. A public opinion survey commissioned by the City found that there is support amongst likely voters to fund facility improvements for the Library and Police Department. The survey also tested the influence of informational and critical statements.

The public opinion survey showed that informed support for the bond measure was 71.0% with the following features positively impacting (listed in order of the likelihood a voter would support the measure:

- Provide a police emergency operations and 9-1-1 dispatch center that would remain fully operational during a disaster
- Provide a seismically safe police operations center
- Provide a modern police operations center that includes up-to-date crime fighting technology and is flexible to adapt to new technology and operational necessities
- Provide a safe, energy-efficient library with space for senior reading; after-school homework programs; children's story times and collection; and, public access computers and computer lab
- Improve access for senior and disabled residents
- Provide a safe, energy-efficient library that meets earthquake and fire codes
- Replace the aging Library with a safe, energy-efficient library that meets current safety codes for earthquake, fire and offers ADA accessibility

- Provide a seismically safe police station
- Provide library space for summer reading programs for school age children

DISCUSSION

California Elections Code §13247 and §9051 limit ballot measure statements to 75 words. Furthermore, AB 195, effective January 1, 2018, amended Elections Code §13119 to require any ballot measure imposing a tax to include in the 75-word statement: a) the amount of money to be raised annually; b) the tax rate; and c) the duration of the tax. Considering these State requirements, staff used the ballot question contained in the public opinion survey, and added the most impactful features and informational statements that increased voter support in the public opinion polling. The proposed 75-word statement was drafted and is presented for City Council consideration:

“To provide a new Police Station with emergency operations that would remain fully operational during a disaster, and an earthquake-safe, energy-efficient, modern Civic Center Library, shall the City of Campbell’s measure to issue \$50,000,000 in general obligation bonds with projected levies of \$0.019 per \$100 (\$19 per \$100,000) of assessed value, generating an estimated average of \$3,025,000 annually to repay issued bonds through maturity, with citizen oversight and all funds spent locally, be adopted?”

Next Steps

To proceed with the placement of a bond measure on the general election ballot, the next steps are to approve the 75-word ballot question. Staff will then present at the June 19 meeting a Resolution of Necessity and an Ordinance calling for the bond measure to be placed on the November 6 general election ballot.

Adoption of the Resolution of Necessity is required by California Government Code §43607 by a two-thirds vote of all Council members determining that the public interest or necessity demands the acquisition, construction, or completion of the municipal improvements.

The City Council will also be presented with the first reading and introduction of an ordinance ordering the submission of the proposition of incurring bonded debt to the voters and will become immediately effective upon a second reading. An updated calendar listing necessary actions by the City Council is included as Attachment 1.

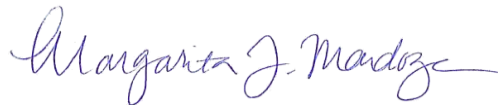
FISCAL IMPACT

For the anticipated cost associated with the filing of the general obligation bond measure with the Santa Clara County Registrar of Voters, staff has budgeted \$36,000 for FY 2019. Staff also recommends the engagement of services of a specialized Bond Counsel to assist in the drafting of pertinent documents before and after the election, should the general obligation bond measure be adopted by the voters. It should be noted that bond counsel fees associated with the issuance of bonds following a successful election may be paid from bond proceeds. Alternatively, the Council may direct staff to use the City's Civic Center Master Plan Fund Reserve to cover these expenses.

ALTERNATIVES

1. Approve the recommended draft ballot language as presented, subject to modifications by the City Council;
2. Provide other direction to the City Attorney and staff; or
3. Do nothing.

Prepared by:



Margarita Mendoza, Administrative Analyst

Reviewed by:



Al Bito, Deputy City Manager

Approved by:



Brian Loventhal, City Manager

Attachment:

1. Proposed Calendar for General Obligation Bond Election (revised)



CITY OF CAMPBELL
 PROPOSED CALENDAR FOR
 GENERAL OBLIGATION BOND ELECTION
 NOVEMBER 6, 2018

Date	Activity	Details
June 5	City Council Meeting: Review and comment on draft ballot measure language	Ballot question must be limited to 75-words [Elec. Code 13247]
June 19	Introduction of Election Ordinance: Ordering submission of bonds to voters	Adopted by a 2/3 vote of council [Gov. Code 43608]
June 19	Adoption of Resolution of Necessity: Initiates bond proceedings	Adopted by a 2/3 vote of council [Gov. Code 43607]
July 3 or July 17	Second Reading and Adoption of Election Ordinance: Ordering submission of bonds to voters	[Gov. Code 43608]
By August 10, 2018	Delivery of Election Resolution and Tax Rate Statement: Deadline to deliver to County Elections Official	Election Day - 88 Days [Elec. Code 10403 and 9401]
By August 14, 2018	Arguments for or Against Bonds Measure: Deadline for submitting to Elections Official	Argument cannot exceed 300 words. Elec. Code 9282 authorizes council, any members of council, any individual eligible voter and bona fide association of citizens to file arguments for or against. Limited to 5 signatures. Name must be printed as well as signed. [Elec. 9283]
August 21, 2018	Rebuttal Arguments for or Against Bonds Measure: Deadline for submitting to Elections Official	Authors of arguments will receive copies of opposing arguments, if any, from the Elections Official. Rebuttals cannot exceed 250 words. [Elec. Code 9285]
August 21, 2018	Impartial Analysis: Prepared by City Attorney	Must not exceed 500 words. [Elec.C. 9280]
November 6, 2018	Election Day	Success if approved by at least 2/3 of voters. [CA Const. Article XVI and Article XIII]