



COUNTY OF ALAMEDA



VOTER INFORMATION GUIDE

GENERAL ELECTION

TUESDAY, NOVEMBER 6, 2018

Polls Open from 7 A.M. to 8 P.M.

ATTENTION:

THE LOCATION OF YOUR POLLING
PLACE MAY HAVE CHANGED. SEE BACK
COVER FOR YOUR POLLING PLACE.

ACVOTE.ORG



ALAMEDA COUNTY
Registrar of Voters

RANKED-CHOICE VOTING

Ranked-Choice Voting or "Instant Run-Off Voting," allows voters to rank up to three candidates, in order of preference, when marking their ballots. Ranked-Choice Voting eliminates the need for run-off elections. Voters in **Berkeley, Oakland, and San Leandro** will receive multiple ballot cards, including a Ranked-Choice Voting ballot card.

Visit ACVOTE.org/rcv for more information.

How does Ranked-Choice Voting work?

To start, all first choice votes are counted. Any candidate who receives more than 50% of the first choices is declared the winner. If no candidate receives more than 50% of the first choices, a process of eliminating candidates and transferring votes begins (second choice ranking counts only when a first choice candidate is eliminated).

How to Vote

- 1 Vote for your first choice in the first column.
- 2 Vote for your second choice in the second column.
- 3 Vote for your third choice in the third column.

If you selected the same candidate in more than one column, your vote for that candidate will count ONLY ONCE.

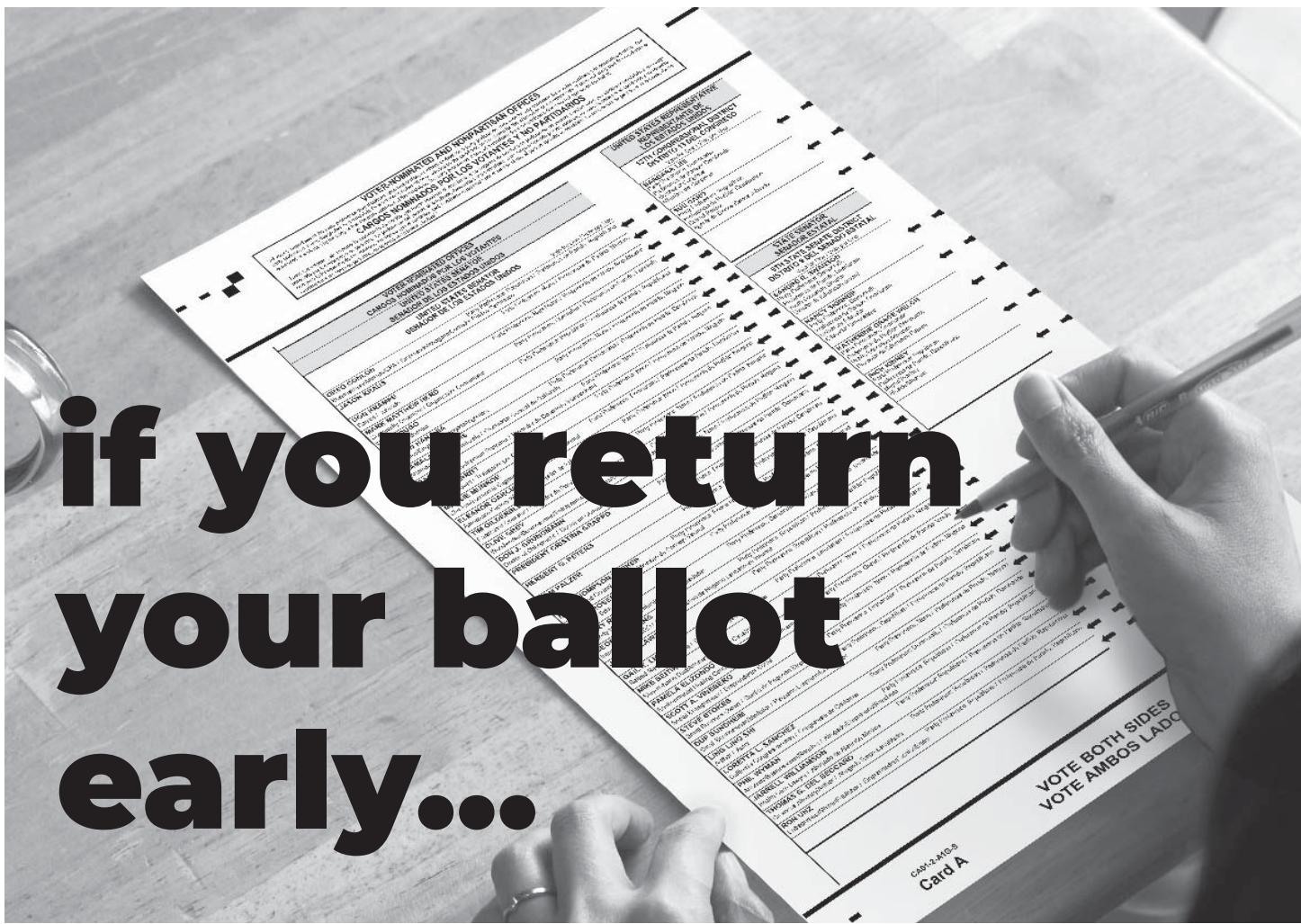
RANKED-CHOICE VOTING BALLOT																																			
INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. Complete the arrow to the right of your choice. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. You may rank up to three choices. Vote across in each race.																																			
1	Mark your first choice in Column 1.																																		
2	Mark your second choice in Column 2. This choice should be different from your first choice.																																		
3	Mark your third choice in Column 3. This choice should be different from your first and second choices.																																		
 <table border="1"><thead><tr><th>NONPARTISAN</th><th>NONPARTISAN</th><th>NONPARTISAN</th></tr><tr><th>CITY</th><th>CITY</th><th>CITY</th></tr><tr><th>FOR MAYOR</th><th>FOR MAYOR</th><th>FOR MAYOR</th></tr></thead><tbody><tr><td>1 FIRST CHOICE Vote for One</td><td>2 SECOND CHOICE Vote for One</td><td>3 THIRD CHOICE Vote for One</td></tr><tr><td>CAROLE LOMBARD</td><td>CAROLE LOMBARD</td><td>CAROLE LOMBARD</td></tr><tr><td>GEORGE E. JESSEL</td><td>GEORGE E. JESSEL</td><td>GEORGE E. JESSEL</td></tr><tr><td>BILLY ROSE</td><td>BILLY ROSE</td><td>BILLY ROSE</td></tr><tr><td>KATE SMITH</td><td>KATE SMITH</td><td>KATE SMITH</td></tr><tr><td>ISADORA DUNCAN</td><td>ISADORA DUNCAN</td><td>ISADORA DUNCAN</td></tr><tr><td>EDWARD ELLINGTON</td><td>EDWARD ELLINGTON</td><td>EDWARD ELLINGTON</td></tr><tr><td><i>Jane Doe</i></td><td></td><td></td></tr></tbody></table>			NONPARTISAN	NONPARTISAN	NONPARTISAN	CITY	CITY	CITY	FOR MAYOR	FOR MAYOR	FOR MAYOR	1 FIRST CHOICE Vote for One	2 SECOND CHOICE Vote for One	3 THIRD CHOICE Vote for One	CAROLE LOMBARD	CAROLE LOMBARD	CAROLE LOMBARD	GEORGE E. JESSEL	GEORGE E. JESSEL	GEORGE E. JESSEL	BILLY ROSE	BILLY ROSE	BILLY ROSE	KATE SMITH	KATE SMITH	KATE SMITH	ISADORA DUNCAN	ISADORA DUNCAN	ISADORA DUNCAN	EDWARD ELLINGTON	EDWARD ELLINGTON	EDWARD ELLINGTON	<i>Jane Doe</i>		
NONPARTISAN	NONPARTISAN	NONPARTISAN																																	
CITY	CITY	CITY																																	
FOR MAYOR	FOR MAYOR	FOR MAYOR																																	
1 FIRST CHOICE Vote for One	2 SECOND CHOICE Vote for One	3 THIRD CHOICE Vote for One																																	
CAROLE LOMBARD	CAROLE LOMBARD	CAROLE LOMBARD																																	
GEORGE E. JESSEL	GEORGE E. JESSEL	GEORGE E. JESSEL																																	
BILLY ROSE	BILLY ROSE	BILLY ROSE																																	
KATE SMITH	KATE SMITH	KATE SMITH																																	
ISADORA DUNCAN	ISADORA DUNCAN	ISADORA DUNCAN																																	
EDWARD ELLINGTON	EDWARD ELLINGTON	EDWARD ELLINGTON																																	
<i>Jane Doe</i>																																			

Keep in Mind:

Your second choice will be counted only if your first choice candidate has been eliminated. Your third choice will be counted only if both your first choice and second choice candidates have been eliminated.

Write-In Candidates:

If you wish to vote for a qualified write-in candidate for any of your three choices, write the person's name on the blank line provided and complete the arrow pointing to your choice.



if you return your ballot early...

- Your vote will be counted in the first update at 8 p.m. on Election Day
- Campaigns are less likely to solicit your vote (mail, text, phone calls)
- Carefully evaluate each issue at your leisure

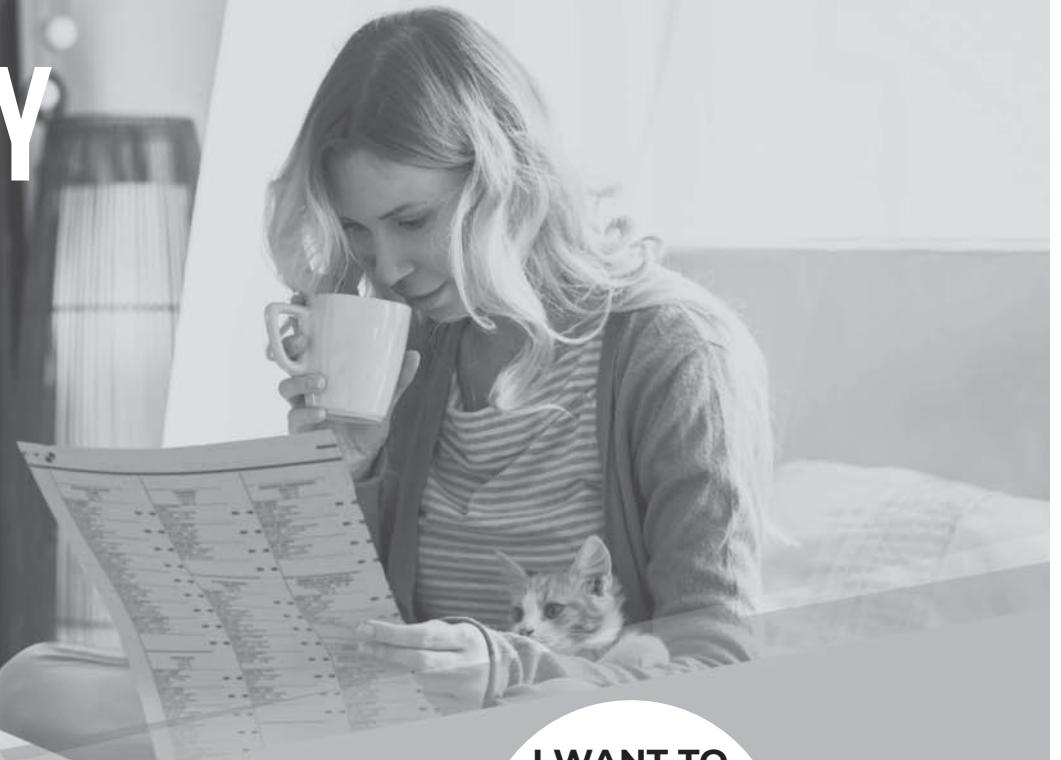
Early Voting begins October 8th

- Request a Vote by Mail ballot to be sent to you
- Vote early in our office
- Save a stamp! Drop off your ballot at one of our Postage-Free 24-Hour Drop Boxes

For more information about Early Voting, Vote by Mail, or Vote by Mail ballot drop off locations, visit: **ACVOTE.org/VBM**

VOTE BY MAIL

Easy.
Convenient.
Simple.



**I WANT TO
VOTE BY MAIL
IN EVERY
ELECTION**

Complete the application on
the back of this guide,
**check the box next to "YES, I want
to be a permanent Vote by Mail
voter," and mail it to us**

OR

Print and complete the application
on our website and mail it to us

**I WANT TO
VOTE BY MAIL
ONLY IN THIS
UPCOMING
ELECTION**

Complete the application on the
back cover of this guide
and mail it to us

OR

Apply online at acvote.org/vbm

OR

Call **(510) 272-6973** to request a
ballot to be mailed to you

**For more information,
visit acvote.org/vbm
or call us at **(510) 272-6973**.**

All requests must be received by the Registrar of Voters' Office no later than 7 days before an election by 5pm.

Only the registered voter himself or herself may apply for a Vote by Mail ballot. An application for a Vote by Mail ballot that is made by any person other than the registered voter is a criminal offense.

RETURNING YOUR BALLOT



Remember!
Sign the back
of your envelope!

STEP 1

Separate **each** ballot card.



You will receive between
2 and 4 Ballot Cards depending
on where you live.

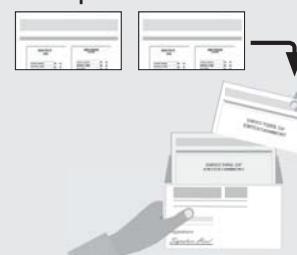
STEP 2

Fold each individual ballot card back into
its initial fold.



STEP 3

Insert ballot cards *separately*
into the provided return
envelope.



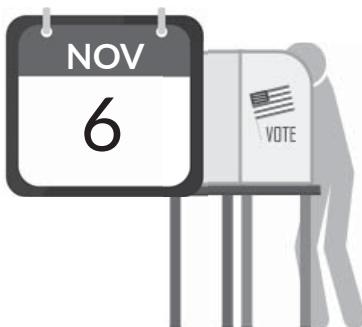
24-Hour Drop Boxes

- No postage necessary
- Drop your ballot off at any 24-Hour Drop Box, located in Alameda County
- 24-Hour Drop Boxes are open until 8 p.m. on Election Day
- Visit: acvote.org for location information



Return by Mail

- Postage information is indicated on the top right corner of your return envelope
- Ballot **must be postmarked on or before Election Day**
- Ballot **must be received** by the Registrar of Voters' Office **by Friday, November 9th**
- Be sure to **mail your Vote By Mail ballot by November 1st** to ensure it is received in time to be processed



On Election Day

- You can return your ballot to any Polling Place in Alameda County or to the Registrar of Voters' Office between 7 a.m. and 8 p.m.—**no postage necessary**
- Registrar of Voters' Office
Room G-1
1225 Fallon St.
Oakland, CA 94612
- For a list of Polling Places, visit: acvote.org

TOP TWO OPEN PRIMARY ACT

On June 8, 2010, California voters approved Proposition 14, which created the “Top Two Open Primary Act”

Prior to the “Top Two Open Primary Act”

- Candidates running for a partisan office appeared only on their party’s ballot.
- The top vote-getter from each qualified party and any candidates who qualified using the independent nomination process would then move on to the General Election.

Now, under the “Top Two Open Primary Act”

- All candidates running, regardless of their party preference, will appear on a single combined ballot.
- Voters can vote for any candidate from any political party.
- This changes the way elections are conducted for all statewide offices and the following offices:
 - **U.S. Senator • U.S. Representative • State Senate • Member of the State Assembly**
- This **DOES NOT** affect the election of **U.S. President** and **County Central Committees**, which are still party nominated.

PARTY-NOMINATED OFFICES (Formerly known as Partisan)	Party-Nominated offices are contests in which the nominee is selected by the political party.
Offices	U.S. President and County Central Committees <i>*Note: U.S. President and County Central Committees are not up for the November 6, 2018 Election.</i>
Who Can Vote	Only voters registered with the same party preference as the candidate. (Except parties who allow nonpartisans to cross-over and join their primary)
Who Advances to the General Election	Presidential contests only; the top vote-getter in each qualified party will move on to the General Election.
VOTER-NOMINATED OFFICES	Voter-Nominated offices are contests in which the nominee is selected by the voter.
November 6, 2018 Offices	<ul style="list-style-type: none">• U.S. Senator • U.S. Representative • Governor • Lieutenant Governor • Secretary of State• Controller • Treasurer • Attorney General • Insurance Commissioner• Member, Board of Equalization • State Senator • Member of the State Assembly
Who Can Vote	All voters, regardless of party preference.
Who Advances to the General Election	The top-two vote-getters, regardless of party preference will move on to the General Election.
NONPARTISAN OFFICES	Nonpartisan offices are contests in which no political party nominates a candidate.
November 6, 2018 Offices	<ul style="list-style-type: none">• State Superintendent of Public Instruction • Assessor• School District Governing Board Members • Community College District Trustees• Special District Directors • City Offices
Who Can Vote	All voters, regardless of party preference.
Who Advances to the General Election	In majority vote contests, candidates that receive a majority of the votes win outright in the Primary. If no candidate receives a majority of the vote, then the top-two vote-getters move on to the General Election.

DISCLAIMER: offices listed on this page are subject to change

PROPOSITION 34 INFORMATION NOVEMBER 6, 2018

ALAMEDA COUNTY LEGISLATIVE CANDIDATES WHO HAVE VOLUNTARILY AGREED TO EXPENDITURE LIMITATIONS SET FORTH IN SECTION 85400 OF PROPOSITION 34

OFFICE	DISTRICT	CANDIDATE	POLITICAL PARTY PREFERENCE
Assembly	15	Jovanka Beckles	Democratic
Assembly	15	Buffy Wicks	Democratic
Assembly	18	Rob Bonta	Democratic
Assembly	18	Stephen Slauson	Republican
Assembly	20	Bill Quirk	Democratic
Assembly	20	Joseph Grcar	Republican
Assembly	25	Kansen Chu	Democratic
Assembly	25	Bob Brunton	Republican
Senate	10	Bob Wieckowski	Democratic
Senate	10	Victor G. San Vicente	Republican

This list is published in the Voter Information Guide as a requirement of Proposition 34 (Section 85600) which was approved by the voters on November 7, 2000

POLITICAL PARTY ENDORSEMENTS

NOVEMBER 6, 2018 — GENERAL ELECTION

Pursuant to California Elections Code Section 13302(b), a qualified political party may request the Elections Office to include a list of endorsed candidates for Voter-Nominated Offices in the Voter Information Guide. Below are the endorsements:

AMERICAN INDEPENDENT PARTY

OFFICE	DISTRICT	CANDIDATE
Governor	Statewide	John H. Cox
Secretary of State	Statewide	Mark P. Meuser
Controller	Statewide	Konstantinos Roditis
Treasurer	Statewide	Greg Conlon
Attorney General	Statewide	Steven C Bailey
Insurance Commissioner	Statewide	Steve Poizner
Board of Equalization Member	2 nd District	Mark Burns
U.S. Representative	15 th Congressional District	Rudy L. Peters Jr.
U.S. Representative	17 th Congressional District	Ron Cohen
State Senator	10 th State Senate District	Victor G. San Vicente
State Assembly Member	16 th Assembly District	Catharine Baker
State Assembly Member	25 th Assembly District	Bob Brunton

DEMOCRATIC PARTY

OFFICE	DISTRICT	CANDIDATE
Governor	Statewide	Gavin Newsom
Secretary of State	Statewide	Alex Padilla
Controller	Statewide	Betty T. Yee
Treasurer	Statewide	Fiona Ma
Attorney General	Statewide	Xavier Becerra
Insurance Commissioner	Statewide	Ricardo Lara
Board of Equalization	2 nd District	Malia Cohen
U.S. Senator	Statewide	Kevin de León
U.S. Representative	13 th Congressional District	Barbara Lee
U.S. Representative	15 th Congressional District	Eric Swalwell
U.S. Representative	17 th Congressional District	Ro Khanna
State Senator	10 th State Senate District	Bob Wieckowski
State Assembly Member	16 th Assembly District	Rebecca Bauer-Kahan
State Assembly Member	18 th Assembly District	Rob Bonta
State Assembly Member	20 th Assembly District	Bill Quirk
State Assembly Member	25 th Assembly District	Kansen Chu

POLITICAL PARTY ENDORSEMENTS

NOVEMBER 6, 2018 — GENERAL ELECTION

Pursuant to California Elections Code Section 13302(b), a qualified political party may request the Elections Office to include a list of endorsed candidates for Voter-Nominated Offices in the Voter Information Guide. Below are the endorsements:

GREEN PARTY

OFFICE	DISTRICT	CANDIDATE
U.S. Representative	13 th Congressional District	Laura Wells

PEACE AND FREEDOM PARTY

OFFICE	DISTRICT	CANDIDATE
U.S. Representative	13 th Congressional District	Laura Wells

REPUBLICAN PARTY

OFFICE	DISTRICT	CANDIDATE
Governor	Statewide	John H. Cox
Secretary of State	Statewide	Mark P. Meuser
Controller	Statewide	Konstantinos Roditis
Treasurer	Statewide	Greg Conlon
Attorney General	Statewide	Steven C. Bailey
Board of Equalization	2 nd District	Mark Burns
U.S. Representative	15 th Congressional District	Rudy L. Peters, Jr.
State Senator	10 th State Senate District	Victor G. San Vicente
State Assembly Member	16 th Assembly District	Catharine Baker
State Assembly Member	18 th Assembly District	Stephen Slauson
State Assembly Member	20 th Assembly District	Joseph Grcar
State Assembly Member	25 th Assembly District	Bob Brunton

November 6, 2018 General Election

Candidate Party Preference History for the Last 10 Years*

Candidate	Party Preference	County	Timeframe
Governor			
John H. Cox	Republican	San Diego	2011-2018
		Out of State	2008-2011
Gavin Newsom	Democratic	Marin	2011-2018
	Democratic	San Francisco	2008-2011
Lieutenant Governor			
Ed Hernandez	Democratic	Los Angeles	2008-2018
Eleni Kounalakis	Democratic	San Francisco	2008-2018
Secretary of State			
Mark P. Meuser	Republican	Contra Costa	2008-2018
		Out of State	2008-2008
Alex Padilla	Democratic	Los Angeles	2008-2018
Controller			
Konstantinos Roditis	Republican	Orange	2017-2018
	No Party Preference	Orange	2017-2017
	Republican	Orange	2017-2017
	No Party Preference	Orange	2017-2017
	Republican	Orange	2015-2017
	Libertarian	Orange	2015-2015
	No Party Preference	Orange	2012-2015
	Democratic	Orange	2008-2012
Betty T. Yee	Democratic	Alameda	2010-2018
	Democratic	San Francisco	2008-2010
Treasurer			
Greg Conlon	Republican	San Mateo	2008-2018
Fiona Ma	Democratic	San Francisco	2008-2018
Attorney General			
Steven C Bailey	Republican	El Dorado	2008-2018
Xavier Becerra	Democratic	Sacramento	2017-2018
	Democratic	Los Angeles	2008-2017
Insurance Commissioner			
Ricardo Lara	Democratic	Los Angeles	2008-2018
Steve Poizner	No Party Preference	San Diego	2018-2018
	Republican	San Diego	2016-2018
	No Party Preference	San Diego	2015-2016
	Republican	Santa Clara	2008-2015
Board of Equalization Member District 2			
Mark Burns	Republican	Santa Clara	2008-2018
Malia Cohen	Democratic	San Francisco	2008-2018
United States Senate			
Kevin De Leon	Democratic	Los Angeles	2008-2018
Dianne Feinstein	Democratic	San Francisco	2008-2018

* The information above was provided by candidates on their Declaration of Candidacy forms. If a candidate provided more than 10 years of political party preference history, that information is not included on this page. If a candidate provided voter registration information outside of California, that information is not included on this page. If candidates designated themselves as Decline-To-State, DTS, DS, Non-Partisan, or Independent on their Declaration of Candidacy forms, those designations have been changed to "No Party Preference" on this page.

November 6, 2018 General Election Candidate Party Preference History for the Last 10 Years*

Candidate	Party Preference	County	Timeframe
United States Representative District 13			
Barbara Lee	Democratic	Alameda	2008-2018
Laura Wells	Green	Alameda	2013-2018
	No Party Preference	Alameda	2013-2013
	Green	Alameda	2008-2013
United States Representative District 15			
Rudy L. Peters Jr.	Republican	Alameda	2008-2018
Eric Swalwell	Democratic	Alameda	2008-2018
United States Representative District 17			
Ron Cohen	Republican	Alameda	2015-2018
	No Party Preference	Alameda	2008-2015
Ro Khanna	Democratic	Alameda	2008-2018
State Senator District 10			
Victor G. San Vicente	Republican	Santa Clara	2015-2018
	Democratic	Santa Clara	2008-2015
Bob Wieckowski	Democratic	Alameda	2008-2018
State Assembly Member District 15			
Jovanka Beckles	Democratic	Contra Costa	2008-2018
Buffy Wicks	Democratic	Alameda	2016-2018
	Democratic	Out of State	2011-2015
	Democratic	Los Angeles	2010-2010
	Democratic	Out of State	2008-2010
	Democratic	Los Angeles	2008-2008
State Assembly Member District 16			
Catharine Baker	Republican	Alameda	2008-2018
Rebecca Bauer-Kahan	Democratic	Contra Costa	2011-2018
	Democratic	Alameda	2008-2011
State Assembly Member District 18			
Rob Bonta	Democratic	Alameda	2008-2018
Stephen Slauson	Republican	Alameda	2008-2018
State Assembly Member District 20			
Joseph Grcar	Republican	Alameda	2008-2018
Bill Quirk	Democratic	Alameda	2008-2018
State Assembly Member District 25			
Bob Brunton	Republican	Alameda	2008-2018
Kansen Chu	Democratic	Santa Clara	2008-2018

* The information above was provided by candidates on their Declaration of Candidacy forms. If a candidate provided more than 10 years of political party preference history, that information is not included on this page. If a candidate provided voter registration information outside of California, that information is not included on this page. If candidates designated themselves as Decline-To-State, DTS, DS, Non-Partisan, or Independent on their Declaration of Candidacy forms, those designations have been changed to "No Party Preference" on this page.

OFFICIAL BALLOT / BOLETA OFICIAL

GENERAL ELECTION / ELECCIÓN GENERAL

ALAMEDA COUNTY / CONDADO DE ALAMEDA

NOVEMBER 6, 2018 / 6 DE NOVIEMBRE DE 2018

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. Complete the arrow to the right of your choice. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow.

INSTRUCCIONES PARA LOS VOTANTES: USE UN BOLÍGRAFO CON TINTA NEGRA O AZUL SOLAMENTE.

Complete la flecha a la derecha de su selección. Para votar por un candidato calificado para inserción de su nombre por escrito, escriba el nombre de esa persona EN LETRA DE MOLDE en el espacio en blanco proporcionado y complete la flecha.

VOTER-NOMINATED AND NONPARTISAN OFFICES

"All voters, regardless of the party preference they disclosed upon registration, or refusal to disclose a party preference, may vote for any candidate for a voter-nominated or nonpartisan office. The party preference, if any, designated by a candidate for a voter-nominated office is selected by the candidate and is shown for the information of the voters only. It does not imply that the candidate is nominated or endorsed by the party or that the party approves of the candidate. The party preference, if any, of a candidate for a nonpartisan office does not appear on the ballot."

CARGOS NOMINADOS POR LOS VOTANTES Y NO PARTIDARIOS

"Todos los votantes, sin importar la preferencia por partido que hayan revelado al inscribirse, o su negativa de revelar una preferencia por partido, pueden votar por cualquier candidato a un cargo nominado por los votantes o no partidario. La preferencia por partido, si la hubiera, designada por un candidato a un cargo nominado por los votantes, es seleccionada por el candidato y se muestra solo para la información de los votantes. No implica que el candidato esté nominado ni ratificado por el partido ni que el partido apruebe al candidato. La preferencia por partido, si la hubiera, de un candidato por un cargo no partidario, no aparece en la boleta electoral".

VOTER-NOMINATED OFFICES CARGOS NOMINADOS POR LOS VOTANTES

STATE ESTATAL

GOVERNOR GOBERNADOR

Vote for One / Vote por Uno

GAVIN NEWSOM
Party Preference: Democratic
Preferencia de Partido: Demócrata
Lieutenant Governor/Businessman
Vicegobernador/Empresario

JOHN H. COX
Party Preference: Republican
Preferencia de Partido: Republicano
Businessman/Taxpayer Advocate
Empresario/Defensor de Contribuyentes

LIEUTENANT GOVERNOR VICEGOBERNADOR

Vote for One / Vote por Uno

ELENI KOUNALAKIS
Party Preference: Democratic
Preferencia de Partido: Demócrata
Businesswoman/Economic Advisor
Empresaria/Asesora Económica

TREASURER TESORERO

Vote for One / Vote por Uno

FIONA MA
Party Preference: Democratic
Preferencia de Partido: Demócrata
CPA/Taxpayer Representative
Contadora Pública Certificada/Representante de Contribuyentes

GREG CONLON
Party Preference: Republican
Preferencia de Partido: Republicano
Businessman/CPA
Empresario/Contador Público Certificado

XAVIER BECERRA
Party Preference: Democratic
Preferencia de Partido: Demócrata
Appointed Attorney General of the State of California
Procurador General Designado del Estado de California

**ATTORNEY GENERAL
PROCURADOR GENERAL**
Party Preference: Democratic
Preferencia de Partido: Demócrata
Businessman/Contador Público Certificado

UNITED STATES SENATOR SENADOR DE LOS ESTADOS UNIDOS

UNITED STATES SENATOR SENADOR DE LOS ESTADOS UNIDOS

Vote for One / Vote por Uno

STEVEN C BAILEY
Party Preference: Republican
Preferencia de Partido: Republicano
Retired California Judge
Juez Retirado de California

KEVIN DE LEON
Party Preference: Democratic
Preferencia de Partido: Demócrata
California Senator
Senador de California

DIANNE FEINSTEIN
Party Preference: Democratic
Preferencia de Partido: Demócrata
United States Senator
Senadora de los Estados Unidos

UNITED STATES REPRESENTATIVE REPRESENTANTE DE LOS ESTADOS UNIDOS

UNITED STATES REPRESENTATIVE REPRESENTANTE DE LOS ESTADOS UNIDOS

Vote for One / Vote por Uno

BARBARA LEE
Party Preference: Democratic
Preferencia de Partido: Demócrata
United States Representative
Representante de los Estados Unidos

**13TH CONGRESSIONAL DISTRICT
DISTRITO 13 DEL CONGRESO**
Party Preference: Democratic
Preferencia de Partido: Demócrata

Sample Ballot

ED HERNANDEZ Party Preference: Democratic Preferencia de Partido: Demócrata State Senator/Businessman Senador Estatal/Empresario	INSURANCE COMMISSIONER COMISIONADORA DE SEGUROS Vote for One / Vote por Uno	LAURA WELLS Party Preference: Green Preferencia de Partido: Verde
STEVE POIZNER Party Preference: None Preferencia de Partido: Ninguno Businessman/Non-Profit Director Empresario/Director Sin Fines de Lucro	RICARDO LARA Party Preference: Democratic Preferencia de Partido: Demócrata California Senator Senador de California	MEMBER OF THE STATE ASSEMBLY MIEMBRO DE LA ASAMBLEA ESTATAL 18TH ASSEMBLY DISTRICT DISTRITO 18 DE LA ASAMBLEA Vote for One / Vote por Uno
SECRETARY OF STATE SECRETARIO DE ESTADO Vote for One / Vote por Uno	MARK P. MEUSER Party Preference: Republican Preferencia de Partido: Republicano Electron Law Attorney Abogado de Derecho Electoral	ROB BONTA Party Preference: Democratic Preferencia de Partido: Demócrata Electrical Contractor Contratista Eléctrica
ALEX PADILLA Party Preference: Democratic Preferencia de Partido: Demócrata Secretary of State Secretario de Estado	MAlia COHEN Party Preference: Democratic Preferencia de Partido: Demócrata President, San Francisco County Supervisors Presidenta, Supervisores del Condado de San Francisco	ROB BONTA Party Preference: Democratic Preferencia de Partido: Demócrata California State Assembly Member Miembro de la Asamblea Estatal de California
BETTY T. YEE Party Preference: Democratic Preferencia de Partido: Demócrata California State Controller Contralora del Estado de California	MARK BURNS Party Preference: Republican Preferencia de Partido: Republicano Realtor/Businessman Agente de Bienes Raíces/Empresario	JUDICIAL / JUDICIAL Vote Yes or No for Each Office Vote Si o No para Cada Cargo
KONSTANTINOS RODITIS Party Preference: Republican Preferencia de Partido: Republicano Businessman/CFO Empresario/Director Funcionario de Finanzas	STEPHEN SLAUSON Party Preference: Republican Preferencia de Partido: Republicano Electrical Contractor Contratista Eléctrica	ASSOCIATE JUSTICE OF THE SUPREME COURT JUEZ ASOCIADO DE LA CORTE SUPREMA "Shall Associate Justice of the Supreme Court, CAROL A. CORRIGAN be elected to the office for the term provided by law?" "Deberá la Jueza Asociada de la Corte elegida para el cargo para el término previsto por la ley?" CAROL A. CORRIGAN Ser elegida para el cargo para el término previsto por la ley?
CONTROLLER CONTRALOR Vote for One / Vote por Uno	ROB BONTA Party Preference: Democratic Preferencia de Partido: Demócrata California State Controller Contralora del Estado de California	ASSOCIATE JUSTICE OF THE SUPREME COURT JUEZ ASOCIADO DE LA CORTE SUPREMA "Shall Associate Justice of the Supreme Court, LEONDRA R. KRUGER be elected to the office for the term provided by law?" "Deberá la Jueza Asociada de la Corte elegida para el cargo para el término previsto por la ley?" LEONDRA R. KRUGER Ser elegida para el cargo para el término previsto por la ley?

CA01-0038-361200-38-S
A Card

**VOTE BOTH SIDES
VOTE AMBOS LADOS**

BT:38

(2A2)

Sample Ballot

<p>PRESIDING JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 JUEZ PRESIDENTE, CORTE DE APELACIONES, 1ER DISTRITO DE APELACIONES, DIVISION 1</p> <p>"Shall Presiding Justice, Court of Appeal, 1st Appellate District, JAMES M. HUMES be elected to the office for the term provided by law?"</p> <p>"Deberá el Juez Presidente de la Corte de Apelaciones, 1er Distrito de Apelaciones, JAMES M. HUMES ser elegido para el cargo por el término previsto por la ley?"</p>	<p>YES SÍ</p> <p>NO NO</p>	<p>ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 JUEZ ASOCIADO, CORTE DE APELACIONES, 1ER DISTRITO DE APELACIONES, DIVISION 1</p> <p>"Shall Associate Justice, Court of Appeal, 1st Appellate District, SANDRA MARGULIES be elected to the office for the term provided by law?"</p> <p>"Deberá la Jueza Asociada de la Corte de Apelaciones, 1er Distrito de Apelaciones, SANDRA MARGULIES ser elegida para el cargo por el término previsto por la ley?"</p>	<p>YES SÍ</p> <p>NO NO</p>	<p>ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 JUEZ ASOCIADO, CORTE DE APELACIONES, 1ER DISTRITO DE APELACIONES, DIVISION 2</p> <p>"Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES A. RICHMAN be elected to the office for the term provided by law?"</p> <p>"Deberá el Juez Asociado de la Corte de Apelaciones, 1er Distrito de Apelaciones, JAMES A. RICHMAN ser elegido para el cargo por el término previsto por la ley?"</p>	<p>YES SÍ</p> <p>NO NO</p>
<p>NONPARTISAN OFFICES CARGOS NO PARTIDARIOS</p> <p>SCHOOL ESCUELA</p>		<p>STATE SUPERINTENDENT OF PUBLIC INSTRUCTION SUPERINTENDENTE ESTATAL DE INSTRUCCIÓN PÚBLICA</p>		<p>COUNTY CONDADO</p>	
<p>Vote for One</p> <p>TONY K. THURMOND Educator/State Legislator Educador/legislador Estatal</p>		<p>MARSHALL TUCK Schools Improvement Director Director de Mejoramiento de Escuelas</p>		<p>ASSESSOR TASADOR</p>	
<p>Vote for One</p> <p>JAMES "JIM" JOHNSON Chief, Assessment Services Director, Servicios de Evaluación</p>		<p>PHONG LA Property Tax Attorney Abogado de Impuestos sobre la Propiedad</p>		<p>MEASURES SUBMITTED TO THE VOTERS</p> <p>MEDIDAS SOMETIDAS A LOS VOTANTES</p>	
<p>STATE ESTATAL</p>		<p>1</p> <p>AUTHORIZES BONDS TO FUND SPECIFIED HOUSING ASSISTANCE PROGRAMS. LEGISLATIVE STATUTE.</p>		<p>AUTORIZA BONOS PARA FINANCIAR EL PROGRAMA DE VIVIENDAS EXISTENTE PARA LAS PERSONAS CON ENFERMEDADES MENTALES.</p> <p>ESTATUTO LEGISLATIVO.</p> <p>Enmienda la Ley de Servicios de Salud Mental (Mental Health Services Act) para financiar el programa "No hay lugar como el hogar" (No Place Like Home Program), que subvenciona viviendas para personas con enfermedades mentales. Ratifica la legislación existente que establece el programa "No hay lugar como el hogar". Impacto fiscal: permite que el estado destine hasta 140 millones de dólares por año de los fondos Like Home Program, que subvenciona viviendas de salud mental del condado para pagar hasta 2 mil millones de dólares en bonos. Estos bonos financiarán viviendas para las personas sin hogar con enfermedades mentales.</p>	
<p>YES SÍ</p> <p>NO NO</p>		<p>3</p> <p>AUTHORIZES BONOS TO FUND PROJECTS TO IMPROVE WATER SUPPLY AND QUALITY, WATERSHED, FISH, WILDLIFE, WATER CONVEYANCE, AND GROUNDWATER SUSTAINABILITY AND STORAGE. INITIATIVE STATUTE.</p> <p>Authorizes \$8.877 billion in state general obligation bonds for various infrastructure projects. Fiscal Impact: Increased state costs to repay bonds averaging \$430 million per year over 40 years. Local government savings for water-related projects, likely averaging a couple hundred million dollars annually over the next few decades.</p>		<p>AUTORIZA BONOS PARA FINANCIAR PROYECTOS PARA EL SUMINISTRO Y CALIDAD DEL AGUA, CUENCAS, PECES, VIDA SILVESTRE, CONDUCCIÓN DE AGUA, ASI COMO SOSTENIBILIDAD Y ALMACENAMIENTO DE AGUAS SUBTERRÁNEAS. LEY POR INICIATIVA. Autoriza 8.877 mil millones de dólares en bonos de obligación general estatal para varios proyectos de infraestructura. Impacto fiscal: el aumento de los costos estatales para pagar bonos de 430 millones de dólares en promedio por año</p>	

Sample Ballot

ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4		<input type="checkbox"/> YES <input type="checkbox"/> SÍ	<input type="checkbox"/> NO <input type="checkbox"/> NO
<p>“Shall Associate Justice, Court of Appeal, 1st Appellate District, ALISON M. TUCHER be elected to the office for the term provided by law?”</p> <p>“Deberá la Jueza Asociada de la Corte de Apelaciones, 1er Distrito de Apelaciones, ALISON M. TUCHER ser elegida para el cargo por el término previsto por la ley?”</p>			
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4		<input type="checkbox"/> YES <input type="checkbox"/> SÍ	<input type="checkbox"/> NO <input type="checkbox"/> NO
<p>“Shall Associate Justice, Court of Appeal, 1st Appellate District, JON B. STREETER be elected to the office for the term provided by law?”</p> <p>“Deberá el Juez Asociado de la Corte de Apelaciones, 1er Distrito de Apelaciones, JON B. STREETER ser elegido para el cargo por el término previsto por la ley?”</p>			
PRESIDING JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5		<input type="checkbox"/> YES <input type="checkbox"/> SÍ	<input type="checkbox"/> NO <input type="checkbox"/> NO
<p>“Shall Presiding Justice, Court of Appeal, 1st Appellate District, BARBARA JONES be elected to the office for the term provided by law?”</p> <p>“Deberá la Jueza Presidenta de la Corte de Apelaciones, 1er Distrito de Apelaciones, BARBARA JONES ser elegida para el cargo por el término previsto por la ley?”</p>			
AUTORIZA BONOS PARA FINANCIAR PROGRAMAS DE ASISTENCIA DE VIVIENDAS ESPECÍFICOS. ESTATUTO LEGISLATIVO.		<input type="checkbox"/> YES <input type="checkbox"/> SÍ	<input type="checkbox"/> NO <input type="checkbox"/> NO
<p>AutORIZA 4 mil millones de dólares en bonos de obligación general para los programas de viviendas existentes asequibles para residentes de bajos ingresos, veteranos, granjeros, casas móviles y prefabricadas, viviendas de relojo y viviendas orientadas al tránsito. Impacto fiscal: el aumento de los costos estatales para reembolsar bonos de 170 millones de dólares en promedio anualmente durante los próximos 35 años.</p>			
AUTORIZA BONOS PARA FINANCIAR LA CONSTRUCCIÓN EN HOSPITALES QUE PROPORCIONEN ATENCIÓN MÉDICA INFANTIL. LEY POR INICIATIVA		<input type="checkbox"/> YES <input type="checkbox"/> SÍ	<input type="checkbox"/> NO <input type="checkbox"/> NO
<p>AutORIZA BONOS PARA FINANCIAR LA CONSTRUCCIÓN EN HOSPITALES QUE PROPORCIONEN ATENCIÓN MÉDICA INFANTIL. LEY POR INICIATIVA. Autoriza 1.5 mil millones de dólares en bonos, que el Fondo General estatal debe reembolsar, con el fin de financiar subvenciones para la construcción, la expansión, la renovación y el equipamiento de hospitales infantiles que reúnan los requisitos. Impacto fiscal: el aumento de los costos estatales para reembolsar bonos de 80 millones de dólares en promedio anualmente durante los próximos 35 años.</p>			
AUTORIZA BONOS PARA FINANCIAR LA CONSTRUCCIÓN EN HOSPITALES QUE PROPORCIONEN ATENCIÓN MÉDICA INFANTIL. LEY POR INICIATIVA		<input type="checkbox"/> YES <input type="checkbox"/> SÍ	<input type="checkbox"/> NO <input type="checkbox"/> NO
<p>AutORIZA BONOS PARA FINANCIAR LA CONSTRUCCIÓN EN HOSPITALES QUE PROPORCIONEN ATENCIÓN MÉDICA INFANTIL. LEY POR INICIATIVA. Autoriza 1.5 mil millones de dólares en bonos, que el Fondo General estatal debe reembolsar, con el fin de financiar subvenciones para la construcción, la expansión, la renovación y el equipamiento de hospitales infantiles que reúnan los requisitos. Impacto fiscal: el aumento de los costos estatales para reembolsar bonos de 80 millones de dólares en promedio anualmente durante los próximos 35 años.</p>			

**VOTE BOTH SIDES
VOTE AMBOS LADOS**

CA01-2-A2-S
A Card

OFFICIAL BALLOT / BOLETA OFICIAL

GENERAL ELECTION / ELECCIÓN GENERAL
ALAMEDA COUNTY / CONDADO DE ALAMEDA
NOVEMBER 6, 2018 / 6 DE NOVIEMBRE DE 2018

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. Complete the arrow to the right of your choice. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow.



INSTRUCCIONES PARA LOS VOTANTES: USE UN BOLÍGRAFO CON TINTA NEGRA O AZUL SOLAMENTE.

Complete la flecha a la derecha de su selección. Para votar por un candidato calificado para inserción de su nombre por escrito, escriba el nombre de esa persona EN LETRA DE MOLDE en el espacio en blanco proporcionado y complete la flecha.

MEASURES SUBMITTED TO THE VOTERS MEDIDAS SOMETIDAS A LOS VOTANTES

STATE

ESTATAL

5 CHANGES REQUIREMENTS FOR CERTAIN PROPERTY OWNERS TO TRANSFER THEIR PROPERTY TAX BASE TO REPLACEMENT PROPERTY. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Removes certain transfer requirements for homeowners over 55, severely disabled homeowners, and contaminated or disaster-destroyed property. Fiscal Impact: Schools and local governments each would lose over \$100 million in annual property taxes early on, growing to about \$1 billion per year. Similar increase in state costs to backfill school property tax losses.

CAMBIA LOS REQUISITOS PARA QUE CIERTOS DUEÑOS DE PROPIEDADES TRANSFERAN SU BASE DE IMPUESTOS SOBRE LA PROPIEDAD A PROPIEDAD DE REEMPLAZO. ENMIENDA CONSTITUCIONAL Y LEY POR INICIATIVA. Elimina ciertos requisitos de transferencia para propietarios de viviendas mayores de 55 años de edad, propietarios gravemente incapacitados y propiedad contaminada o afectada por un desastre natural. Impacto fiscal: las escuelas y los gobiernos locales perderían desde un principio más de 100 millones de dólares en impuestos anuales sobre la propiedad, cantidad que aumentaría a aproximadamente 1 mil millones de dólares por año. El aumento sería similar en los costos estatales para cubrir las pérdidas de impuestos sobre la propiedad de escuelas.

6 ELIMINATES CERTAIN ROAD REPAIR AND TRANSPORTATION FUNDING. REQUIERE CERTAIN FUEL TAXES AND VEHICLE FEES BE APPROVED BY THE ELECTORATE. INITIATIVE CONSTITUTIONAL AMENDMENT. Repeals a 2017 transportation laws' taxes and fees designated for road repairs and public transportation. Fiscal Impact: Reduced ongoing revenues of \$5.1 billion from state fuel and vehicle taxes that mainly would have paid for highway and road maintenance and repairs, as well as transit programs.

ELIMINA CIERTO FINANCIAMIENTO PARA LA REPARACIÓN DE CAMINOS Y EL TRANSPORTE. REQUIERE LA APROBACIÓN POR PARTE DEL ELECTORADO DE CIERTOS IMPUESTOS SOBRE EL COMBUSTIBLE Y LAS TARIFAS VEHICULARES. ENMIENDA CONSTITUCIONAL POR INICIATIVA. Revoca los impuestos y tarifas de una ley de transporte de 2017 designados para las reparaciones de caminos y el transporte público. Impacto fiscal: ingresos continuos reducidos de 5.1 mil millones de dólares de impuestos estatales sobre el combustible y los vehículos que hubieran pagado principalmente el mantenimiento y las reparaciones de caminos y autopistas, así como los programas de transito.

7 CONFORMS CALIFORNIA DAYLIGHT SAVING TIME TO FEDERAL LAW. ALLOWS LEGISLATURE TO CHANGE DAYLIGHT SAVING TIME PERIOD. LEGISLATIVE STATUTE. Gives legislature ability to change daylight saving time period by two-thirds vote, if changes are consistent with federal law. Fiscal Impact: This measure has no direct fiscal effect because changes to daylight saving time would depend on future actions by the Legislature and potentially the federal government.

MEASURES SUBMITTED TO THE VOTERS MEDIDAS SOMETIDAS A LOS VOTANTES	STATE ESTATAL	PRIVATE-SECTOR EMERGENCY EMPLOYEES TO REMAIN ON-CALL DURING WORK BREAKS. ELIMINATES CERTAIN EMPLOYER LIABILITY. INITIATIVE STATUTE.	REQUIERE QUE LOS EMPLEADOS DE AMBULANCIAS DE EMERGENCIAS DEL SECTOR PRIVADO ESTÉN DE GUARDA DURANTE LOS RECESOS LABORALES. ELIMINA UNA CIERTA RESPONSABILIDAD DEL EMPLEADOR. LEY POR INICIATIVA.	Impacto fiscal: probable beneficio fiscal para los gobiernos locales (en forma de bajos costos e ingresos más altos), potencialmente de decenas de millones de dólares cada año.	YES SÍ NO NO
11 REQUIRES CERTAIN EMERGENCY EMPLOYEES TO REMAIN ON-CALL DURING WORK BREAKS. ELIMINATES CERTAIN EMPLOYER LIABILITY. INITIATIVE STATUTE.					
12 ESTABLISHES NEW STANDARDS FOR CONFINEMENT OF SPECIFIED FARM ANIMALS; BANS SALE OF NONCOMPLYING PRODUCTS. INITIATIVE STATUTE.					

Sample Ballot

ATIENE EL HORARIO DE VERANO A LA LEY FEDERAL, PERMITE QUE LA LEGISLATURA CAMBIE EL PERÍODO DEL HORARIO DE VERANO. ESTATUTO LEGISLATIVO. Otorga el poder a la legislatura de cambiar el período del horario de verano con dos efectos de los votos, si los cambios cumplen la ley federal. Impacto fiscal: esta iniciativa de ley no tiene impacto fiscal directo, ya que los cambios al horario de verano podrían depender de las medidas futuras de la legislatura y potencialmente del gobierno federal.	
<input type="checkbox"/> YES ↓ Sí	<input type="checkbox"/> NO ↓ NO
<input type="checkbox"/> YES ↓ Sí	<input type="checkbox"/> NO ↓ NO
ESTABLECE NUEVOS ESTÁNDARES PARA EL CONFINAMIENTO DE ANIMALES DE GRANJA ESPECÍFICOS: PROHIBE LA VENTA DE PRODUCTOS QUE NO CUMPLEN LAS NORMAS. LEY POR INICIATIVA. Establece requisitos mínimos para el confinamiento de ciertos animales de granja. Prohibe las ventas de productos de carne y derivados del huevo de animales confinados sin cumplir las normas. Impacto fiscal: posible disminución de los ingresos del impuesto sobre la renta estatal de empresas agrícolas, probablemente no más de varios millones de dólares anuales. Costos estatales de hasta 10 millones de dólares anualmente para hacer cumplir la iniciativa de ley.	
<input type="checkbox"/> YES ↓ Sí	<input type="checkbox"/> NO ↓ NO
<input type="checkbox"/> YES ↓ Sí	<input type="checkbox"/> NO ↓ NO
8 REGULATES AMOUNTS OUTPATIENT KIDNEY DIALYSIS CLINICS CHARGE FOR DIALYSIS TREATMENT. INITIATIVE STATUTE. Requires rebates and penalties if charges exceed limit. Requires annual reporting to the state. Prohibits clinics from refusing to treat patients based on payment source. Fiscal Impact: Overall annual effect on state and local governments ranging from net positive impact in the low tens of millions of dollars to net negative impact in the tens of millions of dollars.	REGULA LOS MONTOS QUE LAS CLÍNICAS DE DÍALISIS RENAL AMBULATORIAS COBRAN POR EL TRATAMIENTO DE DÍALISIS. LEY POR INICIATIVA. Requiere reembolsos y sanciones si los cargos exceden el límite. Requiere que se hagan informes anuales al estado. Prohibe que las clínicas se rehúsen a tratar pacientes debido a su fuente de pago. Impacto fiscal: efecto anual general en los gobiernos estatales y locales que varía desde un impacto neto positivo en algunas decenas de millones de dólares hasta un impacto neto negativo en las decenas de millones de dólares.
<input type="checkbox"/> YES ↓ Sí	<input type="checkbox"/> NO ↓ NO
<input type="checkbox"/> YES ↓ Sí	<input type="checkbox"/> NO ↓ NO
10 EXPANDS LOCAL GOVERNMENTS' AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE. Repeals state law that currently restricts the scope of rent-control policies that cities and other local jurisdictions may impose on residential property. Fiscal Impact: Potential net reduction in state and local revenues of tens of millions of dollars per year in the long term. Depending on actions by local communities, revenue losses could be less or considerably more.	AMPLÍA LA AUTORIDAD DEL GOBIERNO LOCAL PARA ESTABLECER CONTROL SOBRE LA RENTA EN PROPIEDADES RESIDENCIALES. LEY POR INICIATIVA. Deroga la ley estatal que actualmente restringe el alcance de las políticas de control sobre la renta que las ciudades y otras jurisdicciones locales pudieran imponer sobre propiedades residenciales. Impacto fiscal: posible reducción neta en ingresos estatales y locales de decenas de millones de dólares al año a largo plazo. Las pérdidas de ingresos podrían ser menores o considerablemente mayores dependiendo de las acciones de las comunidades locales.
<input type="checkbox"/> YES ↓ Sí	<input type="checkbox"/> NO ↓ NO
<input type="checkbox"/> YES ↓ Sí	<input type="checkbox"/> NO ↓ NO

CA01-3-0203-361200-38-S

B Card

**VOTE BOTH SIDES
VOTE AMBOS LADOS**

(4C1)

Sample Ballot

NONPARTISAN OFFICES CARGOS NO PARTIDARIOS	DISTRICT DISTRITO	
AC TRANSIT DISTRICT DIRECTOR, AT LARGE DIRECTOR DEL DISTRITO DE AC TRANSIT, EN GENERAL		
Vote for One		
DOLLENE C. JONES Chief Executive Officer Directora Funcionaria Ejecutiva	<input type="checkbox"/>	<input type="checkbox"/>
JOEL B. YOUNG AC Transit District, At-Large Board Member Miembro de la Junta del Distrito de AC Transit, En General	<input type="checkbox"/>	<input type="checkbox"/>
BART DIRECTOR, DISTRICT 4 DIRECTOR DE BART, DISTRITO 4		
Vote for One		
PAUL CUMMINGS Transportation Logistics Manager Gerente de Logística de Transporte	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT RABURN Transportation Planner Planeador de Transporte	<input type="checkbox"/>	<input type="checkbox"/>

Sample Ballot

**VOTE BOTH SIDES
VOTE AMBOS LADOS**

CA014-C1-S
B Card

OFFICIAL BALLOT / BOLETA OFICIAL

GENERAL ELECTION / ELECCIÓN GENERAL
ALAMEDA COUNTY / CONDADO DE ALAMEDA
NOVEMBER 6, 2018 / 6 DE NOVIEMBRE DE 2018

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. Complete the arrow to the right of your choice.
INSTRUCCIONES PARA LOS VOTANTES: USE UN BOLÍGRAFO CON TINTA NEGRA O AZUL SOLAMENTE.
Complete la flecha a la derecha de su selección.



MEASURES SUBMITTED TO THE VOTERS MEDIDAS SOMETIDAS A LOS VOTANTES	
SCHOOL ESCUELA	
<p>E To continue providing the colleges of Alameda, Berkeley, Laney, and Merritt, funds that cannot be taken by the state to support affordable college education, including core academic programs to prepare students for university transfer and successful careers, by providing tutoring and teacher support; shall Peralta Community College District continue to levy \$48 per parcel annually for eight years, providing \$8,000,000 annually, with internal and citizens' oversight, no funds for administrator salaries, and all funds benefitting local colleges? Para seguir brindando a los colegios de Alameda, Berkeley, Laney, y Merritt, fondos que el estado no puede apropiarse para apoyar la educación colegial asequible, incluyendo programas académicos básicos para preparar a los estudiantes para la transferencia a la universidad y carreras extensas, al proporcionar tutoría y apoyo del maestro. ¿Deberá el Distrito de Colegios Comunitarios de Peralta continuar con el cobro anual de \$48 por parcela durante ocho años, proporcionando \$8,000,000 anualmente, con supervisión interna y ciudadana, sin fondos para los salarios de los administradores, y que todos los fondos beneficien a los colegios locales?</p>	<input type="checkbox"/> YES Sí <input type="checkbox"/> NO No
<p>G To upgrade aging classrooms, technology, science labs; expand job training classrooms; and acquire, construct, repair sites/facilities/equipment, shall the Peralta Community College District issue \$800 million in bonds at legal interest rates, with approximately \$44.2 million in taxes raised annually for 40 years at projected tax rates of \$24.50 per \$100,000 of assessed valuation, with no funds for administrator salaries, audits and citizen oversight, and all funds used locally? Para mejorar los edificios, salones de clases, tecnología, laboratorios de ciencias, laboratorios de clínicas, expandir los salones de capacitación laboral, y adquirir, construir, reparar sitios/instalaciones/equipo. ¿Deberá el Distrito de Colegios Comunitarios de Peralta emitir \$800 millones en bonos a tasas de interés legal, con aproximadamente \$44.2 millones en impuestos recaudados anualmente durante 40 años con una proyección de tasa impositiva de \$24.50 por cada \$100,000 de valuación fiscal, sin fondos para los salarios de administradores, auditorias y supervisión ciudadana, y usando todos los fondos localmente?</p>	<input type="checkbox"/> BONDS YES BONOS SÍ <input type="checkbox"/> BONDS NO BONOS NO
CITY OF OAKLAND CIUDAD DE OAKLAND	
<p>V Shall the Measure: (1) allowing cannabis businesses to pay business taxes quarterly; (2) allowing cannabis manufacturing and/or cultivation businesses to deduct the value of raw materials from gross receipts in calculating business taxes in the manner applicable to manufacturing businesses; and (3) authorizing the City Council, without returning to the voters, to amend medical or non-medical cannabis businesses taxes in any manner that does not increase the tax rate, be adopted? ¿Deberá adoptarse la Medida: (1) que permite que los negocios de cannabis paguen impuestos comerciales trimestralmente; (2) que permita que los negocios de fabricación y/o cultivo de cannabis deduzcan el valor de la materia prima de los ingresos brutos al calcular los impuestos comerciales de la misma manera que se aplica a los negocios manufactureros; y (3) que autorice al Concejo Municipal, sin recurrir a los votantes, enmendar los impuestos de los comercios de cannabis medicinal o no medicinal de cualquier forma que no incremente la tasa impositiva?</p>	<input type="checkbox"/> YES Sí <input type="checkbox"/> NO No
<p>W Shall the Measure, to fund homeless services and resources, to address illegal dumping, and discourage vacant properties, by enacting a Vacant Property Tax on parcels used less than 50 days per year, at annual rates of \$6,000 per parcel, \$3,000 for condominium units, and other specified rates; raising about \$10,000,000 annually for 20 years; with community oversight and exemptions for very low income, low-income seniors and hardship, be adopted? ¿Deberá adoptarse la Medida, para financiar servicios para las personas sin hogar y recursos para lidar con los vertidos ilegales, y desalentar las propiedades vacantes, al promulgar un impuesto sobre la Propiedad Vacante en parcelas usadas menos de 50 días al año, con tasas anuales de \$6,000 por parcela, \$3,000 por unidades de condominios, y otras tasas específicas; recaudando aproximadamente \$10,000,000 anualmente por 20 años; con supervisión comunitaria y exenciones para personas de la tercera edad con bajos ingresos y situaciones difíciles?</p>	<input type="checkbox"/> YES Sí <input type="checkbox"/> NO No

Sample Ballot

X	Shall the Measure graduating the real estate transfer tax as follows: 1% up to \$300,000; 1.5% over \$300,000 - 2,000,000; 1.75% over \$2,000,000 - 5,000,000; and 2.5% over \$5,000,000; a lower rate for low-moderate income first-time homebuyers; and reducing the tax up to 1/3 for seismic retrofit or solar energy work costs incurred by low-moderate income homebuyers; raising approximately \$9,000,000 annually until repealed, be adopted?	<input type="checkbox"/> YES Sí <input type="checkbox"/> NO No
Y	Deberá adoptarse la Medida para graduar el impuesto de transferencia de bienes inmuebles de la siguiente forma: 1% hasta \$300,000; 1.5% sobre \$300,000 - 2,000,000; 1.75% sobre \$2,000,000 - 5,000,000; y 2.5% sobre \$5,000,000; a una tasa menor para compradores de primera vivienda con ingresos bajos a moderados; y reducir el impuesto hasta 1/3 para la retroadaptación sísmica o gastos por trabajos para energía solar en los que los compradores de vivienda de ingresos bajos a moderados incurran; recaudando aproximadamente \$9,000,000 anualmente, hasta su abrogación?	<input type="checkbox"/> YES Sí <input type="checkbox"/> NO No
Y	Shall the Measure amending Oakland's Just Yes Cause for Eviction Ordinance ("Ordinance") to: (1) remove the exemption for owner occupied duplexes and triplexes; and (2) allow the City Council, without returning to the voters, to add limitations on a landlord's right to evict under the Ordinance, be adopted?	<input type="checkbox"/> YES Sí <input type="checkbox"/> NO No

Z	Shall the measure amending Oakland's Municipal Code to: (1) establish workplace protections and minimum hourly wage of \$15 with benefits or \$20 without benefits, increasing annually with inflation, for employees of Oakland hotels with 50 or more guest rooms; (2) authorize administrative enforcement of Oakland's employment standards for hotel and non-hotel workers; and (3) create City department to administratively enforce Oakland's employment standards for hotel and non-hotel workers, be adopted?	<input type="checkbox"/> YES Sí <input type="checkbox"/> NO No
	Deberá adoptarse la medida que enmienda el Código Municipal de Oakland para: (1) establecer medidas de protección en el lugar de trabajo y un salario mínimo de \$15 por hora con beneficios o de \$20 por hora sin beneficios, que aumente de forma anual con la inflación, para los empleados de los hoteles de Oakland con 50 o más habitaciones de huéspedes; (2) autorizar el cumplimiento administrativo de los estándares de empleo de Oakland para trabajadores hoteleros y no hoteleros; y (3) crear un departamento Municipal para el cumplimiento administrativo de los estándares de empleo de Oakland para trabajadores hoteleros y no hoteleros?	

AA	Shall the measure amending Oakland's Charter for the purposes of funding services to: expand access to early childhood and preschool education; improve high school and college graduation and career readiness; provide mentoring and college financial assistance; by establishing a \$198, 30-year parcel tax for single family parcels and specified rates for other parcel types; raising approximately \$25,000,000 - 30,000,000 annually, with citizens' oversight, and exemptions for low-income households and others, be adopted?	<input type="checkbox"/> YES Sí <input type="checkbox"/> NO No
	Deberá adoptarse la medida que enmienda el Estatuto de Oakland para propósitos de servicios de financiamiento para: ampliar el acceso a la educación infantil temprana y preescolar; mejorar el número de estudiantes graduados de la escuela secundaria y del colegio y la preparación para la carrera; proporcionar orientación y asistencia financiera para el colegio; estableciendo un impuesto a la parcela de \$198, durante 30 años para parcelas unifamiliares y tasas específicas para otros tipos de parcelas, recaudando aproximadamente \$25,000,000 - 30,000,000 anualmente, con supervisión ciudadana y exenciones para hogares de bajos ingresos y otros?	

DISTRICT DISTRITO

FF	Wildfire Protection, Safe Parks/Trails, Public Access, Natural Habitat. Without increasing tax rates, to protect against wildfires; enhance public safety, preserve water quality, shorelines, urban creeks; protect redwoods and parklands in a changing climate; and restore natural areas, shall East Bay Regional Park District be authorized to extend an existing parcel tax of \$1 monthly (\$12/year) per single-family parcel and 69¢ monthly (\$8.28/year) for multi-family units, raising approximately \$3.3 million annually, to expire in 20 years?	<input type="checkbox"/> YES Sí <input type="checkbox"/> NO No
	Protección contra Incendios Forestales, Parques/Senderos Seguros, Accesos Públicos, Hábitat Natural. Sin aumentar las tasas impositivas, para protección contra los incendios forestales; mejorar la seguridad pública; conservar la calidad del agua, las costas y los arroyos urbanos, proteger los secuoyas y los parques en un clima cambiante; y restaurar las áreas naturales, ¿Deberá autorizarse al Distrito de Parques Regionales del Este de la Bahía a extender el impuesto actual a las parcelas de \$1 mensual (\$12 al año) por parcela unifamiliar y 69¢ mensuales (\$8.28 al año) por unidades multifamiliares, recaudando aproximadamente \$3.3 millones al año, con fecha de vencimiento en 20 años?	

OFFICIAL BALLOT / BOLETA OFICIAL
GENERAL ELECTION / ELECCIÓN GENERAL
ALAMEDA COUNTY / CONDADO DE ALAMEDA
NOVEMBER 6, 2018 / 6 DE NOVIEMBRE DE 2018

RANKED-CHOICE VOTING BALLOT
BOLETA DE VOTACIÓN POR ORDEN DE PREFERENCIA

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. Complete the arrow to the right of your choice. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. You may rank up to three choices. Vote across in each race.

INSTRUCCIONES PARA LOS VOTANTES: USE UN BOLÍGRAFO DE TINTA NEGRA O AZUL SOLAMENTE. Complete la flecha a la derecha de su selección. Para votar por un candidato calificado para inserción de su nombre por escrito, escriba el nombre de esa persona EN LETRA DE MOLDE en el espacio en blanco proporcionado y complete la flecha. Usted puede clasificar hasta tres opciones. Vote a través de cada confianda.

1 Mark your first choice in Column 1.
Marque su primera selección en la Columna 1.

2 Mark your second choice in Column 2. This choice should be different from your first choice.
Marque su segunda selección en la Columna 2. Esta selección debe ser diferente de su primera selección.

3 Mark your third choice in Column 3. This choice should be different from your first and second choices.
Marque su tercera selección en la Columna 3. Esta selección debe ser diferente de sus primeras y segundas selecciones.

1 FIRST CHOICE PRIMERA SELECCIÓN Vote for One / Vote por Uno KEN HOUSTON	2 SECOND CHOICE SEGUNDA SELECCIÓN Vote for One / Vote por Uno KEN HOUSTON	3 THIRD CHOICE TERCERA SELECCIÓN Vote for One / Vote por Uno KEN HOUSTON
NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MAYOR PARA ALCALDE	NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MAYOR PARA ALCALDE	NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MAYOR PARA ALCALDE
1 NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MAYOR PARA ALCALDE	2 NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MAYOR PARA ALCALDE	3 NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MAYOR PARA ALCALDE

Sample Ballot

CEDRIC A. TROUPE Swim Coach/Technician Entrenador de Natación/Técnico	CEDRIC A. TROUPE Swim Coach/Technician Entrenador de Natación/Técnico
JESSE A.J. SMITH Writer Escritor	JESSE A.J. SMITH Writer Escritor
CAT BROOKS Executive/Community Organizer Ejecutiva/Organizadora Comunitaria	CAT BROOKS Executive/Community Organizer Ejecutiva/Organizadora Comunitaria
SAIED KARAMOOZ Chief Operating Officer Director Funcionario de Operaciones	SAIED KARAMOOZ Chief Operating Officer Director Funcionario de Operaciones
NANCY SIDEBOOTHAM Tax Preparer Preparadora de Impuestos	NANCY SIDEBOOTHAM Tax Preparer Preparadora de Impuestos
PETER YUAN LIU	PETER YUAN LIU
PAMELA PRICE Civil Rights Attorney Abogada de Derecho Civil	PAMELA PRICE Civil Rights Attorney Abogada de Derecho Civil
LIBBY SCHAAF Mayor of Oakland Alcaldesa de Oakland	LIBBY SCHAAF Mayor of Oakland Alcaldesa de Oakland
MARCHON TATMON Housing Professional Profesional de Vivienda	MARCHON TATMON Housing Professional Profesional de Vivienda

VOTE BOTH SIDES
VOTE AMBOS LADOS

CA017-0409-361200-38-S
RCV Card

(8D1)

Sample Ballot

1 FIRST CHOICE PRIMERA SELECCIÓN Vote for One / Vole por Uno		NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MEMBER OF CITY COUNCIL, DISTRICT 6 PARA MIEMBRO DEL CONCEJO MUNICIPAL, DISTRITO 6	
2 SECOND CHOICE SEGUNDA SELECCIÓN Vote for One / Vole por Uno		LOREN TAYLOR Entrepreneur/Non-Profit Boardmember Empresario/Miembro de la Junta Sin Fines de Lucro DESLEY BROOKS Incumbent Titular	
3 THIRD CHOICE TERCERA SELECCIÓN Vote for One / Vole por Uno		NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MEMBER OF CITY COUNCIL, DISTRICT 6 PARA MIEMBRO DEL CONCEJO MUNICIPAL, DISTRITO 6	
1 FIRST CHOICE PRIMERA SELECCIÓN Vote for One / Vole por Uno		LOREN TAYLOR Entrepreneur/Non-Profit Boardmember Empresario/Miembro de la Junta Sin Fines de Lucro DESLEY BROOKS Incumbent Titular	
2 SECOND CHOICE SEGUNDA SELECCIÓN Vote for One / Vole por Uno		NATASHA MIDDLETON Management Analyst Analista de Administración MARLO RODRIGUEZ Registered Nurse Enfermera Registrada	
3 THIRD CHOICE TERCERA SELECCIÓN Vote for One / Vole por Uno		NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MEMBER OF CITY COUNCIL, DISTRICT 6 PARA MIEMBRO DEL CONCEJO MUNICIPAL, DISTRITO 6	
1 FIRST CHOICE PRIMERA SELECCIÓN Vote for One / Vole por Uno		NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MEMBER OF CITY COUNCIL, DISTRICT 6 PARA MIEMBRO DEL CONCEJO MUNICIPAL, DISTRITO 6	
2 SECOND CHOICE SEGUNDA SELECCIÓN Vote for One / Vole por Uno		NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MEMBER OF CITY COUNCIL, DISTRICT 6 PARA MIEMBRO DEL CONCEJO MUNICIPAL, DISTRITO 6	
3 THIRD CHOICE TERCERA SELECCIÓN Vote for One / Vole por Uno		NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MEMBER OF CITY COUNCIL, DISTRICT 6 PARA MIEMBRO DEL CONCEJO MUNICIPAL, DISTRITO 6	
1 FIRST CHOICE PRIMERA SELECCIÓN Vote for One / Vole por Uno		NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MEMBER OF CITY COUNCIL, DISTRICT 6 PARA MIEMBRO DEL CONCEJO MUNICIPAL, DISTRITO 6	
2 SECOND CHOICE SEGUNDA SELECCIÓN Vote for One / Vole por Uno		NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MEMBER OF CITY COUNCIL, DISTRICT 6 PARA MIEMBRO DEL CONCEJO MUNICIPAL, DISTRITO 6	
3 THIRD CHOICE TERCERA SELECCIÓN Vote for One / Vole por Uno		NONPARTISAN OFFICES CARGOS NO PARTIDARIOS CITY OF OAKLAND CIUDAD DE OAKLAND FOR MEMBER OF CITY COUNCIL, DISTRICT 6 PARA MIEMBRO DEL CONCEJO MUNICIPAL, DISTRITO 6	

Sample Ballot

<p>FOR SCHOOL DIRECTOR, DISTRICT 6 PARA DIRECTOR DE ESCUELA, DISTRITO 6</p> <p>1 FIRST CHOICE PRIMERA SELECCIÓN Vote for One / Vote por Uno SHANTHI GONZALES Incumbent Titular</p> <p>↓</p>	<p>FOR SCHOOL DIRECTOR, DISTRICT 6 PARA DIRECTOR DE ESCUELA, DISTRITO 6</p> <p>2 SECOND CHOICE SEGUNDA SELECCIÓN Vote for One / Vote por Uno SHANTHI GONZALES Incumbent Titular</p> <p>↓</p>	<p>FOR SCHOOL DIRECTOR, DISTRICT 6 PARA DIRECTOR DE ESCUELA, DISTRITO 6</p> <p>3 THIRD CHOICE TERCERA SELECCIÓN Vote for One / Vote por Uno SHANTHI GONZALES Incumbent Titular</p> <p>↓</p>
--	---	--

**VOTE BOTH SIDES
VOTE AMBOS LADOS**

CA01-8-D1-S
RCV Card

LANGUAGE ASSISTANCE

For a list of polling places that provides a copy of the Official Ballot in Korean, Khmer, or Punjabi visit: www.acvote.org/language

To Request a copy of the translated Official Ballot to be mailed or emailed to you, visit: www.acvote.org/language or call 510-272-6973

If you are unable to mark your ballot, you may bring up to two individuals to the polling place to assist you. These individuals cannot be your employer or union representative.

ជំនួយការបកប្រោកសា

ដើម្បីស្វែសំសន្លឹកឆ្លាតបកប្រភាសាជាផ្លូវការ ធ្វើជូនលោកអ្នកតាមរយៈសំបុត្រ ឬ តាមអីម៉ូល សូមចូល មើលគេហទំនាក់ទំនាក់ នៅ www.acvote.org/language ឬ ទូរស័ព្ទទៅកាន់លេខ 510-272-6973 ។

ប្រសិនបើលោកអ្នកមិនអាចគូសសន្តិភ័យបាន លោកអ្នកអាចនាំអ្នកជីនយើររាក់មកការ់កំនែងបោះឆ្នោតឡើងដូចមែនលោកអ្នកបាន ។ អ្នកទាំងនេះមិនអាចជានិយោជកប្រអប់តំណាងសហជីពរបស់លោកអ្នកឡើយ។

언어 지원

한국어, 크메르어, 또는 푸자비어로 번역된 공식 투표 용지 사본을 제공하는 투표소 목록을 원하시면, 다음 웹사이트를 방문하세요: www.acvote.org/language

번역된 공식 투표 용지 사본을 우편이나 이메일로 배송 요청을 원하시면, 다음 웹사이트를 방문하세요: www.acvote.org/language 또는 다음으로 전화주세요: 510-272-6973

만일 투표 용지에 표시할 수가 없으면, 투표소에 당신을 도와줄 수 있는 두명의 사람을 데려올 수 있습니다. 이 개인들은 당신의 고용주나 노조 대표가 될 수 없습니다.

ਭਾਸ਼ਾ ਸਹਾਇਤਾ

ਪੇਲਿੰਗ ਸਥਾਨਾਂ ਦੀ ਸੂਚੀ ਲਈ ਜੋ ਕਿ ਕੋਰੀਅਨ, ਕਮਾਏ, ਜਾਂ ਪੰਜਾਬੀ ਵਿਚ ਸਰਕਾਰੀ ਬੈਲਟ ਦੀ ਕਾਪੀ ਪ੍ਰਦਾਨ ਕਰਦੀ ਹੈ, ਦੇਖਣ ਲਈ ਜਾਓ: www.acvote.org/language

ਤੁਹਾਨੂੰ ਭੇਜੋ ਜਾਂ ਈ-ਮੇਲ ਕੀਤੇ ਜਾਨ ਲਈ ਅਨੁਵਾਦ ਕੀਤੀ ਗਈ ਸਰਕਾਰੀ ਬੈਲਟ ਦੀ ਕਾਪੀ ਦੀ ਬੇਨਤੀ ਕਰਨ ਲਈ,
ਦੇਖਣ ਲਈ ਜਾਓ: www.acvote.org/language ਜਾਂ ਕਾਲ ਕਰੋ 510-272-6973

ਜੇ ਤੁਸੀਂ ਅਪਣੇ ਬੈਲਟ ਨੂੰ ਨਿਸ਼ਾਨ ਲਗਾਉਣ ਲਈ ਅਸਮਰਤੁ ਹੋ, ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਲਈ ਤੁਸੀਂ ਦੋ ਵਿਅਕਤੀਆਂ ਨੂੰ ਪੇਲਿੰਗ ਸਥਾਨ ਵਿੱਚ ਲਿਆ ਸਕਦੇ ਹੋ। ਇਹ ਵਿਅਕਤੀ ਤੁਹਾਡੇ ਰੁਜ਼ਗਾਰਦਾਤਾ ਜਾਂ ਯੁਨੀਅਨ ਪ੍ਰਤੀਨਿਧੀ ਨਹੀਂ ਹੋ ਸਕਦੇ।

LANGUAGE ASSISTANCE

語言協助

想要一份有提供韓語，高棉語，或旁遮普語的正式選票副本的投票站清單，請瀏覽
www.acvote.org/language

想要一份翻譯的官方選票的副本郵寄或電郵給你，請瀏覽
www.acvote.org/language 或致電 510-272-6973

如果你不能標劃你的選票，你可以帶最多兩位人士到投票站來協助你。這兩位人士不能是你的僱主或公會代表。

ASISTENCIA DEL IDIOMA

Para una lista de los lugares de votación que proporcionan una copia de la Boleta Oficial en Coreano, Jemer, o Punjabi visite: www.acvote.org/language

Para solicitar que se le envíe una copia de la Boleta Oficial traducida por correo o por correo electrónico, visite: www.acvote.org/language o llame al 510-272-6973

Si usted no puede marcar su boleta, usted puede traer hasta dos personas al lugar de votación para que le asistan. Estas personas no pueden ser su empleador o su representante sindical.

TULONG SA WIKA

Para sa listahan ng mga lugar ng botohan na nagbibigay ng kopya ng Opisyal na Balota sa wikang Korean, Khmer, o Punjabi bisitahin: www.acvote.org/language

Para humingi ng kopya ng isinaling Opisyal na Balota na ipapadala sa koreo o i-email sa iyo, bisitahin: www.acvote.org/language o tumawag sa 510-272-6973

Kung hindi mo mamarkahan ang iyong balota, maaari kang magsama ng dalawang indibiduwal sa lugar ng botohan para tulungan ka. Ang mga indibiduwal na ito ay hindi maaaring iyong tagapag-employo o kinatawan ng unyon.

TRỢ GIÚP NGÔN NGỮ

Để có một danh sách về các địa điểm phòng phiếu mà cung cấp một bản sao của Lá Phiếu Chính Thức bằng Tiếng Hàn Quốc, Tiếng Khmer, hoặc Tiếng Punjabi viếng: www.acvote.org/language

Để Yêu Cầu một bản sao của Lá Phiếu Chính Thức bằng Tiếng Việt được gửi bằng thư hoặc được email đến cho quý vị, viếng: www.acvote.org/language hoặc gọi 510-272-6973

Nếu quý vị không có khả năng đánh dấu vào lá phiếu của quý vị, quý vị có thể có không quá hai người đi kèm tới phòng phiếu để hỗ trợ cho quý vị. Những cá nhân này không thể là chủ hoặc đại diện công đoàn của quý vị.

INFORMATION FOR VOTERS WITH DISABILITIES

The Alameda County Registrar of Voters has made every effort to locate accessible polling places for all elections. The accessibility of your polling place is shown on the back cover of this Voter Information Guide by the words, "YES" and "NO" printed below the disability symbol.



"YES" means your polling place is accessible.
"NO" means your polling place is not accessible.

For questions about the accessibility of your polling place, call (510) 272-6933.
For the location of your polling place, call our 24-hour number at (510) 267-8683.

TTY (510) 208-4967

Voter Information Guide - Formats



Early Voting



The Registrar of Voters office provides the Measure Information and/or Candidate Statements in an audio MP3 format (on our website) or on CD format (mailed by request). Please call (510) 272-6933 for CD requests.



Vote by Mail

Beginning 29 days before an election, the Alameda County Registrar of Voters office serves as a polling place during regular hours, 8:30am – 5:00pm, Monday through Friday and from 7:00am – 8:00pm on Election Day. For weekend voting hours (*if applicable*), please contact our office at (510) 272-6973.

Any registered voter may apply for a vote by mail ballot. Applications must be received by the Alameda County Registrar of Voters office no later than 7 days prior to the election.

Any **voter** may request a vote-by-mail ballot in the following ways:

- Apply online at: acvote.org/vbm
- Complete the application form on the back cover of the Voter Information Guide and mail it to the Registrar of Voters office.
- Send us a letter requesting a vote-by-mail ballot and include your name, home address and the address to which you want the ballot mailed.
- Call (510) 272-6973 to request for a ballot to be mailed to you.

Mail: Alameda County Registrar of Voters
1225 Fallon St. Room G-1
Oakland, CA 94612

E-mail: avap@acgov.org
Fax: (510) 338-4675

Only the registered voter himself or herself may apply for a vote by mail ballot.

An application for a vote by mail ballot that is made by any person other than the registered voter is a criminal offense.

Alternative Accessible Polling Place



Election Day



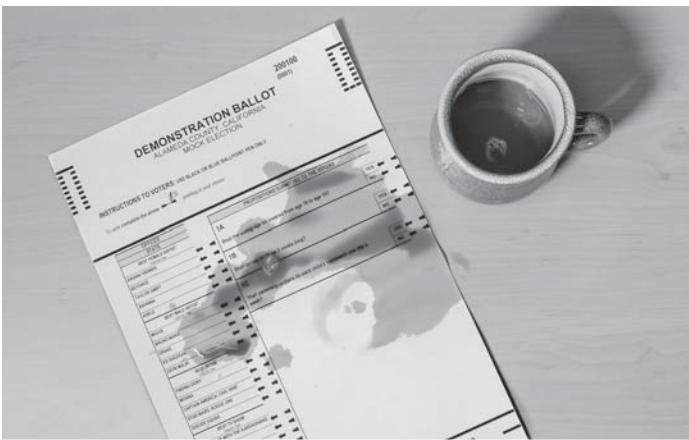
A voter who is unable to enter his/her polling place because it is inaccessible, may contact our office for the location of the nearest accessible polling place that is within their district. Please call (510) 272-6933 for more information.

- Magnifying sheets are available to enlarge the print on the ballot.
- An accessible touchscreen/audio voting machine is provided to assist voters with visual, auditory or motor skill limitations.
- Disability Rights California will operate a statewide Election Day Hotline 7am to 8pm on Election Day, November 6, 2018, also answering calls prior to and following the election: 1-888-569-7955

Curbside Voting



If you are unable to enter your polling place because of age or physical disability, you will be allowed to vote either in your vehicle or near the polling place. To make an appointment or arrangements, please contact our office at (510) 272-6933. Appointments are not required but are recommended.



BALLOT WILL CALL

Easy and Convenient
Next Day Ballot Pick Up

Need a new Vote by Mail Ballot?

- Spilled coffee?
- Can't find your ballot?
- Dog ate your ballot?
- Marked your ballot incorrectly?

OR do you regularly vote at the Polls on Election Day but want to *vote early*?

Then Ballot Will Call is for YOU!

Visit acvote.org/willcall or call **(510) 272-6973** today to schedule your *Ballot Will Call* Pick Up and your ballot will be ready for you the following day!



VOTER INFORMATION GUIDE

ATTENTION:
**Proposition 9 was removed from the ballot
by order of the California Supreme Court.**

The following pages may contain:
CANDIDATES' STATEMENTS & MEASURE INFORMATION

**ARGUMENTS IN SUPPORT OF OR IN OPPOSITION TO THE
PROPOSED LAWS ARE THE OPINIONS OF THE AUTHORS.**

Not all candidates submit a statement of qualifications. For a complete list of candidates on the ballot, view your sample ballot, which is included within this guide.

Each candidate's statement of qualifications, if any, is volunteered by the candidate and is printed at the expense of the candidate, unless otherwise determined by the governing body. Statements have been printed as submitted by the candidates, including any typographical, spelling, or grammatical errors. The statements have not been checked for accuracy by the Registrar of Voters office.

VISIT OUR WEBSITE AT: ACVOTE.ORG
If you have questions about voting procedures call (510) 267-8683

Candidate's Statement
UNITED STATES REPRESENTATIVE
13TH CONGRESSIONAL DISTRICT

BARBARA LEE

Occupation: U.S. House of Representatives

My education and qualifications are: I have been fighting for our community for over 3 decades. I started my career as a social worker and small business owner and, after seeing firsthand the work that was needed, I decided to run to represent you. And I haven't stopped fighting since. It would be my great honor to continue to work for you in Congress during this critical point in our history. Together, we can continue the fight to create affordable housing and healthcare for all, lift families out of poverty, make college debt-free and ensure a high-quality education for every person. We must ensure our community remains a sanctuary for immigrant families, empower our undocumented youth and protect women's fundamental right to chose. I help improve people's lives by working on their behalf with federal agencies and work to make our neighborhoods safer by championing meaningful gun control, community policing and criminal justice reform. We must get money out of politics, end our forever wars and prioritize action on climate change. I want to protect and expand Medicare and Social Security, create good-paying jobs and tackle income inequality so every family can thrive. I bring a lifelong passion for progressive values and a deep commitment to racial, social and economic justice. You can count on me to resist those trying to undermine our civil rights and roll back our hard-won progress. With your support, I will keep fighting for equality, justice and real opportunity for all.

Candidate's Statement
MEMBER OF THE STATE ASSEMBLY
18TH ASSEMBLY DISTRICT

STEPHEN SLAUSON

Occupation: Electrical Contractor

My education and qualifications are: Sensible, reasonable government - no excuses. I have been fighting for Abolishing the High Speed Rail Authority - never pay for itself (Reverse present legislative direction); Abolishing the Delta Water Tunnel project - protecting our EBMUD water rights (Reverse present legislative direction to divert our water to Southern California); Abolishing the Water Department's authority to administer dam maintenance (Reverse present legislative direction which contributed to the near failure at the Oroville dam); Repealing the recently enacted gas tax - not necessary (Reverse present legislative direction increasing cost of gas); Replacing the Public Utilities Commission - no more PG&E handouts (Reverse present legislative direction letting PG&E off the hook for its negligence in last year's Northern California wild fires); Reducing and Controlling wild fires - better building standards (Reverse present legislative direction diverting wild fire protection money from Budget); Improving security at our schools - adding more guards (Reverse present legislative direction reducing funding for school security). I fought to recall 2 councilmembers who wasted 1 million dollars on a matter they caused (Reverse present legislative direction to pass costs to tax payers); fought to reduce the cost of the fire department (Reverse present over influence from fire department); fought to establish a Catch A Burgler Month - I caught 3 burglars with the help of the police (Reverse present legislative direction reducing money for police protection). It is time to get back to basic sensible, reasonable government - no excuses.

ROB BONTA

Occupation: California State Assemblymember

Age: 46

My education and qualifications are: Together, we are making history fighting for our shared California values of Justice, Inclusion, Equity, and Opportunity. We passed aggressive measures to fight the housing crisis with more affordable homes. We stood up against the federal administration by protecting our immigrant communities and defending Dreamers. I authored the nation's strongest language access law supporting the rights of limited-English proficient voters. We increased transportation funding to create jobs and keep our economy moving forward. I passed the Buy Clean California Act, the nation's first climate change law of its kind that lowers greenhouse gas emissions in public infrastructure projects. I extended fairness to all California students by ending discriminatory admission practices and unjust disciplinary proceedings in all our K-12 schools. I led the charge making California the first state to require schools to teach human trafficking prevention and identification, protecting children from labor and sexual exploitation. I've fought to keep the Internet open and hold lead paint manufacturers accountable. But there's more work to do. I'm leading the effort to reform our broken, unjust money bail system that punishes poor people simply for being poor and makes us less safe. We must protect tenants experiencing unjust evictions statewide to ensure everyone has a secure home. We must eliminate gender and race discrimination in employee pay. We must continue the fight for a single-payer, universal healthcare system. There is much more to do, together, and I'd be honored to earn your vote so I can continue to fight for our shared values.

Candidate's Statement

ASSESSOR

JAMES "JIM" JOHNSON

Occupation: Chief, Assessment Services

Age: 57

My education and qualifications are: I pledge to provide you with the lowest taxes legally allowed while keeping politics and financial influence that may raise your taxes out of your Assessor's office. I have 26 years of dedicated public service to Alameda County taxpayers. I am the only candidate with any assessment administration experience. I am endorsed by the retiring current Assessor who knows I'm uniquely qualified to continue the proficient, cost efficient administration of your Assessor's office. I will continue the policies that have led to the outstanding average assessment rating of 99.84% in the most recent State Board of Equalization's survey. I hold a California Appraisers Certification and have personally been responsible for the continued oversight of our award winning computer modernization project giving me a unique understanding of how the entire office operates. We will soon complete our document scanning project and I will also place live video kiosks in various locations throughout the County to improve customer service. My results-oriented philosophy will be focused on the office and duties of Assessor, which includes assisting low-income housing projects and revenue projections for Cities, not providing political favors for supporters. I encourage you to visit www.JimJohnsonForAssessor.com for more information. I respectfully ask for your vote.

PHONG LA

Occupation: Property Tax Attorney

Age: 41

My education and qualifications are: I have real-life experience and expertise with property assessments as a property tax attorney, real estate professor, and small business owner who helps residents file assessment appeals and avoid overpaying taxes. I am an outspoken and tireless advocate for improving the County bureaucracy and eliminating waste and inefficiency. I am a no-nonsense problem solver and will bring fresh ideas and real estate legal experience to the Assessor's Office. I will protect residents and small businesses by ensuring that everyone is treated fairly. I will collaborate with non-profit organizations and community leaders to boost quality affordable housing and decrease displacement in our neighborhoods. I will make the office more transparent by digitizing millions of paper files and giving residents immediate access to their documents. I will work with the State to aid small businesses by simplifying government forms. We deserve an experienced leader and successful advocate with a plan to guarantee fairness, accuracy, and outstanding customer service at the Assessor's Office. Please join Lt. Governor Gavin Newsom, Controller Betty Yee, Treasurer John Chiang, Congressman Eric Swalwell, and many state and local leaders in supporting me. I respectfully ask for your vote. Thank you. <https://votephongla.com>

Candidate for MAYOR

I, **KEN HOUSTON**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Ken Houston
2. The office for which I am a candidate is: Mayor
3. My occupation for the past 5 years: Project Manager
4. I have held the following public office: None

5. **Statement of General Qualifications:** I am running for Mayor of Oakland because as a community advocate, I'm "on the ground" and "in the rooms," so I understand the challenges that face our city. As a project manager, I can make difficult decisions that will effectively bring about change for Oakland residents. I've engaged with children in all neighborhoods. I've served on committees and the Budget Commission. I've created Best Practices for combatting illegal dumping and graffiti vandalism. I've engaged with unsheltered residents to understand their many needs. For jobs, I was instrumental in passing the 50% local participation policy in the City and OUSD. From serving on commissions to reform city departments, to training and creating jobs, exposing our youth to life changing experiences, living with the homeless, undertaking city responsibilities through community advocacy, I possess the leadership skills to change Oakland and ensure that everyone enjoys the quality of life which they deserve.

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Carol H. Williams
Oscar C. Wright
Robert Jeffrey, Sr
Mary E. Maultsby-Jeffrey
Reginald Tolan
Barbara Ciu

Bryant Johnson
Heather M. Ehmke
Carol Wyatt
Ken Houston
Cedric A. Troupe
Gene Hazzard

s/KEN HOUSTON

Candidate for MAYOR

I, **CEDRIC A. TROUPE**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Cedric A. Troupe
2. The office for which I am a candidate is: Mayor of Oakland
3. My occupation for the past 5 years: Swim Coach/Electronics Integrator
4. I have held the following public office: None

5. **Statement of General Qualifications:** My name is Cedric Anthony Troupe. I was raised in East Oakland California. From Arroyo Nursery School, to Castlemont High Class of 1980. Oakland is my Home. Lately, Oakland has changed a lot for the worse, Homeless Crisis, Housing Affordability, Failing Public School System, Gentrification, Dumping, Resources for the least of us vanishing on and on. It is difficult for me as a lifelong resident to sit back and not do anything about it especially when it comes to Children and Elders. We can do better. I have been an Electronics Integrator the last 25 years and know how to get complex things done. I came back into OUSD to develop a Swim Program. I saw the dysfunction, which lead me to see the dysfunction at City Hall the last 8 years. I am running for Mayor of Oakland to be in the position for effective positive change.

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Blanche Brown
James Pierce
Joseph Villa
George Jackson Jr
Ameenda Abduh
Ken Houston

Nikka Williams
Mel Hill
Heather Ehmke
Robert Duckett
Angela Willbourn
Cynthia Phey

s/CEDRIC A. TROUPE

Candidate for MAYOR

I, **JESSE A.J. SMITH**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Jesse A.J. Smith
2. The office for which I am a candidate is: Mayor of Oakland
3. My occupation for the past 5 years: Writer
4. I have held the following public office: None

5. **Statement of General Qualifications:** In ranked-choice voting, you can vote your heart without sacrificing more practical choices. I am a single issue candidate. My main issue is radical police reform. I propose emergency measures for the short term, and a 100% civilian administration for a long-term solution. No one person is qualified to lead Oakland. Therefor, if elected, I will donate the mayor's salary (over \$200K) to hiring a staff of specialists, to best serve Oakland.

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Assata Olugbala
Michelle Snider
Alycia Granieri
Robert Griffin
Jeffrey Cash
Tom Dooner
Conny Gómez
David Silva
Joshua Smith
Shannon Hubbell

s/JESSE A.J. SMITH

Candidate for MAYOR

I, **CAT BROOKS**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Cat Brooks
2. The office for which I am a candidate is: Mayor of the City of Oakland
3. My occupation for the past 5 years: Communications Consultant, Executive Director, Director of Communications, Director of Policy & Advocacy, Radio Host, Actress
4. I have held the following public office: None

5. **Statement of General Qualifications:** In these times, it's rational to demand radical change, to expect that everyone is housed, that teachers can afford to live where they teach, that police departments are transparent and accountable, that we have clean air and water, and Oakland works for everyone. I have been both an executive director and co-founder of a thriving organization. I've repaired fractured environments and revived the fiscal health of organizations on the brink of closure. As mayor, I'll reduce unauthorized police overtime, freeing millions for proven programs that actually prevent violence; invest in truly affordable housing; and ensure developers pay their fair share. On day one, we'll act on the City's declared state of housing emergency and use all available resources, including alternative housing options with dignity, to immediately get people off the streets. I am a mother, advocate, executive director, artist, KPFA radio host, wife, proud Oakland resident. catbrooksforoakland.com

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Rebecca Kaplan
Joyce Gordon
Harold R. Mayberry
Gregory Hodge
Pamela Drake
Dan Siegel
Michael Victor Kaufman

James Vann
Helen Duffy
Carroll Fife
Leon Sykes II
Ayodele Nzinga
Maureen Benson
William Chorneau

s/CAT BROOKS

Candidate for MAYOR

I, **SAIED KARAMOOZ**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Saied Karamooz
2. The office for which I am a candidate is: Mayor
3. My occupation for the past 5 years: Chief Operating Officer at Blue Beautify LLC
4. I have held the following public office: None

5. **Statement of General Qualifications:** My dear Oaklanders, this campaign is squarely anchored on my belief in social solidarity that entails not only feeling the pain, struggle, and suffering of our marginalized residents, but also celebrating their joy, prosperity, and triumphs. We're at a critical juncture of local politics with a unique opportunity to change forever its trajectory. But first, we must begin with elimination of the corrosive power of big money. To that end, I have refused donations from corporations, non-Oaklanders, or in excess of \$45. Secondly, we need sensible and practical solutions. I have published a detailed platform (www.EveryonesMayor.org) with a promise to elevate Oakland as one of the safest cities in America not by adding more police officers, but by strengthening our schools, creating well-paying jobs, and expanding availability of low-cost housing. With your vote, I commit to being the mayor for EVERYONE, not just the wealthy few. -Inshallah

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Rashidah Grinage
Jose A. Dorado
Gwen Hardy
Laura Wells
Jan Arnold
Elise Bernstein
Susan Harman
Susan Shawl
Mary Vail

Tina Kimmel
Shauna McQueen
Chris Specker
Michael Rubin
Don Macleay
Bill Balderston
Pam Spevack
Greg Jan
Ken Pratt

s/SAIED KARAMOOZ

Candidate for MAYOR

I, **NANCY SIDEBOOTHAM**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Nancy Sidebotham
2. The office for which I am a candidate is: Mayor
3. My occupation for the past 5 years: Tax Preparer
4. I have held the following public office: None

5. **Statement of General Qualifications:** For over 50 years I have been committed to Oakland, both personally and professionally - as a resident and a business owner. My other commitment has been building our community by serving as chair of the Beat 29X NCPC and NW Steering Committee. My commitment is to serve, fight and prevail for Oakland residents and business owners as we correct mistakes of the past and create the future. Bad garbage contracts, a dysfunctional school district, unpaved roads and the sale of public land has seriously impacted Oakland's image. We can and should do better than this. That's why I am running for mayor: to make the changes that Oakland desperately needs. My commitment to serve, my love for Oakland, my knowledge and proven leadership skills are why I should be the next Oakland Mayor. Let's make it happen. I respectfully ask for your vote. Nancy Sidebotham for Mayor nancysidebotham.com

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Bruce Quan, Jr.
Josephine Lee
Geraldine M. Wong
Melanie Wallace
Barbara Bond
Ralph Kanz
Donald J. Mitchell
Madeline T. Hovland
F. Matt Hummel
Hallie Williams

Stephen Lowe
Barry Lee Donehower
Patrick Lucey
Joan Jenkins
Hazel Jones
David Raymond Kidd
Kenneth W. Pratt
Gregg Novak
Carlos A. Grunwaldt
Dorista R. Reed

s/NANCY SIDEBOOTHAM

Candidate for MAYOR

I, **PETER YUAN LIU**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Peter Yuan Liu
2. The office for which I am a candidate is: Mayor
3. My occupation for the past 5 years: Retired Military
4. I have held the following public office: None

5. Statement of General Qualifications:

6. The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:

Yong Hui Liu
Ye Wa Lei Liu
Xiu Ming Li
Xiu Lan Yu
Chun Li
Guan Li

Guo Jian Li
Sheng Saechao
May Saetern
Charles Green
Juan Bueno
Mesun Hoppe

s/PETER YUAN LIU

Candidate for MAYOR

I, **PAMELA PRICE**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Pamela Price
2. The office for which I am a candidate is: Mayor
3. My occupation for the past 5 years: Attorney
4. I have held the following public office: None

5. **Statement of General Qualifications:** I'm running for Oakland Mayor because our City is broken. It's time for real solutions and strong leadership to fix it. As Mayor, I'll use my tenacity and commitment to bringing people together to find solutions to the chronic problems that politicians have failed to fix. I'll use strong leadership to fix Oakland's exploding homeless crisis, provide affordable housing, deliver good paying jobs, support small businesses and guarantee that "bad cops" are held accountable. As a survivor of the juvenile justice and foster care systems, I rose from the streets to graduate from Yale and UC Berkeley by the grace of God. As a civil rights lawyer, I fought for justice and results for students, women and working families. And I've delivered for 30 years. It's time that we fixed our broken city. Oakland cannot just work for the wealthy. I would be honored to have your vote. pamelaprice4mayor.com

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Fania Davis
Leslie Levy
Dorothy King Jernegan
John Jernegan
Dennis Middleton
Eloise Middleton
Kevin E. Best
LaNiece Jones
Melody Davis

Nancy Harvey
Rabia Keeble
John Sholes
Art Douglas Blacksher
Anita Jalo
Royl Roberts
Numa G. Aubry
Tiffany Kang
Willie Ray Lockett, Jr

s/PAMELA PRICE

Candidate for MAYOR

I, **LIBBY SCHAAF**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Libby Schaaf
2. The office for which I am a candidate is: Mayor of Oakland
3. My occupation for the past 5 years: Oakland elected official (Mayor of Oakland and Oakland City Councilmember)
4. I have held the following public office: Mayor of Oakland, Oakland City Councilmember

5. **Statement of General Qualifications:** Born and raised in Oakland, I'm a Skyline High School grad and proud mother of two Oakland public school students. I've dedicated my life to serving and celebrating our incredible city. I'll continue fighting racism, protecting immigrants and championing Oakland values -- Trump's threats haven't stopped me! I've secured millions from state government and charities to address homelessness and education. I launched the Oakland Promise -- sending over 1,000 Oakland kids to college and giving savings accounts to hundreds more. I passed Measure KK to start fixing our roads. I've reduced crime, strengthened renter protections, built innovative Tuff Shed Shelters for our homeless and launched the 17k/17k plan to protect Oaklanders from displacement. I'll make Oakland a more equitable city – with access to preschool, college and trade school for all Oakland youth; safe, trash-free streets; innovative homelessness prevention; Oakland-grown businesses and arts; and more affordable housing. Thank you for your consideration.

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Janet Napolitano
Larry Reid
Abel Guillen
Dan Kalb
Rebecca Saltzman
Elsa Ortiz
Aimee Eng
Al Attles
Angela Glover Blackwell
Andreas Cluver

Danny Wan
Barbara Leslie
Orson Aguilar
Arabella Martinez
John Protopappas
Sherry Hirota
Tom Limon
Arnold Perkins
George Holland
LaNiece Jones

s/LIBBY SCHAAF

Candidate for MAYOR

I, **MARCHON TATMON**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Marchon Tatmon
2. The office for which I am a candidate is: Mayor of Oakland
3. My occupation for the past 5 years: Life Insurance Specialist/ Housing Specialist- Navigator/ Doctoral Candidate
4. I have held the following public office: None

5. **Statement of General Qualifications:** Making Oakland Safe and Prosperous for all. Throughout the decade of my career in the finance sector, I've been in over 1,000 citizens homes, hundreds of those have been Oakland residents; I'm highly regarded for my ability to work with all walks of life, tactfulness, business savvy, innovation and motivation and my ability to think outside the box; I've been tasked with budget, decision-making power, marketing, planning, and have management experience. I sat on the advisory board for Frick Impact Academy and Castlemont High, and I'm a former canvasser for Clean Water Action. Currently at Building Futures, I worked with different programs, such as, Welcome Home San Leandro and Oakland Family Front Door, and been a part of housing over 100 homeless families. I hold a BA in Political Science, a Masters in Public Administration (Alpha Beta Kappa Honor Society) and currently completing my doctorate in Public Administration and Policy.

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Michael Tatmon Jr

Isaac Wilson

Nina Harris

Archieial Jeffrey

Gregory Johnson

Joseph Henderson

Viridiana Garcia

Simily Hill

Alasha Brown

Carens Hernandez

Ibeshe Carmichael

Beverly A. Smith

Erin Reese

s/MARCHON TATMON

Candidate for CITY COUNCIL, DISTRICT 6

I, **LOREN TAYLOR**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Loren Manuel Taylor
2. The office for which I am a candidate is: City Council - District 6
3. My occupation for the past 5 years: Entrepreneur/ Management Consultant
4. I have held the following public office: None

5. **Statement of General Qualifications:** With my deep Oakland roots, experience, and collaborative approach, we'll bring new leadership that makes a difference. That's why residents across District 6, along with Mayor Libby Schaaf, former Mayor Jean Quan, Bishop Bob Jackson, Pastors J. Alfred Smith, Jr. and Javier Ramos, and many others endorse me. I'm a third-generation Oaklander who learned early on the importance of giving back. I've dedicated my life to solving complex challenges to help others, strengthening public schools, raising \$4 million for homeless youth, and helping improve community-police relations in Oakland and across the Bay. I've helped lead business, nonprofit, and government partnerships to increase opportunities for disadvantaged communities: helping low-income women start businesses, and working to reduce diabetes and cancer rates in the Black community. I'll push for job training and neighborhood revitalization, ending the pushing and pricing out of Oaklanders by building/preserving affordable housing, and aggressively fight to end homelessness. www.LorenTaylor.org

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Arnold Perkins
Chris Chatmon
Bob Jackson
Javier Ramos
Libby Schaaf
Shereda Nosakhare
James Moore
Mary Forte
Emily Rosenberg

Barbara Taylor
Art Chu
Betty McGhee
Harold McGhee
Mark Alexander
Derrick Robinson
Wendy Robinson
Erica Taylor

s/LOREN TAYLOR

Candidate for CITY COUNCIL, DISTRICT 6

I, **DESLEY BROOKS**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Desley Brooks
2. The office for which I am a candidate is: City Council Dist. 6
3. My occupation for the past 5 years: City Council Member Dist. 6
4. I have held the following public office: Oakland City Council Member, Dist 6

5. **Statement of General Qualifications:** For 16 years, I've been an effective Council Member with one clear goal - improve the lives of District 6 residents with policies, programs, and investments that deliver equity and opportunity to guarantee Oaklanders remain in Oakland. I've strived to be the people's champion, not a tool of outside special interests. I'm the only candidate who will put you first to win big results - living wage jobs, stopping displacement, affordable housing – while improving your quality of life through safety and reducing litter and blight. My endorsements: resident volunteers helping me achieve Walnut Plaza, free food programs, \$13.7 million Rainbow Center renovation and much more; Assemblymembers Rob Bonta and Sandre Swanson; public and private sector unions (Fire Fighters 55, SEIU 1021, IFTPE 21, NUHW, ILWU 10); Black Women Organized For Political Action; ACCE Action; Mistah F.A.B. and D'Wayne Wiggins. Information: Desley4D6.com. I'd be honored to have your vote. Thank you.

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Darleen Brooks
Harold R. Mayberry
Joe Smith
Gerald Agee
Dan. Siegel
Geoffrey Pete
Anne Weills
José Luis Pavón
Hazel Jones

Assata Olugbala
Chris Jackson
Samantha Wise
Maureen Dorsey
Charles Chiles
Monita Chiles
Mary Mayberry
Sallye Porter

s/DESLEY BROOKS

Candidate for CITY COUNCIL, DISTRICT 6

I, **NATASHA MIDDLETON**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Natasha Middleton
2. The office for which I am a candidate is: Oakland City Council, District 6
3. My occupation for the past 5 years: Management/Policy Analyst
4. I have held the following public office: None

5. **Statement of General Qualifications:** I'm a proud mom and public safety professional with a focus on public policy. I've worked closely with our Neighborhood Crime Prevention Councils, managed multi-million dollar projects to reduce crime and delinquency among at-risk youth, served on the Measure Z Public Safety Commission, and co-organized a program to share healthy, home-prepared food with homeless people. My neighborhood safety plan focuses on removing abandoned vehicles, fighting illegal dumping, addressing blight, and cracking down on human trafficking. I'll fight to revitalize our commercial corridors, add more community centers with after-school and tutoring programs, and actively promote District 6 as an emerging hub for nonprofits, small businesses, and tech and community startups. My District 6 Homeless Action Plan includes hands-on attention to immediate needs, a weekly homeless count, and better coordination with county, city, and community-based organizations. My focus is always on solving problems, not fighting with other politicians. www.NatashaForOakland.com

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Annie Campbell Washington
Shereda Nosakhare
José Dorado
Bryan Parker
Jody A. Nunez
Rebecca E. Alvarado
Toni Gomez
Paulette S. Bruder

Shelia Cypress
Michael W. Foster
Fletcher Rouse
Lisa Kossiver
Rebecca Lacocque
Denise Hunyh
Monica Starr

s/NATASHA MIDDLETON

Candidate for CITY COUNCIL, DISTRICT 6

I, **MARLO RODRIGUEZ**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Marlo Rodriguez
2. The office for which I am a candidate is: City Council District 6
3. My occupation for the past 5 years: Registered Nurse
4. I have held the following public office: None

5. **Statement of General Qualifications:** For over 25 years, people have entrusted their lives to me as their Registered Nurse. I have dedicated my life to serving others. I have been a social justice advocate, leader and volunteer in various professional, political and community organizations. I will address the inequities of access to healthcare, grocery stores and healthy foods in our district. I will increase the delivery of city services and resources to our area. We need a leader who will build community and tackle the city's most urgent and chronic problems such as homelessness, housing, fire prevention, public safety and economic development. As a member of the California Nurses Association union, I know that fair wages and job protections are important. As your Councilmember, I will advocate for the health, safety and growth of our district. I ask for your #1 choice to Bring out the Best in Oakland. www.Marlo4Oakland.com

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Gwendolyn Booze

Karen Anderson

Emily Rosenberg

Katherine Webb

Linda Handy

Lois Harris

Dionisio A. Rosario, Jr.

Gia Calvillo

Brenda Jackson

Guadalupe Pena

Brian Blaisch

Chanele Wheeler

Millicent B. Hunter

s/MARLO RODRIGUEZ

Candidate for CITY COUNCIL, DISTRICT 6

I, **MYA WHITAKER**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Mya Whitaker
2. The office for which I am a candidate is: City Council District 6
3. My occupation for the past 5 years: Program Director & Regional Coordinator
4. I have held the following public office: None

5. **Statement of General Qualifications:** Mya has many years of experience working and volunteering with youth and families in Oakland. She is a Counselor for foster youth in Alameda County, the Program Director of the award-winning Bay Area Debate League, and a former commissioner for Oakland's Police Oversight Commission. She holds a bachelor's degree in Communications from San Francisco State University and is a 2017 graduate of Emerge California, a program to prepare women to run for elected office. Recently, she was chosen by Mayor Schaaf to assist in the process of selecting current Police Chief Anne Kirkpatrick. Since 2011, she has facilitated community discussions on community and police relations. Mya understands what it's like being a young person in East Oakland who has overcome challenges of her own. She strives to create spaces where others can heal and grow. Mya is deeply committed to building an East Oakland that is safe, healthy and vibrant for ALL residents.

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Daryle Allums
Shauntrice Martin
Christopher Scheer
Dawn Murry
Timothy Daniels
Jontaé Henry
Darrin Norwood
Faye Turner

Lawyer Twillie
Derrick Allen
Karen Dilk
Runzell Banks
Bidiemi Animasheun
Tim Harvey
Hector Contreras-Ramazzini
Mya Whitaker

s/MYA WHITAKER

Candidate for CITY AUDITOR

I, **BRENDA ROBERTS**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Brenda Roberts
2. The office for which I am a candidate is: Oakland City Auditor
3. My occupation for the past 5 years: Oakland City Auditor; Auditor Consultant
4. I have held the following public office: Oakland City Auditor

5. **Statement of General Qualifications:** When I took office in 2014, I brought two decades of experience in private and government auditing to serve you, the People of Oakland. Since then, I kept my promises to protect you from City waste, fraud, and misconduct by ensuring responsible and transparent financial practices. My office has met or exceeded the number of audits of any Auditors that came before me, publishing hard-hitting audits covering issues in OPD, OFD, Public Works, Housing, Finance, Revenue, and Human Services, resulting in cost savings and better City practices. I modernized the City Auditor's Office, introducing new technologies, bringing it into the 21st century, and received the Knighton Award for excellence in local government auditing for our audit on the City's Rent Program. I am asking for your vote again, so I can continue your fight in City Hall; for an ethical, efficient, and equitable Oakland we can be proud of. RobertsforAuditor2018.com.

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

John Bliss
Kim Thompson
Brooke Levin
Katherine Teng Dwyer
Ken Lupoff
Carla Gerardu-Low
Carolyn Burgess
John A. Flores
Henry Chang
Renia Webb

Kenneth Benson
Dinah Benson
Colette McPherson
Thomas Morgan
Stephanie L Casenza
Karen Friedman
Robert Z. Wasserman
Melissa Baksic
Janice Hearns
Anne Marie Gorman

s/BRENDA ROBERTS

Candidate for CITY AUDITOR

I, **COURTNEY RUBY**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Courtney Ruby
2. The office for which I am a candidate is: Oakland City Auditor
3. My occupation for the past 5 years: Chief Financial Officer, Director of Administration
4. I have held the following public office: Oakland City Auditor

5. **Statement of General Qualifications:** We need stronger oversight at City Hall to protect taxpayers from fraud, waste and mismanagement. I served as City Auditor between 2007 and 2014 and made the office a model of accountability, transparency and results. We were honored in 2014 with a national award for our hard-hitting performance audits and investigations. In a January 23, 2018 column titled, "Oakland Desperately Needs a New City Auditor," the East Bay Express wrote about my previous service: "Ruby proved to be a highly competent and courageous city auditor – dedicated to rooting out fraud, waste, and abuse in Oakland city government and protecting whistleblowers who risk their livelihoods in order to expose wrongdoing in City Hall." Together, we can make sure our city government uses every penny wisely to keep our children safe, fix our streets and provide quality city services to our residents. I would be honored by your vote. www.CourtneyRuby.com

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Arnold Perkins
Ken Berrick
Kathy Neal
David A. Stein
C.J. Hirshfield
Marti Paschal
Gloria Crowell
Barry Pilger
Kenneth L. Katz
Regina Y. Evans

Eugene Zahas
Iris G. Brody Lopez
Harold Lowe
Bruce Nye
Tom Limon
Cestra Butner
Gary Flaxman
Sean Marx
Stepanie L. Casenza

s/COURTNEY RUBY

Candidate for SCHOOL BOARD, DISTRICT 6

I, **SHANTHI GONZALES**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is: Shanthi Gonzales
2. The office for which I am a candidate is: Oakland School Board, District 6
3. My occupation for the past 5 years: Oakland School Board Member, Leadership Coach, Leadership Development Director, Membership Coordinator
4. I have held the following public office: Oakland School Board Director

5. **Statement of General Qualifications:** As Oakland changes, our commitment to schools that serve every community with integrity, accountability and inclusion cannot. Our district cannot risk continued dysfunction and state takeover. Teachers need a board that respects their input and makes decisions that reflect classroom needs. Parents need a board that listens and engages. The community needs a board willing to ask difficult questions and be accountable for every penny. My record is clear: I've consistently demanded fiscal accountability and voted against waste, cultivated parent power to give families a greater voice, and prioritized classrooms, teachers and education above bureaucracy. Working closely with parents, we protected and relaunched five public schools, whose students are now thriving. Making tough choices will keep our district accountable, retain parent and community control, and improve our schools. Join me in fighting for our community. I'd be honored by your vote this November. GonzalesForSchools.nationbuilder.com facebook.com/shanthi.forschools

6. **The signatures of not more than twenty nor less than ten residents of the City of Oakland sponsoring my candidacy are as follows:**

Rebecca Kaplan
Gregory Hodge
Jean Quan
Abel Guillen
Keith D. Brown
Kathryn Sterbenc
Alison L. McDonald
Jose A. Dorado
Sharon Rose

Nancy L. Karigaca
Kim Davis
Chastity Garcia
Ismael Armendariz
Nilofer Ahsan
Kimi Lee
Victoria Barbero
Marlene Klein-Atwood

s/SHANTHI GONZALES

Candidate's Statement AC TRANSIT DISTRICT DIRECTOR, AT LARGE

JOEL B. YOUNG

Occupation: AC Transit District Director, At-Large

My education and qualifications are: As a transit rider, I intimately understand that many depend on AC Transit and as your representative I am committed to providing affordable and reliable bus service. Moreover, since becoming an AC Transit Board Member, I have helped raise over \$1 million for our hydrogen fuel cell bus program, supported new programs such as the Freedom Bus Project, voted to allocate over \$100 million of AC Transit's contracting dollars to local businesses to support good paying local jobs, and pushed AC Transit to develop a path to have a non-polluting bus fleet (i.e., buses that do not emit particulate matter into the air). If elected, I will: (1) continue to fight to ensure that our bus service is reliable and affordable for all; (2) continue to advocate for the purchase of buses that do not pollute our air with a goal of having a non-polluting bus fleet by 2030; and (3) look to establish pilot programs to integrate AC Transit bus service with new transportation technologies to provide better transportation service. For all of these reasons, I respectfully ask for your vote. Website: www.joelyoung.org
Email: youngforactransit@gmail.com

Candidate's Statement
BAY AREA RAPID TRANSIT DISTRICT
DIRECTOR, DISTRICT 4

PAUL CUMMINGS

Occupation: Transportation Logistics Manager

My education and qualifications are: BART has lost it's way and the board needs reform. Built in the 1960's, BART has hardly been improved, parking is scarce, trains are dirty, and crime is rampant. Mismanagement by the BART Board has created a system in which the riders are its lowest priority. It's time we put riders first. We can build more parking at BART stations while still encouraging people to make BART part of their journey rather than relying solely on their cars. The BART board's focus on developing housing at the expense of parking is misguided. BART should no only serve people who live at BART stations, ride bikes, or take buses. Rider safety has been by luck, not design. Mismanagement has understaffed the BART Police with tragic consequences. No jurisdiction is more appropriate for "community policing" than a contained system like BART. There needs to be a commitment to place rider safety and transparent enforcement first. Employees lack the tools and parts to maintain aged equipment. Train car replacement delays are accepted as normal. This is no way to run a railroad! I'm running because we need an accountable, open-minded leader experienced in running large complex systems. Learn more at PaulCummingsForBart.com.

ROBERT RABURN

Occupation: BART Director/Transportation Planner

My education and qualifications are: Honored as BART Board President this year, I'm a professional transportation planner with 26+ years of experience improving transit and championing alternatives to driving. I work for you as a change agent at BART. I put rider safety, reliability and comfort first by replacing 46-year old BART cars with the next generation fleet and passing Measure RR to rebuild BART's aging core system. The first of 775 new cars -- quieter, cleaner, bicycle friendly, energy-efficient, and more accessible -- are already providing relief from crowding. I'm focused on offering commuters all 10-car transbay trains in 2019. I've boosted local hiring, small business opportunities, youth fares, energy sustainability and transit-oriented development with affordable units. I promoted a 2019 budget addressing compassionate actions for passenger safety, homelessness, fare-evasion and cleanliness. Safety demands more BART patrols, cameras, mental health and substance abuse coordination and barriers to prevent ticketless entry – all underway. Formerly head of East Bay Bicycle Coalition, I improved access to BART for bicyclists. PhD from UC Berkeley in transportation and urban geography. For an affordable, reliable, and high-quality BART, please join the Sierra Club and vote Robert Raburn for BART Board. www.RobertRaburn.com

THE BALLOT DROP STOP

Coming to your city!

Visit our website to find us in a city near you! ACVOTE.ORG/dropstop

Drive through and drop off your ballot early.

MAIN LOCATION: René C. Davidson Courthouse
1225 Fallon Street
Oakland, CA 94612

HOURS: 9:00 a.m. – 3:00 p.m.
October 27th-28th
November 3rd-4th

8:30 a.m. – 5:00 p.m.
November 5th

7:00 a.m. – 8:00 p.m.
Election Day, November 6th



POSTAGE-FREE 24-HOUR DROP BOXES

24-hour drop boxes will be open
29 days before the election up until
8:00 p.m. on Election Day

Drop your ballot off early at any 24-hour drop box located throughout Alameda County. **No postage necessary.**
Make your vote count—Remember to sign the back of your return envelope!

FOR LOCATION INFORMATION, VISIT: ACVOTE.ORG/DROPBOX



City of Oakland

Measures V, W, X, Y, Z, and AA
will be printed in a separate
book labeled:

CITY OF OAKLAND MEASURE GUIDE

If you have any questions, please contact the
City of Oakland, Office of the City Clerk at
(510) 238-3226.

PERALTA COMMUNITY COLLEGE DISTRICT MEASURE E

<p>E To continue providing the colleges of Alameda, Berkeley, Laney, and Merritt, funds that cannot be taken by the state to support affordable college education, including core academic programs to prepare students for university transfer and successful careers, by providing tutoring and teacher support; shall Peralta Community College District continue to levy \$48 per parcel annually for eight years, providing \$8,000,000 annually, with internal and citizens' oversight, no funds for administrator salaries, and all funds benefitting local colleges?</p>	<table border="1"><tr><td>YES</td></tr><tr><td>NO</td></tr></table>	YES	NO
YES			
NO			

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE E

ANALYSIS BY THE COUNTY OF ALAMEDA COUNTY COUNSEL OF A PERALTA COMMUNITY COLLEGE DISTRICT SPECIAL PARCEL TAX MEASURE

Measure E, a Peralta Community College District (“District”) special parcel tax measure, seeks voter approval to authorize the District to levy an annual special parcel tax on each parcel of taxable real property in the District for 8 years between July 1, 2020 and June 30, 2028.

Community College districts have the authority to levy special taxes upon approval by two-thirds of the votes cast on special tax measures pursuant to Article XIIIIA, Section 4 and Article XIIIC, Section 2 of the California Constitution and sections 50075-50077, 50079.1, and 53722 of the California Government Code.

If two-thirds of the qualified electors voting on this measure vote for approval, the District will impose a special tax on all parcels of taxable real property annually for 8 years. The tax rate will be \$48 per parcel per year. The Alameda County Treasurer-Tax Collector will collect the tax at the same time and in the same manner as *ad valorem* property taxes are collected. This measure exempts those parcels that are already otherwise exempt from taxation. For purposes of this special parcel tax, “parcel of taxable real property” means any unit of real property that receives a separate tax bill for *ad valorem* property taxes from the Alameda County Treasurer-Tax Collector.

If this measure passes, the funding revenue will be used for the specific purposes set forth in the full text of the measure printed in this sample ballot, including: supporting core academic programs, such as math, science, and English; training students for their careers; and preparing students to transfer to four-year universities. The measure provides that the monies collected shall be accounted for separately and shall be expended only for instructional purposes. The monies collected will not be used to pay administrators’ salaries. The District will monitor the collection and expenditures of the special tax funds and file annual reports with the Board of Trustees. An independent

citizens’ oversight committee shall oversee the expenditures of the monies.

If two-thirds of the qualified electors voting on this measure do not vote for approval, the measure will fail, and the District will not be authorized to levy the special tax outlined above.

This measure is placed on the ballot by the governing board of the District.

s/DONNA R. ZIEGLER
County Counsel

The above statement is an impartial analysis of Measure E, which is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official’s office at (510) 272-6933 and a copy will be mailed at no cost to you. You may also access the full text of the measure on the Alameda County website at the following address: www.acvote.org.

ARGUMENT IN FAVOR OF MEASURE E

Protect affordable education, teachers and students without raising tax rates – **Vote YES on E!**

Our local Community Colleges – Oakland's Laney and Merritt Colleges, College of Alameda, and Berkeley City College – are an essential safety net for students who transfer to university or get specialized job training that prepares them for well-paying, 21st century careers.

YES on E preserves core in-demand academic programs including math, science and English that help students prepare for transfer to 4-year universities.

YES on E saves students and their families thousands of dollars. As the cost of U.C. and Cal State tuition continues to rise, Measure E will maintain critical core academic programs, tutoring, and attract and retain high-quality faculty – again, without raising tax rates!

Measure E simply continues voter-approved, locally-controlled funding that MUST be spent on our local community colleges. By law, NO funding could be taken by the state.

YES on E continues to be fiscally accountable. Every penny will stay in our community and NO funds can be used for administrators' salaries.

Vote YES on E! We must maintain programs that train and prepare students with high-quality, affordable education. Measure E will continue providing students with valuable job skills while also making a difference in our community, like the current program building much-needed housing for people who are homeless.

Our local Laney, Merritt, Alameda and Berkeley colleges serve tens of thousands of students per year, preparing them for university transfer and successful careers. We must continue Measure E, without raising tax rates, amid rising costs of education and living in our region.

Join the Board of Trustees, students, educators, businesses and community leaders in voting YES on E!

s/BARBARA LEE
Member of Congress

s/ADRIEN ABUYEN
Former Peralta Colleges Student Trustee/U.C. Berkeley
Student

s/TONI R. COOK
Retired Peralta Colleges Instructor
s/Peralta Community College District
by AISHA K.L. JORDAN, Student Trustee

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE E

The health of Laney, Merritt, College of Alameda and Berkeley City College is critical to the educational and economic well being of our diverse communities. PROPER use of the current Parcel Tax is essential to ensuring student success.

Taxpayers intended the annual \$8 Million Parcel Tax revenue to be given to the colleges to use for student success. Unfortunately, the administration has spent little on the classroom.

Board of Trustees, you are responsible for the administration's conduct. Are you listening to student pleas about class cuts and unavailable classes adding semesters to their educational careers? Do you ask why classes are being cut? Do you ask for clear expenditure records and accountability for the annual \$8 million? The answer to all is no.

Taxpayers, the District Administration is asking you to extend the \$48 per year to 2028. Don't the administration and the Board owe you a GUARANTEE that the colleges and students get your money?

Two years remain on the current parcel tax. There is time to develop an enforceable plan.

Your NO vote shouts out clearly: show us how you use the money for the remaining two years and have a specific plan for the future.

As promised, I'll gladly support a Parcel Tax in 2020 if the District complies with the taxpayer's original intent. Thank you for your consideration.

Sincerely, Michael B. Mills, former chairperson (2015-18),
Citizens' Oversight Committee

s/MICHAEL B. MILLS
Citizens' Oversight Comm. Former Chairperson

ARGUMENT AGAINST MEASURE E

PLEASE VOTE NO on this premature AND unnecessary TAX EXTENSION. For three years, 2015-2018, I served as Chairperson of the Citizens' Oversight Committee, group appointed by the Peralta Community College District to represent the interests of taxpayers on Peralta District ballot measures. Unfortunately, For three years, I have seen the misuse of your parcel tax dollars.

In 2012, voters approved an eight year Parcel Tax giving the Peralta Community College District \$8 million annually to assist Peralta's four colleges to educate students for successful careers and university transfer. Two years remain on the current tax.

From 2012-2014, monies were properly spent. But, In 2015 matters changed.

Since 2015, taxpayer money has been shifted from the colleges, classrooms and students to pay for non-academic District office expenditures. An audit disclosed a drastic reduction in parcel tax funded academic expenditures.

As Oversight Committee Chairperson, I implored the District to honor taxpayer intent and return funding to the colleges, classrooms and, most importantly, the students. I asked for records showing which funds were allocated to the colleges and how they were used. These requests were denied or ignored.

Now, the Peralta Community College District is asking taxpayers to extend the \$8 million annually to 2028 without guarantees that the money will be spent as the taxpayers intended.

As Oversight Committee Chairperson, I asked the Peralta Community College District to postpone this ballot measure until 2020 and implement measures guaranteeing the money is spent properly. Request denied.

Your NO vote sends a clear message that you expect fiscal responsibility and accountability. Your money must focus on students.

With solid reforms, I will support a parcel tax extension in 2020, Thank you for your consideration.

Sincerely, Michael B. Mills, former chairperson (2015-18), Citizens' Oversight Committee for the Parcel Tax

s/MICHAEL B. MILLS

Former Chairperson Citizens Oversight Committee
2015-2018

REBUTTAL TO ARGUMENT AGAINST MEASURE E

Did the opponent even bother to check the facts? Voting **YES on E** continues Peralta Colleges commitment to strong fiscal stewardship, transparency and accountability focused on STUDENT success – without raising tax rates!

Here are the facts the opposition wants you to ignore:

FACT: A recent independent audit found that the "...Peralta Community College District has properly accounted for expenses...and that such expenditures were made for the purpose and activities authorized by the voter..."

FACT: NO Measure E funding can be spent on district administrators' salaries. ALL Measure E funding must be spent as voters authorized, which the recent publically-available audit found.

FACT: A Citizens Oversight Committee and independent financial audits will continue to guarantee Measure E accountability so **YES on E** can continue to support high-quality affordable college education amid ever increasing U.C. and Cal State costs, critical core academic programing, tutoring, workforce/career/job training, and attracting/retaining high-quality teachers so students continue to be prepared for university transfer and successful careers.

FACT: Measure E simply extends existing, voter-approved funding – without raising tax rates. Thirty thousand students, veterans and their families rely on Laney, Merritt, Berkeley, and Alameda Colleges to save thousands of dollars on education while preparing for university or high-paying jobs in our region – we must continue Measure E.

Join students, teachers and community leaders in voting **YES on E** to support our local community colleges, students and teachers.

s/MEREDITH BROWN

Peralta Colleges Board President

s/TONI R. COOK

Retired Peralta Colleges Instructor

FULL TEXT OF MEASURE E

This Proposition may be known and referred to as the “Peralta Colleges Education Renewal Measure” (the “Act”) or as “Measure E”.

TERMS OF THE SPECIAL TAX

Terms and Purposes. Upon approval of two-thirds of those voting on this measure, the District shall be authorized to extend the existing parcel tax (Peralta Community College District Parcel Tax of 2012) for eight (8) years until 2028. The net effect of this measure would be to authorize the District to impose a total of \$48 in taxes per parcel annually each year between July 1, 2020, and June 30, 2028.

The qualified special tax shall be known and referred to as the “Peralta Colleges Education Renewal Measure.” Proceeds of the Peralta Colleges Education Renewal Measure shall be authorized to be used to support core academic programs such as math, science and English, train students for careers, and prepare students to transfer to four-year universities. Proceeds of the Peralta Colleges Education Renewal Measure are to be spent exclusively for instructional purposes with classified expenditures limited to defined instructional support.

ACCOUNTABILITY PROVISIONS

Annual Audit. Upon the levy and collection of the Peralta Colleges Education Renewal Measure, the Board of Trustees shall cause an account to be established for deposit of the proceeds. For so long as any proceeds of the Peralta Colleges Education Renewal Measure shall remain unexpended, the Chancellor or Vice Chancellor for Finance & Administration, Chief Financial Officer of the District shall cause a report to be filed with the Board of Trustees no later than December 31 of each year, commencing December 31, 2020, stating (1) the amount of Peralta Colleges Education Renewal Measure received and expended in such year, and (2) the status of any projects or description of any programs funding from proceeds of the tax. The report may relate to the calendar year, fiscal year, or other appropriate annual period, as the Chancellor shall determine and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the Board of Trustees.

Citizen’s Parcel Tax Oversight Committee. The Citizens’ Parcel Tax Oversight Committee created by the Board of Trustees and currently serving will continue to oversee expenditures for the duration of the tax approved by this measure, pursuant to the bylaws the Board of Trustees has adopted for the Citizen’s Parcel Tax Oversight Committee as amended from time to time.

Internal Planning and Accountability. During the term of the measure the Peralta Community College District Staff, in cooperation with staff from each of the Peralta Colleges will develop expenditures plans in two year increments for the funds generated by the Peralta Colleges Education Renewal Measure for approval by the Board of Trustees. At least thirty (30) days prior to approval by the Board of Trustees, the proposed expenditure plans will be provided to the Planning and Budget Council and the Participatory

Governance Council for review. The Shared Governance Committees may provide recommendations with respect to the proposed expenditure plans to the Board of Trustees in writing and at a meeting of the Board of Trustees, and the Board of Trustees will consider the recommendations of the Shared Governance Committees before approving the expenditure plans. The expenditure plans will include measurable outcomes. An annual presentation on the parcel tax plans, expenditures, and progress toward student success and identified outcomes will be prepared by the Presidents of the Peralta Colleges for review by the Board of Trustees annually in October.

Specific Purposes. Funds generated by the Peralta Colleges Education Renewal Measure may only be used to augment (rather than substitute for) funds already allocated for supporting core academic programs such as math, science and English, training students for careers, and preparing students to transfer to four-year universities. The funds are to be used for instructional purposes only with classified expenditures limited to defined instructional support.

Appropriations Limit. The Board of Trustees shall provide in each year (pursuant to Section 7902.1 of the Government Code or any successor provision of law) for any increase in the District’s appropriations limit as shall be necessary to ensure that proceeds of the funding of the Peralta Community College District Parcel Tax of 2012, and of all qualified special taxes levied by the District, may be spent for the authorized purposes and an election shall be conducted by the District for such purpose only if required by the general laws of the State applicable to community college district qualified special taxes. This provision shall be deemed to be declaratory of existing procedures governing District expenditures.

LEVY AND COLLECTION

The education parcel tax shall be collected by the Alameda County Treasurer-Tax Collector at the same time and in the same manner and shall be subject to the same penalties as *ad valorem* property taxes collected by the Alameda County Treasurer-Tax Collector. Unpaid taxes shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid. The collection of the education parcel tax shall not decrease the funds available from other sources of the District in any period from the effective date hereof.

“Parcel of taxable real property” shall be defined as any unit of real property in the District, which receives a separate tax bill for *ad valorem* property taxes from the Alameda County Treasurer-Tax Collector’s Office. All property, which is otherwise exempt from or on which are levied no *ad valorem* property taxes in any year, shall also be exempt from the Peralta Colleges Education Renewal Measure tax in such year.

The Alameda County Assessor’s determination of exemption or relief for any reason of any parcel from taxation shall be final and binding for the purposes of the Peralta Colleges Education Renewal Measure. Taxpayers wishing to challenge the County Assessor’s determination

must do so under the procedures for correcting a misclassification of property pursuant to Section 4876.5 of the California Revenue and Taxation Code or other applicable procedures. Taxpayers seeking a refund of the Peralta Colleges Education Renewal Measure paid shall follow the procedures applicable to property tax refunds pursuant to the California Revenue and Taxation Code.

SEVERABILITY

The Board of Trustees hereby declares, and the voters, by approving this Peralta Colleges Education Renewal Measure, concur, that every section, paragraph, sentence and clause of this Act has independent value, and the Board of Trustees and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this Act by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law.

PERALTA COMMUNITY COLLEGE DISTRICT BOND MEASURE G

G To upgrade aging classrooms, technology, science labs; expand job training classrooms; and acquire, construct, repair sites/facilities/equipment, shall the Peralta Community College District issue \$800 million in bonds at legal interest rates, with approximately \$44.2 million in taxes raised annually for 40 years at projected tax rates of \$24.50 per \$100,000 of assessed valuation, with no funds for administrator salaries, audits and citizen oversight, and all funds used locally?

BONDS – YES
BONDS – NO

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF BOND MEASURE G

ANALYSIS BY THE COUNTY OF ALAMEDA COUNTY COUNSEL OF A PERALTA COMMUNITY COLLEGE DISTRICT BOND MEASURE

Measure G, a Peralta Community College District (“District”) bond measure, seeks voter approval to authorize the District to issue eight hundred million dollars (\$800,000,000.00) of bonds in aggregate principal amount at an interest rate within the statutory maximum. The primary purpose of the bonds is to finance school facilities projects as specified in the measure.

Pursuant to California Constitution Section 18 of Article XVI and Section 1 of Article XIII A and California Education Code Section 15266, this measure will become effective upon the affirmative vote of at least 55% of the qualified electors voting on this measure.

California Education Code Section 15100 restricts the use of the proceeds from the bonds sale to items such as building school buildings, improving school grounds, supplying school buildings and grounds with equipment, and the acquisition of real property for school facilities. In addition, proceeds may only be used for the projects listed in the measure. This measure provides that its proceeds will fund projects outlined in the Bond Project List of the measure (reproduced in the sample ballot pamphlet) that include, but are not limited to: facility, infrastructure, and technology upgrades and repairs. Proceeds may not be used for any other purpose, such as administrator salaries.

If 55% of those who vote on the measure vote “yes,” the District will be authorized to issue bonds in the amount noted above. Approval of this measure will authorize a levy on the assessed value of taxable property within the District by an amount needed to pay the principal and interest on these bonds in each year that the bonds are outstanding.

The Tax Rate Statement for this measure in this sample ballot pamphlet reflects the District’s best estimate, based upon currently available data and projections, of the property tax rates required to service the bonds. The District’s best estimate of the tax rate required to be levied to fund the bonds is 2.45 cents per \$100.00 of assessed valuation, or \$24.50 per \$100,000.00 of assessed valuation. The District’s

estimate applies to the average and the highest tax rates over the entire duration of the bond debt service. The District’s best estimate of the total debt service, including principal and interest, that would be required to be repaid if all of the bonds are issued and sold is \$1,720,000,000.00.

The District’s Board will establish an independent citizens’ bond oversight committee to ensure that bond proceeds are spent for the projects listed in the measure. The Board will conduct annual, independent performance and financial audits.

If 55% of those voting on this measure do not vote for approval, the measure will fail, and the District will not be authorized to issue the bonds.

This measure is placed on the ballot by the governing board of the District.

s/DONNA R. ZIEGLER
County Counsel

The above statement is an impartial analysis of Measure G, which is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official’s office at (510) 272-6933 and a copy will be mailed at no cost to you. You may also access the full text of the measure on the Alameda County website at the following address: www.acvote.org.

TAX RATE STATEMENT OF BOND MEASURE G

An election will be held in the Peralta Community College District (the “District”) on November 6, 2018, to authorize the sale of up to \$800 million in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to issue the bonds in multiple series over time. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400 through 9405 of the California Elections Code.

1. The best estimate of the average annual tax rate that would be required to be levied to fund this bond issue over the entire duration of the bond debt service, based on assessed valuations available at the time of filing of this statement, is 2.45 cents per \$100 (\$24.50 per \$100,000) of assessed valuation. The final fiscal year in which the tax to be levied to fund this bond issue is anticipated to be collected is fiscal year 2058-59.

2. The best estimate of the highest tax rate that would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 2.45 cents per \$100 (\$24.50 per \$100,000) of assessed valuation in fiscal year 2029-30.

3. The best estimate of the total debt service, including the principal and interest, that would be required to be repaid if all of the bonds are issued and sold is approximately \$1,720,000,000.

Voters should note that estimated tax rates are based on the *ASSESSED VALUE* of taxable property on the County’s official tax rolls, *not* on the property’s market value, which could be more or less than the assessed value. In addition, taxpayers eligible for a property tax exemption, such as the homeowner’s exemption, will be taxed at a lower effective tax rate than described above. Certain taxpayers may also be eligible to postpone payment of taxes. Property owners should consult their own property tax bills and tax advisors to determine their property’s assessed value and any applicable tax exemptions. The estimated rates presented above represent only new taxes to be levied to support bonds issued under this bond measure and will be over and above and separate from the 1% property tax described in the California Constitution and any other bond related property tax rates that are currently being levied to support bonds issued under bond measures previously authorized by voters of the District (including bonds authorized and issued pursuant to the election held on June 6, 2006 and any bonds issued to refund bonds authorized and issued pursuant to the elections held on November 3, 1992 and November 7, 2000) or any overlapping public agency or that might be levied to support bonds issued under bond measures to be authorized by voters of the District or any overlapping public agency.

Attention of all voters is directed to the fact that the foregoing information is based upon the District’s projections and estimates only, which are not binding upon the District. The average annual tax rate, the highest tax rate and the year or years in which it will apply, and the

actual total debt service, may vary from those presently estimated due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors, including the legal limitations on bonds approved by a 55% affirmative vote. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Dated: July 10, 2018.

s/JOWEL C. LAGUERRE
Chancellor
Peralta Community College District

ARGUMENT IN FAVOR OF BOND MEASURE G

Can you believe how much college can cost? Vote **YES on G** – support students and the affordable, high-quality education and job training that Laney and Merritt Colleges in Oakland, Berkeley City College, and College of Alameda provide!

We need Measure G!

YES on G will provide critical technology updates to classrooms and training centers to prepare students to be competitive for today's jobs. Students need access to high-paying jobs so they can stay and work in their own community!

YES on G will improve accessibility and upgrade aging classrooms, technology and science labs for fields including nursing, healthcare and public safety.

YES on G makes students, teachers and the community safer! Measure G will replace aging, seismically unsafe buildings, provide better security/lighting and emergency communications systems, and repair/replace leaky roofs for a safer learning environment students need to succeed.

With the cost of higher education and living so high, our community has thousands of students that rely on the Peralta Colleges. We need to continue to invest in Laney and Merritt Colleges in Oakland, Berkeley City College, and College of Alameda so students can continue to access high-quality and affordable education and job training – and save families thousands of dollars!

Measure G is fiscally accountable – by law, Measure G requires published independent financial audits and oversight by an Independent Citizen's Oversight Committee to ensure all funds are spent as promised. NO money can be spent on administrators' salaries or pensions. NO money can be taken by the state. All funds must be spent on our local community colleges.

Join the Peralta Colleges Board of Trustees, local employers, community leaders, and residents throughout Oakland, Berkeley, Alameda, Piedmont, Albany, and Emeryville in voting **YES on G**!

NO ARGUMENT AGAINST BOND MEASURE G WAS SUBMITTED

s/BARBARA LEE

Member of Congress

s/ANDREAS CLUVER

Peralta Colleges Foundation Boardmember

s/JOHN MAHONEY

Local Employer

s/TONI R. COOK

Retired Peralta Colleges Instructor

s/Peralta Community College District

by AISHA K.L. JORDAN, Student Trustee

FULL TEXT OF BOND MEASURE G

This Proposition may be known and referred to as the “Peralta Colleges Upgrades Measure” or as “Measure G”.

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the voters of the Peralta Community College District (the “District”) voting on the proposition, the District shall be authorized to issue and sell bonds of up to \$800,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed under the heading entitled “BOND PROJECT LIST” below (the “Bond Project List”), and qualify to receive State of California matching grant funds, subject to all of the accountability safeguards specified below.

ACCOUNTABILITY SAFEGUARDS

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers of the District may be assured that their money will be spent to address specific school facilities needs of the District, all in compliance with the requirements of Article XIIIIA, Section 1(b)(3) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Sections 15264 *et seq.* of the California Education Code (the “Education Code”)).

Evaluation of Needs. The Board of Trustees of the District (the “Board”) has prepared a facilities master plan in order to evaluate and address all of the facilities needs of the District at each campus and facility, and to determine which projects to finance from a local bond at this time. The Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Limitations on Use of Bonds. Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, including, to the extent permitted by law, the acquisition or lease of real property in connection with an existing or future financing of the specific school facilities projects listed in the Bond Project List, including the prepayment of existing or future interim lease, certificate of participation or lease revenue bond financings, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

Independent Citizens’ Bond Oversight Committee.

The Board shall establish an independent citizens’ bond oversight committee (pursuant to Education Code Section 15278 *et seq.*), to ensure bond proceeds are expended only for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date that the Board enters the election results on its minutes pursuant to Section 15274 of the Education Code. In accordance with Section 15282 of the Education Code, the citizens’ bond oversight committee shall consist of at least seven members and shall include a member

active in a business organization representing the business community located within the District, a member active in a senior citizens’ organization, a member active in a bona fide taxpayers’ organization, a member that is a student who is both currently enrolled in the District and active in a community college group, such as student government, and a member that is active in the support and organization of a community college or the community colleges of the District, such as a member of an advisory council or foundation. No employee or official of the District and no vendor, contractor or consultant of the District shall be appointed to the citizens’ bond oversight committee. The citizens’ bond oversight committee shall be representative of the constituent base of the District.

Annual Performance Audits. The Board shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for performance audits. The results of these audits shall be made publicly available and shall be submitted to the citizens’ bond oversight committee in accordance with Section 15286 of the Education Code.

Annual Financial Audits. The Board shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for financial audits. The results of these audits shall be made publicly available and shall be submitted to the citizens’ bond oversight committee in accordance with Section 15286 of the Education Code.

Special Bond Proceeds Account: Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board shall take those actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Chancellor of the District shall cause a report to be filed with the Board no later than January 1 of each year, commencing on the first January 1 after the sale of the first series of bonds, stating (a) the amount of bond proceeds received and expended in that year, and (b) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Chancellor of the District shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

FURTHER SPECIFICATIONS

Joint-Use Projects. The District may enter into agreements with other public agencies or nonprofit organizations for joint use of school facilities financed with the proceeds of the bonds in accordance with Education Code Section 17077.42 (or any successor provision). The District may seek State grant funds for eligible joint-use projects as permitted by law, and this proposition hereby

specifies and acknowledges that bond funds will or may be used to fund all or a portion of the local share for any eligible joint-use projects identified in the Bond Project List or as otherwise permitted by California State regulations, as the Board shall determine.

Single Purpose. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and all the enumerated purposes shall constitute the specific single purpose of the bonds, and proceeds of the bonds shall be spent only for such purpose, pursuant to California Government Code Section 53410.

Other Terms of the Bonds. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest shall be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than the statutory maximum number of years from the date borne by that bond as determined by the law in effect when the bonds are issued or when the bonds were approved by voters, whichever is longer.

ESTIMATED BALLOT INFORMATION

The District is required by law to include in the statement of the measure to be voted on estimates of the amount of money to be raised annually to repay the bonds and the rate and duration of the tax to be levied for the bonds. As of the time this proposition was placed on the ballot, the District estimated \$44.2 million would be raised annually for the repayment of the authorized bonds for approximately 40 years at a projected tax rate of 2.45 cents per \$100 of assessed valuation. Attention of all voters is directed to the fact that such information is based upon the District's projections and estimates only, which are not binding upon the District. The amount of money to be raised annually and the rate and duration of the tax to be levied for the bonds may vary from those presently estimated due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

BOND PROJECT LIST

The Bond Project List below lists the specific projects the District proposes to finance with proceeds of the bonds. The Bond Project List shall be considered a part of the bond proposition and shall be reproduced in any official document required to contain the full statement of the bond proposition. Listed projects will be completed as needed at a particular school or facility site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of

priority for funding or completion. Any authorized repairs shall be capital expenditures. The Bond Project List does not authorize non-capital expenditures. Each project is assumed to include its share of costs of the election and bond issuance, construction-related costs, such as project and construction management, architectural, engineering, inspection and similar planning and testing costs, demolition and interim housing costs, legal, accounting and similar fees, costs related to the independent annual financial and performance audits, a contingency for unforeseen design and construction costs, and other costs incidental to or necessary for completion of the listed projects (whether the related work is performed by the District or third parties). The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds expected from non-bond sources, including State of California grant funds for eligible projects, have not yet been secured. Therefore, the Board cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Alternatively, if the District obtains unexpected funds from non-bond sources with respect to listed projects, such projects may be enhanced, supplemented or expanded to the extent of such funds. Some projects may be subject to further government approvals, including by State officials and boards and/or local environmental or agency approval. Inclusion of a project on the Bond Project List is not a guarantee that the project will be completed (regardless of whether bond funds are available). Each project listed below may require construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities as may be determined by the Board at the time the project is undertaken. All or portions of the projects listed below may be used as joint-use projects within the meaning of Section 17077.42(c) of the Education Code (or any successor provision).

The specific projects authorized to be financed with proceeds of the bonds under this proposition are as follows:

BERKELEY CITY COLLEGE
The following projects are authorized to be financed at BERKELEY CITY COLLEGE:
<ul style="list-style-type: none">• Milvia Street 3rd floor classroom build-out• Main building reconfigurations• Additional educational facility, including STEM labs• Acquisition of real property• Wi-Fi deployment• Network upgrades

COLLEGE OF ALAMEDA	DISTRICT WIDE PROJECTS (PROJECTS FOR ALL CAMPUSES)
The following projects are authorized to be financed at COLLEGE OF ALAMEDA:	
<ul style="list-style-type: none"> • Electrical infrastructure • HVAC upgrades and renovation • Central plant renovation or replacement • Science and administration building replacement (C/D) • Aviation complex • Automotive/Diesel complex • Performing Arts complex • Student Center (Building F) modernization 	<p>The following projects are supplemental to (although may in some cases duplicate) those described in the District's Facilities Master Plan. The projects identified in the Facilities Master Plan are incorporated by reference herein, except for the estimated costs associated therewith, which are excluded herefrom. The projects listed below and in the Facilities Master Plan are authorized to be financed at all current and future District sites.</p>
LANEY COLLEGE	
The following projects are authorized to be financed at LANEY COLLEGE:	
<ul style="list-style-type: none"> • Electrical equipment • Central plant, including infrastructure • Hot water system • Compressed air system • Water and air piping • Student and welcome center • STEAM center • Library learning resource center • Design and manufacturing center and outdoor work area canopy • Performing Arts Center • Community building and campus green • Wellness Center • Local business marketplace and incubator w/ parking garage and pedestrian bridge • Culinary institute • Gymnasium 	<ul style="list-style-type: none"> • Network / telephony / technology infrastructure and equipment upgrades, including, but not limited to, software systems • Sewer system repairs • Power and electrical system repairs • Water system repairs, including, but not limited to irrigation systems • Safety and security system replacements and upgrades • Emergency preparedness • Landscaping upgrades • Electric vehicle charging stations • Renewable energy and energy efficiency projects, including, but not limited to, solar panels • Signage and wayfinding upgrades • Roadway, parking, pathways, bike lanes, trails, ingress, and egress improvements • Upgrades, renovations and improvements to libraries, classrooms, and buildings • Acquisition of real property • Furniture and equipment and library materials, including, but not limited to, library digital resources • Accessibility improvements, including, but not limited to ADA upgrades • HVAC replacement • Child care center renovations or replacements • Athletic facility upgrades • Veterans Centers • District office • Workforce development and continuing education center
MERRITT COLLEGE	
The following projects are authorized to be financed at MERRITT COLLEGE:	
<ul style="list-style-type: none"> • Electrical system/equipment replacements and upgrade • Civil infrastructure upgrades • Building A replacement • Building D, E, F, and R renovation • Combined Child Care Center & Child Development Center • Horticulture Complex replacement • Kinesiology physical fitness addition • Site and ingress/egress improvements • Genomics Institute 	

MISCELLANEOUS
All listed bond projects include the following as needed:
<ul style="list-style-type: none"> • Removal of hazardous materials such as asbestos and lead paint as needed. • Construction and/or installation of access improvements for individuals with disabilities, as required by state and federal law. • Associated onsite and offsite development, demolition and other improvements made necessary by listed bond projects. • Planning, designing and providing temporary housing necessary for listed bond projects. • Purchase of any rights-of-way and/or easements made necessary by listed bond projects. • Acquisition of all or a portion of any school site or facility, or an interest therein, encumbered in order to finance or refinance the listed school facilities projects. • Reconstruction and rehabilitation of the abated areas.

THE PERALTA COMMUNITY COLLEGE DISTRICT-WIDE FACILITIES & TECHNOLOGY MASTER PLAN UPDATE DATED MARCH 13, 2018 IS HEREBY INCORPORATED IN ITS ENTIRETY BY REFERENCE SUBJECT TO THE CAVEATS IN THE PARAGRAPH DIRECTLY BELOW THE CAPTION "BOND PROJECT LIST" ABOVE. ALL PROJECTS IN THE FACILITIES AND TECHNOLOGY MASTER PLAN UPDATE ARE AUTHORIZED BUT THE PRIORITIZATION AND COST ESTIMATES IN THE PLAN SHALL NOT BE BINDING UPON THE DISTRICT. A COPY OF THE PLAN IS AVAILABLE FROM THE VICE CHANCELLOR OF FINANCE AND ADMINISTRATION.

EAST BAY REGIONAL PARK DISTRICT MEASURE FF

FF	Wildfire Protection, Safe Parks/Trails, Public Access, Natural Habitat. Without increasing tax rates, to protect against wildfires; enhance public safety; preserve water quality, shorelines, urban creeks; protect redwoods and parklands in a changing climate; and restore natural areas, shall East Bay Regional Park District be authorized to extend an existing parcel tax of \$1 monthly (\$12/year) per single-family parcel and 69¢ monthly (\$8.28/year) for multi-family units, raising approximately \$3.3 million annually, to expire in 20 years?	<table border="1"><tr><td>YES</td></tr><tr><td>NO</td></tr></table>	YES	NO
YES				
NO				

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE FF

ANALYSIS BY THE COUNTY OF ALAMEDA COUNTY COUNSEL OF AN EAST BAY REGIONAL PARK DISTRICT SPECIAL PARCEL TAX MEASURE

Measure FF, an East Bay Regional Park District (“District”) special parcel tax measure, seeks voter approval to authorize the District to levy an annual special parcel tax in the amount of \$12 per dwelling unit on each single-family residential property and \$8.28 per dwelling unit on each multi-family residential property for a period of 20 years, beginning in Fiscal Year 2020-2021. The District’s voters previously authorized Measure CC, which is a special parcel tax assessment at the same rates that will expire on June 30, 2020. Passage of Measure FF will allow the continued collection of the amounts currently collected by Measure CC when Measure CC expires.

The tax will be levied on parcels within the East Bay Regional Park District Community Facilities District No. A/C-3 (“CFD”). The qualified electors are the registered voters within the CFD. If two-thirds of the qualified electors voting on this measure vote for approval, a special parcel tax will be imposed annually for 20 years at the rates described above. The tax will be collected by the Alameda County Treasurer-Tax Collector at the same time and in the same manner as *ad valorem* property taxes are collected, provided that the District may directly bill or collect the special tax at a different time or manner if necessary to meet the CFD financial obligations.

If two-thirds of the qualified electors voting on this measure vote for approval, the proceeds of the tax will be used for specific purposes and projects solely within the CFD territory or vicinity. These projects include, among others, wildfire protection, public safety enhancements, water quality preservation, and natural area restoration. The measure provides for an annual report and public accounting of the use of tax proceeds.

If two-thirds of the qualified electors voting on this measure do not vote for approval, the measure will fail, and the District will not be authorized to levy this special tax.

This measure is placed on the ballot by the governing

board of the District.

s/DONNA R. ZIEGLER
County Counsel

The above statement is an impartial analysis of Measure FF, which is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official’s office at (510) 272-6933 and a copy will be mailed at no cost to you. You may also access the full text of the measure on the Alameda County website at the following address: www.acvote.org.

ARGUMENT IN FAVOR OF MEASURE FF
WITHOUT raising your tax rate, VOTE YES on
Measure FF to extend, and maintain critical investments in
local East Bay Regional Parks, reduce the risk of wildfires,
save redwoods, preserve water quality, and increase park
safety for all.

In 2004 local voters overwhelmingly approved Measure CC to maintain our local parks. Your support has made a difference. Now, Measure FF seeks your support to extend this vital funding to **maintain** our investment in wildfire protection, public access, urban creeks and water quality, and natural habitat preservation – **all for ONLY \$1 a month**, keeping your tax rate flat.

2018 has become the worst year on record for California wildfires. The new normal is more wildfires leaving more destruction across the state. We cannot risk another wildfire in the East Bay like The 1991 Oakland-Berkeley Hills Fire. Measure FF will continue the park district's approved Wildfire Hazard Reduction and Resource Management Plan work to reduce the risk of wildfires.

Measure FF also provides a detailed plan built with environmental and community leader input to:

- **Increase** public safety across all parks (including wildfire protection)
- **Preserve** water quality, shorelines, urban creeks and coastal areas
- **Protect** natural habitats for birds, wildlife and endangered species
- **Improve** trails and public access to parks and trails
- **Maintain** and increase environmental education programs
- **Upgrade** erosion control and nature-based flood protection

Measure FF has built-in taxpayer safeguards. **ALL MEASURE FF FUNDS STAY LOCAL**, dedicated to East Bay Regional Parks only. Because of the prudent steps taken to protect taxpayers, the Alameda County Taxpayers Association has endorsed Measure FF.

Help keep local parks safe, clean and protected from wildfires - **WITHOUT raising your tax rate. Remember, they are YOUR parks – these parks belong to YOU.**

Please join the Regional Parks Foundation, Sierra Club, Save the Redwoods League, Golden Gate Audubon Society, firefighters, public safety officers, neighborhood, civic and Labor leaders, environmentalists, park enthusiasts, and residents across our community **VOTING YES on Measure FF** to continue protecting our parks.

VOTE YES on FF. Thank you!

Learn more at www.YesEastBayParks.com

s/Alameda County Fire Department
by DAVID ROCHA, Fire Chief

s/BARBARA LEE
Congresswoman, 13th District

s/Sierra Club East Bay Public Lands Committee
by NORMAN LA FORCE, Chair
s/Golden Gate Audubon Society East Bay Conservation Committee
by PAM YOUNG, Chair
s/Alameda County Taxpayers Association
by DAN B. WALDEN, Executive Director

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE FF

Climate change is causing terrifying wildfires across the world. According to fire research, vegetation management near housing is wise, but the benefits of thinning forests in distant areas, away from housing, are unproven. Even within “defensible space” (within 100 feet of structures,) cutting *all* trees is inadvisable. And yet we’ve observed East Bay Regional Parks District (EBRPD) destroying entire groves of “non-native” species. This irresponsible approach scapegoats trees, creates a false sense of security, and *worsens* climate change!

Extreme fires are primarily driven by temperature, moisture content and wind, not a particular tree species. Attempts to control nature by eradicating a species that has demonstrated remarkable climate-resilience (unlike many “native” species) is foolhardy. Fire scientists advocate tackling wildfires by constructing homes of ignition-resistant materials.

Use of pesticides to solve perceived ecological imbalances is particularly problematic. EBRPD has even employed aerial spraying to eradicate “non-native” plants. Do you really want YOUR parks poisoned, using YOUR tax dollars? EBRPD’s “Integrated Pest Management” is a positive small step, but we call for a bolder approach: no pesticides! If organic farmers can do it, so can EBRPD!

In truth, we champion most of Measure FF’s intended purposes. We love our parks and want to protect them—from poisons and unnecessary tree-cutting. The Measure promises “environmental and community leader input,” but over the years we’ve steadfastly provided community input, to no avail.

Please join Forest Action Brigade, East Bay Pesticide Alert, Save East Bay Hills, San Francisco Forest Alliance, fire survivors, cancer survivors, environmentalists, park lovers, dog walkers, water drinkers, and air breathers. Vote NO on Measure FF.

s/PETER GRAY SCOTT

Architect

s/JEAN STEWART

Botanist, Former Pesticide Researcher

s/MAXINA VENTURA

East Bay Pesticide Alert

s/MARY MCALLISTER

Webmaster of Million Trees Blog

ARGUMENT AGAINST MEASURE FF

We love public parks, and we support taxation which benefits the common good. Nevertheless, we urge a NO vote. East Bay Regional Parks District (EBRPD) has previously used this measure to destroy, unnecessarily, thousands of healthy trees under pretexts such as “hazardous tree” designations and “protection against wildfires”. But fire experts point out that tree shade retains moisture, thereby *reducing* fire danger. The measure has also funded so-called “restoration”—large-scale destruction of “non-native” plants, in a futile attempt to transform the landscape back to some idealized previous “native” era.

EBRPD’s restoration and tree-cutting projects often utilize pesticides, including glyphosate (Roundup), triclopyr, and imazapyr. We agree with the groundswell of public sentiment opposing the spending of tax dollars on pesticides applied to *public* lands. Not only do pesticides destroy the soil microbiome; they also migrate into air, water and soil, severely harming plants, animals, and humans. Because EPA pesticide regulation, especially under the current administration, is inadequate, it is imperative that local jurisdictions exercise greater oversight. While EBRPD utilizes “Integrated Pest Management” which limits pesticide use, we strongly advocate a *no pesticide* policy, with a concomitant commitment of resources.

Given the terrifying pace of climate change, it is indefensible to target certain species of trees for eradication. *All* trees—not just “natives”—are the planet’s “lungs,” breathing in carbon dioxide and breathing out oxygen. When a tree is destroyed, its air-cleansing function is forever eliminated, and its stored carbon is released into the atmosphere, thus *worsening* climate change.

Throughout history, plants, animals, and humans have migrated when their given habitats became unlivable. Adaptation to new environments is at the heart of evolutionary resilience. To claim that some species “belong here” and others do not strikes us as unscientific xenophobia.

Until EBRPD modifies its approach, we urge a NO vote.

s/Forest Action Brigade
by MARG HALL, President

s/Forest Action Brigade
by JEAN STEWART, Member

s/Forest Action Brigade
by TERI SMITH, Member

s/Forest Action Brigade
by TANYA SMITH, Member

REBUTTAL TO ARGUMENT AGAINST MEASURE FF

The individuals who signed the opposition statement may be well intended, but their message is inaccurate.

Here are the facts:

FACT: The threat of wildfires is REAL and potentially devastating to living trees, including precious redwood trees, wildlife, residential areas, and generations of parkgoers.

FACT: East Bay Regional Park District has led the way taking steps to prevent the risk of wildfires in our parks. Measure FF will continue that effort. Your YES VOTE EXTENDS CRITICALLY NEEDED PARK PROTECTIONS while keeping the current tax rate FLAT.

FACT: The park district's community-built wildfire reduction plan is ENDORSED by the Sierra Club, Golden Gate Audubon Society, and Save the Redwoods League.

FACT: Measure FF extends funding to protect redwood trees, water quality, shorelines, safe havens for wildlife, and natural habitats for endangered species.

FACT: Without Measure FF, we risk cutbacks to the protections currently maintaining and safeguarding our parks. Measure FF will: increase public safety across all parks, including wildfire protection; preserve water quality, shorelines, urban creeks and coastal areas; protect natural habitats for birds, wildlife and endangered species; improve public access to parks and trails; maintain and increase environmental education programs; and upgrade erosion control and nature-based flood protection

FACT: Measure FF has built-in taxpayer safeguards. ALL FF FUNDS STAY LOCAL, dedicated to our local East Bay Regional Parks.

Stand with us. You'll be in good company. To continue protecting our parks, join the Sierra Club, Save the Redwoods League, Golden Gate Audubon Society, Save the Bay, The Alameda County Taxpayers Association, firefighters, public safety officers, neighborhood, civic and Labor leaders, environmentalists, park enthusiasts, and residents across our community VOTING YES on **Measure FF.**

PLEASE - Vote Yes on Measure FF.

www.YesEastBayParks.com

s/KENNETH S. BLONSKI
Retired Fire Chief, Richmond Resident

s/United Seniors of Alameda County
by CHONITA CHEW, Community Organizer

s/Save the Bay
by DAVID LEWIS, Executive Director

s/AUDREE V. JONES-TAYLOR
Park User, Retired City of Oakland Parks and Recreation Director

s/Save The Redwoods League
by SAM HODDER, President and CEO

FULL TEXT OF MEASURE FF

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO: 2018 – 06 – 129

June 5, 2018

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EAST BAY REGIONAL PARK DISTRICT,
CALIFORNIA, DECLARING THE FORMATION
OF A COMMUNITY FACILITIES DISTRICT
EAST BAY REGIONAL PARK DISTRICT
COMMUNITY FACILITIES DISTRICT NO. A/C-3**

WHEREAS, East Bay Regional Park District (District) includes all of Alameda County and all of Contra Costa County. The District operates 73 regional parks, recreation areas, shorelines, preserves, wilderness and land banked areas, on more than 121,390 acres of parkland and over 1250 miles of trails; and

WHEREAS, in 2004 more than two-thirds of the voters in the boundary of “Zone 1” (which includes the cities and communities of Alameda, Oakland, Piedmont, Albany, Richmond, San Pablo, El Sobrante, Kensington, Berkeley, Emeryville and El Cerrito) approved Measure CC which levied a \$12 per year tax on single-family parcels and \$8.28 per year tax on multi-family units to improve park facilities, protect the environment and open-space, enhance public access and maintain public safety; and

WHEREAS, funding from Measure CC has:

- supported police protection at shoreline and urban regional parks and catastrophic fire prevention in the East Bay Hills, with more than 500 acres of hazardous vegetation thinned or removed.
- enhanced public access to parks by allowing upgrades to regional parks and trails, including visitor centers, staging areas, picnic tables, restrooms and water fountains.
- protected the natural environment by helping pay for the restoration and preservation of natural areas, including shorelines, marshes, wetlands, and urban creeks; and protecting sensitive habitat and promoting resiliency to climate change; and

WHEREAS, the Measure CC tax funding will expire on June 30, 2020; and

WHEREAS, the Board of Directors has determined that it is necessary to extend the \$12 per year tax on single-family parcels and \$8.28 per year tax on multi-family units to continue to provide for wildfire protection, safe parks and trails, public access and natural habit, among other things; and

WHEREAS, on May 1, 2018, the Board of Directors adopted Resolution No. 2018-05-097 entitled “A Resolution of the Board of Directors of the East Bay Regional Park District, California, Declaring its Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes” (the “Resolution of Intention”), stating its intention to form the East Bay Regional Park District Community Facilities District No. A/C-3 (the “CFD”)

under the Mello-Roos Community Facilities Act of 1982, as amended, Sections 53311 and following of the California Government Code (the “Act”); and

WHEREAS, the Resolution of Intention, incorporating a map of the proposed boundaries of the CFD and stating the services to be provided and the rate and method of apportionment of the special tax to be levied within the CFD to pay for the services, is on file with the Clerk of the Board and the provisions thereof are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, the proposed boundary and territory of the CFD are the same boundary and territory as Zone 1; and

WHEREAS, the territory of the CFD contains the oldest parks in the regional park system, some dating back to the 1930s, and the highest population density and park use in the District by the urban communities along the eastern shoreline of the San Francisco Bay; and

WHEREAS, the parks within the CFD to benefit from the levy of special taxes include: Alameda Point, Anthony Chabot, Crown Beach/Crab Cove, Gateway, Kennedy Grove, Lake Chabot, Leona Canyon, Martin Luther King, Jr., McLaughlin Eastshore, Miller-Knox, Point Isabel, Point Molate, Point Pinole, Redwood, Roberts, Sibley/Huckleberry/Claremont Canyon, Sobrante Ridge, Temescal, Tilden and Wildcat Canyon, and such new parks or properties that may be purchased and/or annexed to parks within the CFD; and

WHEREAS, one or more of the District’s parks and/or trails is within ten (10) miles of virtually all residents within the CFD; and

WHEREAS, the District’s parks and trails enhance the health, safety and welfare of all residents within the CFD; and

WHEREAS, under the Resolution of Intention, the General Manager of the District was directed to make, or cause to be made, and file with the Clerk of the Board a report (the “Report”) in writing, presenting the services to be provided and an estimate of the reasonable cost of providing the services, which was prepared and submitted to the Clerk of the Board prior to the public hearing described below; and

WHEREAS, the Resolution of Intention called for a public hearing pertaining to the formation of the CFD and the levy of said special tax to be held on June 5th, 2018, at 1:00 p.m. or as soon thereafter as the matter may be heard, in the meeting place of the Board of Directors at the East Bay Regional Park District Administration Building, 2950 Peralta Oaks Court, Oakland, California; and

WHEREAS, under the Resolution of Intention, the Clerk of the Board was directed to cause notice of the public hearing to be given by publication one time in a newspaper published in the area of the CFD, and the Clerk of the Board caused the publication of such notice at least 7 days before the date set for the public hearing; and

WHEREAS, on this date, this Board of Directors held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed formation

of the CFD; and

WHEREAS, at the public hearing all interested persons desiring to be heard on all matters pertaining to the formation of the CFD, the services to be provided therein and the levy of such special tax were heard and a full and fair public hearing was held; and

WHEREAS, written protests with respect to the formation of the CFD, the furnishing of specified types of services and the rate and method of apportionment of the special taxes have not been filed with the Clerk of the Board by 50% or more of the registered voters residing within the territory of the CFD or property owners of one-half or more of the area of land within the CFD and not exempt from the proposed special taxes; and

WHEREAS, the special tax proposed to be levied in the CFD to pay for the proposed services has not been eliminated by protest by 50% or more of the registered voters residing within the territory of the CFD or the owners of one-half or more of the area of land within the CFD and not exempt from the special taxes.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby finds, determines, and resolves that all of the foregoing recitals are true and correct.

BE IT FURTHER RESOLVED, the formation of the CFD, and the proposed special tax to be levied within the CFD, have not been precluded by majority protest pursuant to Section 53324 of the Act.

BE IT FURTHER RESOLVED, all prior proceedings taken by the Board of Directors in connection with the establishment of the CFD and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the requirements of the Act. The Board of Directors has heretofore adopted Resolution No. 2015-06-171 the East Bay Regional Park District Statement of Local Goals and Policies Concerning the Use of the Mello-Roos Community Facilities Act of 1982, and the Board of Directors hereby finds and determines that the CFD is in conformity with said goals and policies.

BE IT FURTHER RESOLVED, the community facilities district designated as the "East Bay Regional Park District Community Facilities District No. A/C-3" of the District is hereby established pursuant to the Act.

BE IT FURTHER RESOLVED, the boundaries of the CFD, as set forth in the map entitled "Proposed Boundaries of Community Facilities District No. A/C-3, East Bay Regional Park District, Counties of Alameda and Contra Costa, State of California" heretofore recorded in the Alameda County Recorder's Office on May 2, 2018, in Book 18 at Page 98 as Document No. 2018-088327 of Maps of Assessment and Community Facilities Districts and in the Contra Costa County Recorder's Office on May 2, 2018, in Book 86 at Page 43 as Document No. 2018-0068556 of Maps of Assessment and Community Facilities Districts, are hereby approved, are incorporated herein by reference and shall be the boundaries of the CFD.

BE IT FURTHER RESOLVED, the type of public

services proposed to be funded by the CFD and pursuant to the Act shall consist of those services (the "Services") shown in Exhibit A hereto and by this reference incorporated herein.

BE IT FURTHER RESOLVED, except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof, secured by the recordation of a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD pursuant to the Rate and Method of Apportionment shown in Exhibit B of the special tax, and collected in the same manner as ordinary ad valorem property taxes or in such other manner as the Board of Directors or its designee may determine, including direct billing of the affected landowners.

BE IT FURTHER RESOLVED, the rate and method of apportionment of the special tax among the parcels of real property within the CFD, in sufficient detail to allow each landowner within the CFD to estimate the maximum amount such owner will have to pay, is shown in Exhibit B attached hereto and hereby incorporated herein.

BE IT FURTHER RESOLVED, the Chief Financial Officer of the District, 2950 Peralta Oaks Court, City of Oakland, California, 94605, telephone number (510) 544-2401, is the officer of the District who will be responsible for preparing annually a current roll of the levy of the special tax obligations by assessor's parcel number and who will be responsible for estimating future levies of the special tax.

BE IT FURTHER RESOLVED, upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the CFD and this lien shall continue in force and effect until the collection of the special tax by the District ceases.

BE IT FURTHER RESOLVED, in accordance with the Act, the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the CFD is hereby preliminarily established at an amount equal to \$3,300,000, and such appropriations limit shall be submitted to the voters of the CFD as hereafter provided. The proposition establishing such annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of the Act and the California Constitution.

BE IT FURTHER RESOLVED, pursuant to the Act, the proposition of the levy of the special tax and the proposition of the establishment of the appropriations limit specified above shall be submitted to the qualified electors of the CFD at an election, the time, place and conditions of which shall be as specified by a separate resolution of this Board of Directors.

BE IT FURTHER RESOLVED that the General Manager and the Chief Financial Officer are hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary and appropriate to accomplish the

intentions of this resolution.

BE IT FURTHER RESOLVED, that this Resolution shall take effect upon its adoption.

Moved by Director Rosario, seconded by Director Corbett, and approved this 5th day of June, 2018, by the following vote:

FOR: Colin Coffey, Ellen Corbett, Whitney Dotson, Beverly Lane, Dee Rosario, Dennis Waespi, Ayn Wieskmap.

AGAINST: None.

ABSTAIN: None.

ABSENT: None.

s/DENNIS WAESPI

Board President

CERTIFICATION

I, Yolande Barial Knight, Clerk of the Board of the Directors of the East Bay Regional Park District, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. 2018-06-129 adopted by the Board of Directors at a regular meeting held on June 05, 2018.

s/YOLANDE BARIAL KNIGHT

EXHIBIT A

EAST BAY REGIONAL PARK DISTRICT COMMUNITY FACILITIES DISTRICT NO. A/C-3 DESCRIPTION OF SERVICES TO BE FUNDED BY THE CFD

It is intended that the CFD will be eligible to fund within or in the vicinity of the CFD all or a portion of the direct and incidental costs of the maintenance, improvement, and servicing of parklands, trails, open space, and related parkland access improvements; public safety protection services; recreation and open-space program services; flood and storm protection services; maintenance and operation of District property, including open space; and the construction, expansion, improvement, or rehabilitation of District property, including park, recreation, open-space, and flood and storm protection facilities.

The CFD may fund any of the following related to the maintenance of the services described in the preceding paragraph: obtaining, constructing, reconstructing, furnishing, and operating and maintaining equipment, apparatuses or facilities related to providing the services; equipment, apparatuses, facilities, or fixtures in areas to be maintained; paying the salaries and benefits of personnel necessary or convenient to provide the services; payment of insurance costs and other related expenses; and the provision of reserves for repairs, replacements, and for the future provision of services. It is expected that the services will be provided by the District, either with its own employees or

by contract with third parties, or any combination thereof. The CFD may also fund administrative fees of the District related to the CFD.

The foregoing description of the types of services eligible to be funded is general in nature and includes any appurtenant work and incidental expenses relating to the operation, maintenance and servicing of facilities. The final nature and location of the services will be determined upon the preparation of final plans and specifications for such services.

EXHIBIT B

EAST BAY REGIONAL PARK DISTRICT COMMUNITY FACILITIES DISTRICT NO. A/C-3 RATE AND METHOD OF APPORTIONMENT

EAST BAY REGIONAL PARK DISTRICT COMMUNITY FACILITIES DISTRICT NO. A/C-3

RATE AND METHOD OF APPORTIONMENT

A Special Tax as hereinafter defined shall be levied and collected in the East Bay Regional Park District Community Facilities District No. A/C-3 ("CFD No. A/C-3") each Fiscal Year, commencing in Fiscal Year 2020-2021, in an amount determined by the application of the procedures described below. All of the real property in CFD No. A/C-3, unless exempted by law or by the provisions hereof, shall be taxed for purposes of CFD No. A/C-3, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meaning:

"Act" means the Mello-Roos Community Facilities Act of 1982, being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California, as amended to date and as may be amended from time to time.

"Administrative Expenses" means the actual or reasonably estimated costs directly related to the administration of CFD No. A/C-3 including, but not limited to, the following: the costs of computing the Special Tax and preparing the annual Special Tax collection schedules (whether by the District, the CFD Administrator, or both); the costs of collecting the Special Taxes (whether by the County, the District, or otherwise); the costs to the District, CFD No. A/C-3, or any designee thereof of complying with disclosure requirements; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; and the costs of the District, CFD No. A/C-3, or any designee thereof related to any appeal of the levy or application of the Special Tax. Administrative Expenses shall also include amounts estimated or advanced by the District or CFD No. A/C-3 for any other administrative purposes, including, but not limited to, attorney's fees; costs associated with annexations to CFD No. A/C-3; and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

“Assessor’s Data” means Use Code, Homeowner Exemption, Secured Roll or other Assessor’s Parcel information contained in the records of the County Assessor.

“Assessor’s Parcel” means a lot or parcel shown on an Assessor’s Parcel Map with an assigned assessor’s parcel number.

“Assessor’s Parcel Map” means an official map of the County Assessor of the County designating Assessor’s Parcels by an Assessor’s Parcel number.

“Authorized Services” means the public services authorized to be funded by CFD No. A/C-3 as set forth in the resolutions of formation adopted by the Board establishing CFD No. A/C-3.

“Board” means the Board of Directors of the East Bay Regional Park District, acting as the legislative body of CFD No. A/C-3.

“CFD Administrator” means an official of the District, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.

“CFD No. A/C-3” means the East Bay Regional Park District Community Facilities District No. A/C-3.

“County” means either the County of Alameda, the County of Contra Costa, or both.

“District” means the East Bay Regional Park District.

“Dwelling Unit” means an individual residential living space. The number of Dwelling Units assigned to each Assessor’s Parcel may be determined by (i) referencing Use Code data, (ii) site surveys and physical unit counts, (iii) reviewing County building permit data, and/or (iv) determining the number of Homeowner Exemptions reflected for an Assessor’s Parcel in the Assessor’s Data on the County Secured Roll.

“Exempt Property” means all Assessors’ Parcels that are exempt from the Special Tax pursuant to Section E.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Floating Home Property” means all Assessor’s Parcels within CFD No. A/C-3 with an Alameda County Use Code of 0750.

“Homeowner Exemption” means a property tax exemption that is (i) permitted by the State to be taken against an individual’s primary residence and (ii) reflected in the Assessor’s Data on the County Secured Roll.

“Maximum Annual Special Tax” means the maximum annual Special Tax, determined in accordance with Section C, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Mobile Home Property” means all Assessor’s Parcels within CFD No. A/C-3 (i) with an Alameda County Use Code of 0600 or 0700; or (ii) with a Contra Costa County Use Code of 88.

“Multi-Family Residential Property” means all

Assessor’s Parcels of Taxable Property within CFD No. A/C-3 (i) with an Alameda County Use Code of 1200, 2100, 2200, 2300, 2400, 2440, 2500, 2600, 2700, 2800, 2900, 7100, 7200, 7430, 7500, 7600, 7700, 7701, 7800, or 7900, as those Use Codes may be amended in the future; or (ii) with a Contra Costa County Use Code of 13, 21, 22, 23, 24, 25, 26, 27, or 28, as those Use Codes may be amended in the future.

“Non-Residential Property” means all Assessor’s Parcels within CFD No. A/C-3 not classified as Floating Home Property, Mobile Home Property, Multi-Family Residential Property, Public Property, or Single-Family Residential Property.

“Property Use” means, in any Fiscal Year, the category of use assigned using the County Assessor’s Data Use Code, as indicated on the Secured Roll.

“Proportionately” means, in any Fiscal Year, that the ratio of the Special Tax levy on Taxable Property to the Maximum Annual Special Tax on Taxable Property is equal for all Assessors’ Parcels of Taxable Property authorized to be levied in that Fiscal Year.

“Public Property” means any property within the boundaries of CFD No. A/C-3 which (i) is owned by a public agency, (ii) has been irrevocably offered for dedication to a public agency, or (iii) is designated with specific boundaries and acreage on a final subdivision map as property which will be owned by a public agency; provided, however, that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified in accordance with its use. For purposes of this definition, a “public agency” includes the federal government, the State, the County, the District, or any other public agency.

“Rate and Method” means this Rate and Method of Apportionment for CFD No. A/C-3.

“Secured Roll” means that Assessor’s Data indicating the current Fiscal Year property value for County tax assessment purposes.

“Single-Family Residential Property” means all Assessor’s Parcels of Taxable Property within CFD No. A/C-3 (i) with an Alameda County Use Code of 1100, 1101, 1120, 1130, 1140, 1150, 1160, 1300, 1400, 1440, 1500, 1505, 1520, 1525, 1540, 1545, 1600, 1620, 1640, 1700, 1800, 1820, 1840, 1900, 1901, 5100, 7300, 7301, 7302, 7320, 7321, 7340, 7341, 7342, or 7400, as those Use Codes may be amended in the future; (ii) with a Contra Costa County Use Code of 11, 12, 14, 16, 19, 29 or 61, as those Use Codes may be amended in the future; or (iii) that meet neither of the two criteria listed above, but have a Homeowner Exemption reflected on the County Secured Roll.

“Special Tax” means the annual special tax to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Special Tax Requirement.

“Special Tax Requirement” means that amount of Special Tax revenue required in any Fiscal Year, as determined by the CFD Administrator, for the following

purposes: (i) to pay the costs of Authorized Services; (ii) to pay Administrative Expenses; (iii) to pay any amounts required to establish or replenish any repair and contingency funds, capital improvement replacement funds, or reserve funds for CFD No. A/C-3; (iv) to pay for reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year. The Special Tax Requirement shall be net of a credit for any funds available to reduce the annual Special Tax levy, as determined by the CFD Administrator.

“State” means the State of California.

“Taxable Property” means all Assessor’s Parcels within the boundaries of CFD No. A/C-3 that are not classified as Exempt Property under the Act or Section E below which, in any Fiscal Year, have been assigned an Improvement Value greater than zero dollars (\$0.00) on the County Secured Roll for that Fiscal Year.

“Use Code” means (i) the four-digit use code assigned by the Alameda County Assessor’s Office to each Assessor’s Parcel within Alameda County; or (ii) the two-digit use code assigned by the Contra Costa County Assessor’s Office to each Assessor’s Parcel within Contra Costa County.

B. DETERMINATION OF TAXABLE PARCELS

On or about July 1 of each Fiscal Year, the CFD Administrator shall determine the valid Assessor’s Parcels for all Assessor’s Parcels within CFD No. A/C-3. If any Assessor’s Parcels are no longer valid from the previous Fiscal Year, the CFD Administrator shall determine the new Assessor’s Parcels that are in effect for the current Fiscal Year. To the extent Assessor’s Parcels are subdivided, consolidated or otherwise reconfigured, the Maximum Special Tax rates shall be assigned to the new Assessor’s Parcels pursuant to Section C. The CFD Administrator shall also determine whether Assessor’s Parcels within CFD No. A/C-3 are Taxable Property or Exempt Property and, for all Taxable Property, the Property Use and Dwelling Units.

C. MAXIMUM ANNUAL SPECIAL TAX

The Maximum Annual Special Tax for each Assessor’s Parcel of Taxable Property shall be assigned according to the table below:

Property Use	Maximum Annual Special Tax Rates
Single-Family Residential Property	\$12.00 per Dwelling Unit
Multi-Family Residential Property	\$8.28 per Dwelling Unit

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

The Special Tax shall be levied each Fiscal Year by the CFD Administrator. The Special Tax Requirement shall be apportioned to each Assessor’s Parcel of Taxable Property within CFD No. A/C-3 by the method shown

below.

First. Determine the Special Tax Requirement.

Second. Levy the Special Tax on each Assessor’s Parcel of Taxable Property, Proportionately, up to the Maximum Special Tax Rates described in Section C to satisfy the Special Tax Requirement.

Notwithstanding the above, under no circumstances will the Special Tax levied in any Fiscal Year against any Assessor’s Parcel of Taxable Property be increased by more than ten percent above the amount that would have been levied in that Fiscal Year had there never been any delinquency or default by the owner(s) of any other Assessor’s Parcel within CFD No. A/C-3.

E. EXEMPTIONS

The CFD Administrator shall classify Assessor’s Parcels with the following Property Use as Exempt Property: Floating Home Property, Mobile Home Property, Non-Residential Property, Public Property, Assessor’s Parcels exempt from *ad valorem* taxation, and Assessor’s Parcels with public or utility easements making impractical their utilization for any use other than the purposes set forth in the easement shall also be classified as Exempt Property.

If, in any Fiscal Year, the Property Use of an Assessor’s Parcel of Exempt Property changes so that such Assessor’s Parcel is no longer classified as Exempt Property, such Assessor’s Parcel shall cease to be classified as Exempt Property and shall be classified as Taxable Property.

F. APPEALS AND INTERPRETATION

Any property owner may file a written appeal of the Special Taxes with the CFD Administrator claiming that the amount or application of the Special Taxes is not correct. The appeal must be filed not later than one calendar year after having paid the Special Taxes that are disputed, and the appellant must be current in all payments of Special Taxes. In addition, during the term of the appeal process, all Special Taxes levied must be paid on or before the payment date established when the levy was made.

The appeal must specify the reasons why the appellant claims the Special Taxes are in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the CFD Administrator’s decision relative to the appeal, the owner may then file a written appeal with the Board whose subsequent decision shall be final and binding on all interested parties. If the decision of the CFD Administrator or subsequent decision by the Board requires the Special Taxes to be modified or changed in favor of the property owner, no cash refund shall be made for prior years’ Special Taxes, but an adjustment shall be made to credit future Special Taxes.

This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

The District reserves the right to make minor administrative and technical changes to this Rate and Method that do not materially affect the rate and method of apportioning the Special Tax. In addition, the interpretation and application of any section of this Rate and Method shall be at the District's discretion. Interpretations may be made by the District by ordinance or resolution of the Board for purposes of clarifying any vagueness or ambiguity in this Rate and Method.

G. MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes, provided that the District may directly bill the Special Tax, may collect the Special Tax at a different time or in a different manner if needed to meet the financial obligations of CFD No. A/C-3.

H. NO PREPAYMENT OF SPECIAL TAX

The Special Tax may not be prepaid.

I. TERM OF SPECIAL TAX

The Special Tax shall be levied for a 20-year period, commencing in Fiscal Year 2020-2021 through Fiscal Year 2039-40, as necessary to satisfy the Special Tax Requirement.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO. 2018 – 06 - 130

June 5, 2018

ADOPTION OF AN EXPENDITURE PLAN AND A
STATEMENT REGARDING
ANNUAL APPROPRIATIONS LIMIT AND
ACCOUNTABILITY MEASURES FOR
EAST BAY REGIONAL PARK DISTRICT
COMMUNITY FACILITIES DISTRICT NO. A/C-3

WHEREAS, on June 5, 2018, the Board of Directors of the East Bay Regional Park District adopted a resolution entitled "A Resolution of the Board of Directors of the East Bay Regional Park District, California, Declaring the Formation of a Community Facilities District East Bay Regional Park District Community Facilities District No. A/C-3" (Resolution of Formation); and

WHEREAS, the Resolution of Formation authorized the levy of a special tax on property within CFD No. A/C-3 and preliminarily established an appropriations limit for the CFD, all pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Sections 53311 and following of the California Government Code (the "Act"); and

WHEREAS, the levy of a special tax is for purposes of wildfire protection, safe parks and trails, public access, and natural habitat, among other things; and

WHEREAS, the territory of the CFD includes the cities and communities of Alameda, Oakland, Piedmont, Albany, Richmond, San Pablo, El Sobrante, Kensington, Berkeley, Emeryville and El Cerrito and contains the oldest parks in the system, some dating back to the 1930s, and the highest population density and park use in the District by the urban communities lining the eastern shoreline of the San

Francisco Bay; and

WHEREAS, the parks within the CFD to benefit from the levy of special taxes include: Alameda Point, Anthony Chabot, Crown Beach/Crab Cove, Gateway, Kennedy Grove, Lake Chabot, Leona Canyon, Martin Luther King, Jr., McLaughlin Eastshore, Miller-Knox, Point Isabel, Point Molate, Point Pinole, Redwood, Roberts, Sibley/Huckleberry/Claremont Canyon, Sobrante Ridge, Temescal, Tilden and Wildcat Canyon, and such new parks or properties that may be purchased and/or annexed to parks within the CFD; and

WHEREAS, the Board of Directors has deemed it desirable to adopt an Expenditure Plan for the revenue from the proposed special tax which includes the necessary and optimal uses of the revenue including a Commitment List and Proposed Use of Funds (Commitment List); and

WHEREAS, the draft Commitment List was approved by the Board of Directors on January 16, 2018 by Resolution 2018-1-007 and was reviewed by the Board Legislative Committee on May 18, 2018 for favorable consideration by the full Board at the meeting of June 5, 2018; and

WHEREAS, the Resolution of Formation established an initial annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, for the CFD at an amount equal to \$3,300,000, subject to approval by the voters of the CFD at the November 6, 2018, election. The annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of the Act and the California Constitution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby approve the Expenditure Plan for Community Facilities District No. A/C-3 which includes the Commitment List and Proposed Use of Funds as attached and made part of this Resolution; and

BE IT FURTHER RESOLVED that the Oakland Zoo is eligible for funding not to exceed \$100,000 per year for purposes of enhancing conservation and stewardship efforts and youth engagement, which amount may be granted on an annual basis pursuant to the terms and conditions of a Local Grant Agreement; and

BE IT FURTHER RESOLVED that approval of the special tax by the voters will assure funding for the projects and services listed in the Commitment List but will not constitute approval of any particular project; and

BE IT FURTHER RESOLVED that since the tax is a special tax, the District must identify the uses to which it will put the tax proceeds, however, approval of a tax for funding of those categories of work is not a commitment to a specific project that will affect the environment, and for those reasons, the action proposed is not a "project" requiring CEQA compliance; and

BE IT FURTHER RESOLVED that the Board of Directors of the East Bay Regional Park District hereby approve a Statement Regarding the Annual Appropriations

Limit and Accountability Measures for CFD No. A/C-3 as attached and made part of this Resolution (Statement Regarding CFD Annual Appropriations Limit). The Statement Regarding CFD Annual Appropriations Limit shall be submitted to the voters of the CFD at the November 6, 2018, election as a part of the measure seeking voter approval of the special tax. The initial annual appropriations limit for the CFD shall be approved if voters within the CFD approve the measure; and

BE IT FURTHER RESOLVED that the Board of Directors of the East Bay Regional Park District hereby authorize the General Manager and Clerk of the Board to formally request the Alameda County Registrar of Voters and Contra Costa County Elections Office to print this resolution and the full Expenditure Plan and Commitment List and Proposed Use of Funds and the Statement Regarding CFD Annual Appropriations Limit in the Voter Information Guide mailed to all voters within CFD No. A/C-3; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Rosario, seconded by Corbett, and adopted this 5th day of June, 2018, by the following vote:

FOR: Colin Coffey, Ellen Corbett, Whitney Dotson, Beverly Lane, Dee Rosario, Dennis Waespi, Ayn Wieskamp.

AGAINST: None.

ABSTAIN: None.

ABSENT: None.

s/DENNIS WAESPI

Board President

CERTIFICATION

I, Yolande Barial Knight, Clerk of the Board of the Directors of the East Bay Regional Park District, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. 2018-06-130 adopted by the Board of Directors at a regular meeting held on June 05, 2018.

s/YOLANDE BARIAL KNIGHT

EAST BAY REGIONAL PARK DISTRICT COMMUNITY FACILITIES DISTRICT NO. A/C-3 EXPENDITURE PLAN

INTRODUCTION

On June 5, 2018, the East Bay Regional Park District (“Park District”) Board of Directors authorized submitting a special tax measure to the voters of Zone 1 to extend an existing parcel tax for a period of 20 years in order to continue to fund essential park projects and services. As

part of the measure, the Board authorized the formation of Community Facilities District No. A/C-3 (“CFD No. A/C-3”) to encompass the same boundary and territory as Zone 1 and authorized the levy of a special tax on property within CFD No. A/C-3 of \$12/year for single-family and \$8.28/year multi-family unit for a period of twenty (20) years.

This Expenditure Plan for CFD No. A/C-3 (“the Expenditure Plan”) is intended to provide guidance for the implementation of spending proceeds of the tax authorized as part of CFD No. A/C-3. This Plan continues the purposes of Measure CC, consistent with the Board adopted Resolution of Intention, Resolution of Formation, and Rate and Method of Apportionment required for the formation of CFD No. A/C-3.

The focus for expenditure of the tax revenues includes wildfire protection, safe parks and trails, public access, and natural habitat, among other things.

BACKGROUND

The Park District includes all of Alameda and Contra Costa Counties. The Park District operates 73 regional parks, recreation areas, shorelines, preserves, wilderness and land banked areas, on more than 121,390 acres of parkland and over 1250 miles of trails.

In 2004, Measure CC was approved by more than two-thirds of the voters in the boundary of Zone 1 which encompasses the cities and communities of Alameda, Oakland, Piedmont, Albany, Richmond, San Pablo, El Sobrante, Kensington, Berkeley, Emeryville and El Cerrito. Measure CC levied a \$12 per year tax on single-family parcels and \$8.28 per year tax on multi-family units to improve park facilities, protect the environment and open-space, enhance public access and maintain public safety. Zone 1 is the same territory and boundary as CFD No. A/C-3. Measure CC tax funding will expire on June 30, 2020.

Measure CC was created with the recognition that the Park District’s General Fund annual revenue is appropriated in support of existing operations which enables the Park District to support current operations, but provides limited funding for new park services or facilities. CFD No. A/C-3 has the highest population density and park use in the Park District with some of the oldest parks in the regional park system. There are 22 parks in CFD No. A/C-3 including Alameda Point, Anthony Chabot, Crown Beach/Crab Cove, Gateway, Kennedy Grove, Lake Chabot, Leona Canyon, Martin Luther King, Jr., McLaughlin Eastshore, Miller-Knox, Point Isabel, Point Molate, Point Pinole, Redwood, Roberts, Sibley/Huckleberry/Claremont Canyon, Sobrante Ridge, Temescal, Tilden and Wildcat Canyon, and such new parks or properties that may be purchased and/or annexed to parks within the CFD.

The Board of Directors has determined that it is necessary to extend the Measure CC parcel tax to continue to provide for essential park projects and services in CFD No. A/C-3. In furtherance thereof, the Board has authorized putting a special tax measure to the voters within CFD No. A/C-3 with the same boundaries and territory as the Measure CC zone. The proposed levy of special taxes is the same as Measure CC: \$12 per year on single-family parcels and

\$8.28 per year on multi-family units. The proposed tax will expire in 20 years.

INVESTMENTS IN PARKS AND PROGRAMS

The purpose of the special tax levy is for maintenance, improvement, and servicing of parklands, trails, open space, and related parkland access improvements; public safety protection services; recreation and open-space program services; flood and storm protection services; maintenance and operation of Park District property, including open space; and the construction, expansion, improvement, or rehabilitation of Park District property, including park, recreation, open space, and flood and storm protection facilities.

The Park District engaged in substantial public outreach to develop the attached “Commitment List and Proposed Use of Funds” (“Commitment List”) which is incorporated herein by this reference. The Commitment List is consistent with the Park District’s Master Plan and deemed necessary to provide continuing and enhanced levels of service and park projects in CFD No. A/C-3 for purposes of wildfire protections, safe parks and trails, public access, and natural habitat, among other things.

The Commitment List currently identifies the current allocation of the proceeds from the special tax as follows:

Natural Resource Related	40%
Safety, Access, Facility Improvements	50%
10% Contingency	10%
Total	100%

The approval of this Expenditure Plan does not guarantee that each and every project or program on the Commitment List will be completed or undertaken in the time frame proposed. The Board may make adjustments reflecting opportunities that arise over the life of the Expenditure Plan that are found to be beneficial for resource enhancement or public access and safety projects but are not necessarily identified on the Commitment List. This Expenditure Plan commits that a minimum of thirty (30%) percent of proceeds shall be used for natural resource related projects, programs or services over the life of the measure.

ADMINISTRATION, OVERSIGHT, AND IMPLEMENTATION

Term of Plan

This Plan and the tax levied within CFD No. A/C-3 will be in effect for 20 years, starting on July 1, 2020 and continuing through June 30, 2040. It may be extended by voters within the CFD prior to expiration.

Restrictions on Use of Funds

Funds from the proceeds of the tax levied within the CFD shall be accounted for and paid into a separate account restricted to the uses described in the Resolution of Intention, Resolution of Formation, and Rate and Method of Apportionment required for the formation of CFD No. A/C-3, and this Plan, including the Commitment List, as it may be amended. Funds from the proceeds of the tax levied may be spent only in the territory or vicinity of CFD

No. A/C-3.

The park facilities in the CFD, in common with the majority of Park District facilities, are currently supported by monies derived from property taxes, grants, revenues from fees and charges, and other miscellaneous funding sources, and it is the specific intention of the Board that new funds raised by the special tax will augment existing funding sources.

Continued Public Engagement in Selection of Projects

Annually each year that the tax is in effect, the Park District Board of Directors will review project selections and allocations supported by revenue from the tax. For projects that are not ongoing, this Plan contemplates that the Board will decide which to initiate, based upon a variety of factors, including but not limited to equity in allocation of funds within the CFD, availability of funds, opportunities for supplemental outside funding, the timing of related projects sponsored by other agencies, and the time necessary for planning projects.

The Board may hold public forums from time-to-time regarding the allocation of funds and support of projects, whenever questions and/or issues arise that merit additional input from the general public, including stakeholder groups and organizations. Proposed allocations and expenditures of tax revenue shall be reviewed by the Board Finance Committee. Meetings of the Board Finance Committee shall be open to the public with opportunities for the public to comment upon the proposals.

Annual Accounting

The Board of Directors will annually review project selections and allocations funded by the tax proceeds. Each year there will be an annual report and public accounting of the use of tax proceeds during the past year. The annual accounting shall be a public document available for review prior to Board consideration of each year’s proposed allocations and expenditures.

Amendment of the Expenditure Plan

Based upon the Park District’s experience with Measure CC, over the life of the Expenditure Plan, the Park District may find that some projects or programs in the Commitment List require modification, re-prioritization, or elimination or replacement to meet the overarching goals of the Expenditure Plan. The Board is therefore authorized to amend this Plan, including the Commitment List, to provide for the use of additional federal, state or local revenues, to account for unexpected revenues, to take into consideration unforeseen circumstances or respond to a comprehensive review over the 20-year life of the tax. Any amendments to the Expenditure Plan must be consistent with the voter-approved purposes of the tax. The Board may amend the Expenditure Plan, including the Commitment List, by the adoption of a separate resolution or by including the amendment in a resolution approving or authorizing a project or program.

Compliance with Environmental Law in Project Approval Process

To the extent that a use of tax proceeds described in this Plan would constitute a project within the meaning of the California Environmental Quality Act (“CEQA”), those

projects will be subject to environmental review pursuant to CEQA at the earliest feasible time prior to the Board approving any particular project, consistent with CEQA Guidelines Sections 15004 and 15352. The Park District has identified the uses to which it will utilize the tax proceeds, however approval of this Plan is not a commitment to a specific project that will affect the environment. Approval of this Plan is not itself a project as it can be seen with certainty that there is no possibility that the approval of the Expenditure Plan itself may have a significant effect on the environment.

Commitment List and Proposed Use of Funds

Line #	Location	Commitment	Total Allocation
1	Alameda Point	Increase park and public safety personnel to operate a new regional park. Protect seasonal wetlands, Breakwater Beach shoreline and park facilities by designing for sea level rise adaptation using natural systems.	2,950,000
2	Anthony Chabot	Reduce storm erosion for improved creek water quality and natural habitat. Upgrade visitor use facilities. Increase recreational trail access and provide for trail safety structural improvements.	215,000
3	Crown Beach	Develop sea level rise interpretation with educational programming. Continue year-round Visitor Center services through staffing. Improve San Francisco Bay health by upgrading the beach-front storm water drainage system. Expand park and improve visitor use facilities.	4,225,000
4	Gateway	Enhance tidal and intertidal habitat to provide for shoreline protection through use of natural systems. Convert existing paved lands to natural landscape. Increase public access to the San Francisco Bay Trail and newly constructed Bay Bridge bike path. Provide for park personnel to develop, operate and maintain future park facilities.	1,400,000
5	Green Transportation / Regional Trails	Provide regional trail connectivity for commuters and safe routes to school, specifically in disadvantaged communities and along the San Francisco Bay Trail. Expand and maintain parkland trails to increase access while preventing erosion for protection of sensitive, natural habitats. Increase public safety patrol to enforce trail use ordinances in protection of wildlife. Explore potential to enter into partnership with transportation provider to increase park access.	4,300,000
6	Kennedy Grove	Repair erosion of urban creek streambank for improved water quality, habitat and trail access.	150,000
7	Lake Chabot	Upgrade marina facilities for boating and fishing access, safety and experience.	400,000
8	Leona Canyon	Reduce erosion and sediment build up to improve water quality of creek through trail maintenance and stewardship efforts.	40,000
9	McLaughlin Eastshore State Park	Provide for shoreline and natural habitat protection across the State Park and Albany Bulb. Expand park personnel for increased wildlife conservation. Provide for protection and monitoring of burrowing owl habitat. Improve visitor use facilities.	6,835,000
10	Miller/Knox	Provide for shoreline protection and sea level rise adaptation using natural systems. Increase park staffing and upgrade Keller Beach visitor experience. Enhance drought tolerant landscape through stewardship improvements, such as removal of French broom and other invasive plants.	1,040,000
11	MLK Jr. Shoreline	Develop nature-based flood protection for shoreline and facilities in anticipation of sea level rise. Improve marsh habitat for endangered Ridgway's rail. Improve visitor experience with facility upgrades, and increased park and public safety personnel. Provide for expanded educational and recreational programming to serve the surrounding communities.	6,905,000
12	Oakland Zoo	Enhance conservation and stewardship efforts. Provide for youth engagement.	2,000,000
13	Point Isabel	Stabilize banks of Hoffman Channel for shoreline protection, improved visitor access and healthier San Francisco Bay water quality. Provide for conservation for endangered Ridgway's rail habitat and environmental maintenance.	600,000

Commitment List and Proposed Use of Funds

Line #	Location	Commitment	Total Allocation
14	Point Molate	Provide for park and public safety personnel to develop, operate and maintain future park facilities and the San Francisco Bay Trail.	2,350,000
15	Point Pinole	Provide for shoreline protection through natural systems at Dotson Family Marsh. Enhance habitat of native grasses and other species. Improve visitor use facilities and San Francisco Bay water access. Increase educational and recreational programming to serve the surrounding communities.	3,450,000
16	Redwood	Expand partnership with Save the Redwoods League for ongoing redwood conservation. Increase interpretation of redwood natural history. Provide for creek restoration and erosion control for visitor safety and watershed health.	160,000
17	Roberts	Expand partnership with Save the Redwoods League for ongoing redwood conservation. Increase interpretation of redwood natural history.	60,000
18	Safe Healthy Forests	Continue sustainable forest management practices consistent with the approved Wildfire Hazard Reduction and Resource Management Plan to lessen the potential for wildland urban interface wildfire. Develop a redwood forest management plan. Provide for stewardship of natural vegetation to improve forest health.	14,200,000
19	Sibley/ Huckleberry/ Claremont	Enrich natural habitat for threatened pallid manzanita and other vegetation with increased stewardship efforts. Upgrade the Bay Area Ridge Trail for improved watershed health and trail safety. Increase park personnel.	1,125,000
20	Sobrante Ridge	Enrich natural habitat for threatened pallid manzanita and other vegetation through stewardship efforts.	75,000
21	Temescal	Improve water quality, habitat and recreational swimming experience at Lake Temescal with efforts such as dredging. Provide for erosion control to benefit watershed health and recreational trail safety.	1,500,000
22	Tilden	Restore recreational trails for erosion control and sensitive habitat protection. Improve access and pedestrian safety at the Brazil Room and Botanical Garden Visitor Center. Begin design planning for park-wide improvements at visitor use facilities such as the Environmental Education Center, Little Farm and Botanical Garden Visitor Center.	200,000
23	Water Resources - Regional	Improve water quality across parklands with stewardship efforts for watershed protection and preservation of shorelines, marshes, lakes, riparian areas and urban creeks. Manage harmful algae blooms for improved visitor and wildlife health. Increase water supply in preparation for climate related weather events with facilities such as rainwater collection systems. Install additional water bottle filling stations throughout region.	4,800,000
24	Wildcat Canyon	Improve protection of Wildcat Creek watershed by mitigating erosion. Enhance and restore natural habitat throughout park. Increase ADA trail access and safety for visitors.	150,000
Allocations TOTAL			59,130,000
10% Contingency TOTAL			6,600,000
TOTAL			65,730,000

**EAST BAY REGIONAL PARK DISTRICT
STATEMENT REGARDING THE ANNUAL
APPROPRIATIONS LIMIT
AND ACCOUNTABILITY MEASURES FOR
COMMUNITY FACILITIES DISTRICT NO. A/C-3**

On June 5, 2018, the Board of Directors of the East Bay Regional Park District adopted a resolution entitled “A Resolution of the Board of Directors of the East Bay Regional Park District, California, Declaring the Formation of a Community Facilities District East Bay Regional Park District Community Facilities District No. A/C-3” (“Resolution of Formation”). Subject to voter approval, the Resolution of Formation authorized the levy of a special tax on property within CFD No. A/C-3 and preliminarily established an appropriations limit for CFD No. A/C-3, all pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Sections 53311 and following of the California Government Code (the “Act”).

If voters approve Measure FF, the initial annual appropriations limit for the CFD, as defined by Article XIII B, section 8(h) of the California Constitution, shall be an amount equal to \$3,300,000. The amount of the appropriations limit will be adjusted annually in accordance with the applicable provisions of the Act and the California Constitution while the special tax is in effect.

Pursuant to Section 50075.1 of the California Government Code, the following accountability provisions are included in the measure: (a) the facilities and services that may be financed with the special tax and the incidental costs thereof, all as defined in the Resolution of Formation, constitute the specific purposes of the special tax; (b) the proceeds of the special tax shall be applied only to the specific purposes identified in (a) above; (c) there shall be created special account(s) or funds(s) into which the proceeds of the special tax shall be deposited; and (d) there shall be caused to be prepared an annual report regarding the special tax funds pursuant to Section 50075.3 of the California Government Code.

CITY OF OAKLAND MEASURE V

V Shall the Measure: (1) allowing cannabis businesses to pay business taxes quarterly; (2) allowing cannabis manufacturing and/or cultivation businesses to deduct the value of raw materials from gross receipts in calculating business taxes in the manner applicable to manufacturing businesses; and (3) authorizing the City Council, without returning to the voters, to amend medical or non-medical cannabis businesses taxes in any manner that does not increase the tax rate, be adopted?	YES
	NO

The Business Tax Ordinance requires that businesses pay taxes on an annual basis. This measure would allow medical and non-medical cannabis businesses to elect to pay business taxes on a quarterly basis according to rules and procedures adopted by the Director of Finance.

Currently, the City Council is authorized to amend the Business Tax Ordinance provisions for medical cannabis businesses in any manner that does not increase the tax rate applicable to medical cannabis businesses, but the Council is not authorized to amend the Ordinance provisions applicable to non-medical cannabis businesses.

CITY ATTORNEY'S BALLOT TITLE AND SUMMARY OF MEASURE V

TITLE

A Proposed Ordinance To: (1) Amend the Oakland Municipal Code to Allow Cannabis Manufacturing and/or Cultivation Businesses to Deduct the Value of Raw Materials From Gross Receipts in Calculating Business Taxes, (2) Amend the Oakland Municipal Code To Allow Cannabis Businesses to Pay Business Taxes on a Quarterly Basis, and (3) Authorize the City Council to Amend the Medical and/or Non-Medical Cannabis Business Taxes in any Manner that Does Not Increase the Tax Rate

CITY ATTORNEY'S SUMMARY OF MEASURE V

The City of Oakland's business tax laws are codified in Chapter 5.04 of the Oakland Municipal Code ("Business Tax Ordinance"). The Business Tax Ordinance provides the procedure for calculating the amount of business tax owed for various business activities based on a business's "gross receipts."

The Business Tax Ordinance specifically identifies the amounts that may be excluded from gross receipts in calculating the business tax. For businesses that manufacture or process any goods, wares, merchandise, articles or commodities for sale in the City, the Ordinance expressly allows deduction of the value of raw materials from gross receipts.

The Business Tax Ordinance provides that medical cannabis businesses must pay a business tax of \$50 for each \$1,000 of gross receipts, and that non-medical cannabis businesses must pay a business tax of \$100 for each \$1,000 of gross receipts. Currently, the methodology for calculating the business tax for medical and non-medical cannabis businesses does not allow deduction for the value of raw materials from gross receipts.

This measure would amend the Business Tax Ordinance to allow medical cannabis businesses and non-medical cannabis businesses engaged in manufacturing and/or cultivation activities to deduct the value of raw materials from gross receipts in the same manner that the Ordinance provides for manufacturing businesses.

This measure would allow the Oakland City Council, after holding a public hearing, to amend the Business Tax Ordinance in any manner that would not increase the tax rate applicable to medical and/or non-medical cannabis businesses.

Passage of this measure requires an affirmative vote of a majority of voters (i.e., more than 50% of the votes cast). A "yes" vote will approve the measure; a "no" vote will reject the measure.

s/BARBARA J. PARKER
City Attorney

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE V

The City's Business Tax

The City of Oakland's business tax laws are in an ordinance in Chapter 5.04 of the Oakland Municipal Code ("OMC") ("Business Tax Ordinance" or "Ordinance"). The Business Tax Ordinance applies to all "persons" engaged in business activities in Oakland. The definition of "persons" includes but is not limited to any natural person, company, corporation, firm, estate, joint venture, club or association. (OMC section 5.04.030.)

The Business Tax Ordinance provides the procedure to calculate the amount of business tax owed for various business activities based on a business's "gross receipts." "Gross receipts" means the total amount actually received or receivable by a business as a result of its business activities during a fiscal year. The Ordinance specifically identifies the amounts that may be excluded from gross receipts in calculating the business tax.

Current Business Tax Ordinance Does Not Allow Cannabis Businesses to Deduct the Value of Raw Materials from Gross Receipts

OMC section 5.04.390 provides the methodology to calculate the annual tax for businesses that manufacture or process any goods, wares, merchandise, articles or commodities for sale in the City, and expressly allows deduction of the value of raw materials from gross receipts.

Currently, the methodology for calculating the business tax for medical and non-medical cannabis businesses does not allow deduction of the value of raw materials from gross receipts. OMC section 5.04.480 of the Ordinance provides that each person engaged in a medical cannabis business shall pay a business tax of \$50 for each \$1,000 of gross receipts or fractional part thereof. OMC section 5.04.481 provides that each person engaged in a non-medical cannabis business shall pay a business tax of \$100 for each \$1,000 of gross receipts or fractional part thereof.

Proposed Amendments Would Allow Cannabis Businesses to Deduct the Value of Raw Materials from Gross Receipts, Pay Business Taxes on a Quarterly Basis, and Allow City Council to Amend the Cannabis Business Tax in Any Manner that Does Not Increase the Tax Rate

This measure would amend the OMC to allow medical cannabis businesses and non-medical cannabis businesses engaged in manufacturing and/or cultivation activities to (1) deduct the value of raw materials from gross receipts in the same manner that OMC section 5.04.390 provides for non-cannabis manufacturing businesses; and (2) elect to pay business taxes on a quarterly basis according to rules and procedures adopted by the Director of Finance.

This measure also would allow the Oakland City Council, after holding a public hearing, to amend OMC sections 5.04.480 and/or 5.04.481 in any manner that would not increase the tax rate applicable to medical and/or non-medical cannabis businesses, or otherwise constitute a tax

increase that would require voter approval.

This measure was placed on the ballot by the Oakland City Council. Passage of this measure requires the affirmative vote of a majority of voters (i.e., more than 50% of the votes cast).

s/BARBARA J. PARKER
City Attorney

CITY AUDITOR'S IMPARTIAL ANALYSIS OF MEASURE V

Summary

This Measure, if adopted by a majority (more than 50%) of voters, would amend the City of Oakland's Business Tax Municipal Code, related to medical cannabis (Section 5.04.480) and non-medical cannabis (Section 5.04.481) businesses. The code amendments would:

- 1) allow businesses engaged in cannabis manufacturing and/or cultivation to deduct the value of raw materials from gross receipts in the calculation of business tax (similar to manufacturing businesses, Section 5.04.390);
- 2) allow cannabis businesses to remit business taxes on a quarterly basis; and
- 3) authorize the City Council to amend the business tax on medical and non-medical cannabis in any manner that does not increase the tax rate, following a public hearing.

Oakland currently taxes all types of cannabis businesses and the rates are based on whether they operate in the medical or non-medical industries, at 5 percent and 10 percent, respectively, of gross receipts. The tax is applied to every activity in the industry's supply chain, including cultivation, manufacturing, delivery, testing, and retail sales.

The intent of this Measure is to provide the City flexibility to respond competitively to tax rates of neighboring jurisdictions. Cannabis businesses may consider tax rates a factor when deciding where to situate their businesses. City Council may adjust the tax rate for cannabis businesses, but may not increase the tax more than the current stated rates. It cannot be quantified or confirmed that adjusting tax rates would significantly impact tax revenue to the City of Oakland.

Financial Impact

If the Measure passes, the City would incur an estimated \$30,000 capital improvement cost to update its taxpayer system.

This Measure enacts a general tax for unrestricted general revenue purposes and would go into effect ten (10) days after the vote is declared by Oakland City Council.

Disclaimer

The Office of the City Auditor has not audited and, as such, has not validated the City of Oakland Finance Department's financial and statistical analysis that supports this measure. References to this data in our independent analysis represent the best data available at this time.

ARGUMENT IN FAVOR OF MEASURE V

Measure V makes a few, much-needed technical fixes related to the administration of Oakland's gross receipts tax on our medical and adult use cannabis businesses.

Current Oakland rules that require the payment of estimated business tax in a single annual lump payment can cause unnecessary security risks and operating problems for Oakland cannabis businesses. Because of the unusually high tax rates on gross receipts for cannabis businesses, many smaller cannabis businesses face considerable challenges in paying an entire year's tax payment before receiving the very sales revenue that is being taxed. Additionally, because of the industry's limited access to traditional banking services, the current rules create unnecessary security risk by forcing these businesses to hold a lot more actual cash on hand than would otherwise be necessary. This measure provides a simple fix to these problems by allowing Oakland cannabis businesses to make business tax payments on a quarterly basis.

The additional clean-up provisions in the measure fix unintended oversights from earlier cannabis tax measures. Measure V clarifies that cannabis production businesses may take the same tax deductions for raw materials already taken by other Oakland manufacturing businesses. This measure also gives the City Council authority to modify, but *not* increase, the Adult Use cannabis tax rate in the future—authority it already possesses with respect to the Medical cannabis tax rate.

These common sense fixes will encourage businesses to locate their job-intensive manufacturing operations in Oakland and provide the City with flexibility to optimize tax policy as needed to remain competitive while the state's regulated cannabis market continues to develop. Please join us in voting YES on Measure V.

NO ARGUMENT AGAINST MEASURE V WAS SUBMITTED

s/LANESE MARTIN
Oakland Cannabis Regulatory Commissioner
s/FRANK LUCIDO
Oakland Medical Doctor
s/REBECCA KAPLAN
Oakland City Councilmember
s/DAN KALB
Oakland City Councilmember

FULL TEXT OF MEASURE V

Section 1. Chapter 5.04 of the Oakland Municipal Code containing the business tax requirements applicable to medical cannabis and non-medical cannabis businesses in Oakland are hereby amended to add, delete, or modify sections as set forth below (section numbers and titles are indicated in bold type; additions are indicated by underscoring and deletions are indicated by strike-through type; portions of the regulations not cited or not shown in underscoring or strike-through type are not changed).

Section 2. Code Amendments.

That Chapter 5.04, Sections 5.04.480 and 5.04.481 of the Oakland Municipal Code are amended to read as follows:

5.04.480 - Medical cannabis businesses.

For the purposes of this section:

A. “Medical Cannabis Business” means any activity regulated or permitted by Chapter 5.80 and/or Chapter 5.81 of this Code that involves planting, cultivating, harvesting, transporting, dispensing, delivering, selling at retail or wholesale, manufacturing, compounding, converting, processing, preparing, storing, packaging, or testing any part of the plant Cannabis sativa L. or any of its derivatives, pursuant to Health and Safety Code Sections 11362.5 and 11362.7-11362.83.

B. Every person engaged in a “medical cannabis business” not otherwise specifically taxed by other business tax provisions of this chapter, shall pay a business tax of \$50.00 for each \$1,000.00 of gross receipts or fractional part thereof.

C. Medical cannabis businesses engaged in manufacturing and/or cultivation activities shall be allowed to make deductions from gross receipts in the manner applicable to manufacturing businesses subject to Section 5.04.390.

D. Notwithstanding Sections 5.04.080, 5.04.110, and 5.04.120 of this Chapter, medical cannabis businesses may elect to remit business taxes on a quarterly basis according to such rules and procedures adopted by the Director of Finance.

5.04.481 - Non-medical cannabis businesses.

For the purpose of this section:

A. “Non-medical cannabis business” means any of the activities described in Subsection 5.04.480 A. that are not conducted pursuant to Health and Safety Code Sections 11362.5 and 11362.7-11362.83, but are otherwise authorized by State law.

B. Every person engaged in a “non-medical cannabis business” not otherwise specifically taxed by other business tax provisions of this chapter, shall pay a business tax of \$100.00 for each \$1,000.00 of gross receipts or fractional part thereof.

C. Non-medical cannabis businesses engaged in manufacturing and/or cultivation activities shall be allowed to make deductions from gross receipts in the manner applicable to manufacturing businesses subject

to section 5.04.390.

D. Notwithstanding Sections 5.04.080, 5.04.110, and 5.04.120 of this Chapter, non-medical cannabis businesses may elect to remit business taxes on a quarterly basis according to such rules and procedures adopted by the Director of Finance.

Section 3. Severability. Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 4. California Environmental Quality Act Requirements. This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq., including without limitation” Public Resources Code section 21065, CEQA Guidelines 15378(b)(4) and 15061(b)(3), as it can be seen with certainty that there is no possibility that the activity authorized herein may have a significant effect on the environment.

Section 5. General Tax; Majority Approval; Effective Date. This Ordinance enacts a general tax for unrestricted general revenue purposes. Tax revenue collected pursuant to the Ordinance may be used by the City for any municipal governmental purpose. This Ordinance shall be effective only if approved by a majority of the voters voting thereon; and, the Ordinance shall go into effect ten (10) days after the vote is declared by the City Council.

Section 6. Council Amendments. Following a public hearing, the City Council of the City of Oakland is hereby authorized to amend Section 5.04.480 and/or Section 5.04.481 of the Oakland Municipal Code as adopted by this Ordinance in any manner that does not increase the tax rate applicable to medical and/or non-medical cannabis businesses engaged in any or all categories of cannabis business activity, or otherwise constitute a tax increase for which voter approval is required by Article XIII C of the California Constitution.

CITY OF OAKLAND MEASURE W

W Shall the Measure, to fund homeless services and resources to address illegal dumping, and discourage vacant properties, by enacting a Vacant Property Tax on parcels used less than 50 days per year, at annual rates of \$6,000 per parcel, \$3,000 for condominium units, and other specified rates; raising about \$10,000,000 annually for 20 years; with community oversight and exemptions for very low income, low-income seniors and hardship, be adopted?

YES
NO

CITY ATTORNEY'S BALLOT TITLE AND SUMMARY OF MEASURE W

TITLE: **A Proposed Ordinance Establishing an Annual Tax on Vacant Property for 20 Years to Provide Funding for Homelessness Programs and Services, Affordable Housing, Code Enforcement, and Clean Up of Blighted Properties and Illegal Dumping; Setting the Tax Rate at \$6,000 for Vacant Residential, Nonresidential, and Undeveloped Properties and \$3,000 for Vacant Condominium, Townhouse, and Duplex Units and Vacant Ground Floor Commercial Parcels; and Establishing a Commission on Homelessness to Provide Oversight and Recommendations Regarding Use of the Tax Revenue**

CITY ATTORNEY'S SUMMARY OF MEASURE W:

The proposed measure would establish a new tax on real property that is vacant for 50 or more days in a calendar year. This would be a special tax, i.e., the City can use the revenue only for the purposes specified in the measure.

The tax rate would be \$6,000 annually for vacant residential, nonresidential, and undeveloped properties, \$3,000 annually for vacant condominium, townhouse, and duplex units, and \$3,000 annually for ground floor commercial space parcels in use less than 50 days in a calendar year.

There would be a number of exemptions from the tax, including an exemption for very low-income households and for low-income seniors and individuals with disabilities; owners who can demonstrate that the tax would be a financial or other hardship; owners of properties being developed; and nonprofit owners.

The City can use the tax revenue only for the following purposes:

- to support a variety of identified services and programs for homeless people;
- to preserve existing affordable housing and produce new affordable housing;
- to provide code enforcement and cleanup of blighted properties and remedy illegal dumping; and
- to pay the City's costs of administering the tax.

The measure would require that the City use at least 25% of the tax revenue for code enforcement and to eliminate blight and remedy illegal dumping. The measure would prohibit the City from levying and collecting the tax if it reduces general purpose fund spending on illegal dumping remediation below fiscal year 2016-2017 levels, except under certain specified conditions in the event of a severe and unanticipated financial or other event that prevents the City from maintaining general purpose fund spending on illegal dumping remediation at the 2016-2017 level.

The measure would establish a Commission on Homelessness to provide oversight and to make recommendations to the City Council regarding use of the revenue from the tax. The measure would require that the City Auditor perform regular audits to document revenue from the tax and to ensure that the City expends revenue only for authorized purposes.

The measure specifically authorizes the City Council to adopt ordinances for the implementation and administration of the tax. The measure allows the City to levy the tax no sooner than the 2020-2021 fiscal year. The tax would expire 20 years after the first year that the City levies the tax. A two-thirds vote in support is required to pass the measure.

s/BARBARA J. PARKER
City Attorney

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE W

The City of Oakland does not currently impose a tax specifically directed at vacant property. This measure would impose a special tax on vacant property in the City, and use the tax revenue solely for services and programs specified in the measure.

The tax rate would be \$6,000 annually for vacant residential, nonresidential, and undeveloped properties, and \$3,000 annually for vacant condominium, townhouse, and duplex units. Residential, nonresidential, and undeveloped parcels and condominium, townhouse, and duplex units would be treated as vacant if they are in use less than 50 days in a calendar year. The tax rate would be \$3,000 for parcels where ground floor commercial activities are allowed if all of the ground floor commercial space is in use less than 50 days in a calendar year.

The measure provides a number of exemptions from the tax, e.g., exemptions for very low-income households; low-income seniors and individuals with disabilities; owners who can demonstrate that the tax would be a financial or other hardship; owners of properties being developed; and nonprofit owners.

The measure would authorize the City Council to adopt ordinances related to the implementation and administration of the measure, including any amendment that does not increase the tax rate. The ordinances could establish methods to identify vacant properties, restrict the tax to specific zones, expand the methods of collecting the tax and administering the exemptions, and provide a process for appeals.

Revenue from the tax would be placed in a restricted fund and could be used only for the purposes stated in the measure. Permitted uses include a variety of programs and services for homeless people, such as employment assistance, housing assistance, services and facilities for homeless encampments, relocation assistance, and navigation centers. Tax revenue also could be used to provide financial assistance for the development and maintenance of affordable housing. The measure also requires that the City use at least 25% of tax revenue each year for code enforcement and to eliminate blight and remedy illegal dumping. The measure would prohibit the City from levying the tax if the City's General Purpose Fund expenditures on illegal dumping remediation are less than the amount expended in the 2016-2017 fiscal year, except under certain specified conditions. With some limits, tax revenue could be used to pay for the City's costs of administering the measure.

The measure would create a new Commission on Homelessness. The Commission would review and make recommendations regarding the expenditures of tax revenue, and publish an annual report on implementation of the measure and the expenditure of tax revenue. The City Auditor would regularly audit the revenue from the tax and expenditure of funds.

The tax would be levied no sooner than the 2020-21 fiscal year and would expire automatically 20 years thereafter.

The Oakland City Council placed this measure on the ballot. A two-thirds vote in support is required to pass the measure.

s/BARBARA J. PARKER
City Attorney

CITY AUDITOR'S IMPARTIAL ANALYSIS OF MEASURE W

Summary

This Measure, if adopted by two-thirds of voters, authorizes the City of Oakland to collect an annual tax on vacant properties for twenty (20) years. The purpose of the Measure is to raise revenue primarily for homelessness services, preserve existing and fund new affordable housing options, and illegal dumping remediation. The tax would go into effect ten (10) days after the vote is declared by Oakland City Council, and be imposed no sooner than fiscal year 2020-21 for parcels vacant in the previous calendar year.

The revenue generated from this tax would be designated to a restricted fund to be used primarily for homeless services and for operations costs of the Commission on Homelessness, which would provide oversight for use of Measure revenue and specified tax administration costs. At least twenty-five percent (25%) of the revenue would be used to address blight and illegal dumping.

The Measure requires the City to maintain General Purpose Fund spending on illegal dumping remediation at least at the 2016-17 fiscal year level in order to collect the tax. In that year, the City's budget did not include any appropriations in the General Purpose Fund toward illegal dumping.

Proposed Measure tax rates vary by property type as shown below:

Property Type	Proposed Measure Tax Rate
Residential, or Nonresidential, or Undeveloped	\$6,000 per vacant parcel
Condominium, duplex, or townhouse unit under separate ownership	\$3,000 per vacant residential unit
Parcel with ground floor commercial activity allowed, but vacant	\$3,000 per vacant parcel

Property owners can request an exemption from this tax under certain circumstances including, but not limited to, income, age, disability and work in progress on the property.

At any time, the City Council may lower, but not increase the rates, and it may adopt new exemption categories, which may reduce anticipated City revenue.

Other Programs

Current spending on homelessness, affordable and transitional housing, infrastructure repairs, and illegal dumping is funded from various sources, including but not limited to, Measure KK (approximately \$35 million annually), General Fund (approximately \$4.6 million annually), state funds, and one-time expenditures the City makes.

Financial Impact

Based on factors such as property owner exemptions estimated to range from 60% to 75%, the City of Oakland Finance Department estimates annual revenue between \$6.6

and \$10.6 million.

Tax collection expenses specifically related to tax collection are capped at 15% of revenues collected.

The City's Finance Department estimates the annual cost to administer this Measure would be approximately \$452,000, dedicated to staffing positions to support the Commission, tax administration, collection and enforcement fees. In addition, they estimate a one-time startup cost of \$100,000 for financial database infrastructure, web development and mailing services.

Disclaimer

The Office of the City Auditor has not audited and, as such, has not validated the City of Oakland Finance Department's financial and statistical analysis of this Measure. References to this data in our independent analysis represent the best data available at this time.

ARGUMENT IN FAVOR OF MEASURE W

Oakland has been facing skyrocketing rates of homelessness, with numbers in our community increasing dramatically in recent years. This situation is causing widespread suffering, as people are living in difficult situations in underpasses and sidewalks, often without access to water, bathrooms.

At the same time, there are estimated to be at least 5,000 vacant properties in the City of Oakland, which can harm our community, attracting crime, blight and illegal dumping. Vacant properties take up space that could be used for housing and other purposes, thereby reducing jobs, homes, and revenue.

This Measure places an annual tax of up to \$6,000 on vacant parcels in Oakland, other than those exempted. The exemptions include, non-profits, financial hardship, and circumstances that prevent the use of the property. Properties in use at least 50 days per year are not considered vacant and will not be taxed.

The money raised by the tax will be used to reduce homelessness, provide services to homeless people, and support the protection and production of affordable housing, and 25% of the funds will go towards remediating blight and illegal dumping.

This Measure establishes a Community Commission, to make recommendations and oversee the use of the funds, and to make sure the Measure is being properly implemented.

A wide range of organizations and community leaders endorse this Measure, including the Homeless Advocacy Working Group, Sustainable Economies Law Center, and Alameda County Supervisor Nate Miley.

We have an opportunity to reduce human suffering and improve quality of life by helping to solve homelessness and blight and encourage productive uses of properties. Please vote Yes to fund meaningful solutions to homelessness,

s/REBECCA KAPLAN

 Oakland Councilmember At-Large

s/JAMES VANN

 Oakland Homeless Advocacy Working Group

s/ABEL GUILLÉN

 Oakland Councilmember

s/DAN KALB

 Oakland Councilmember

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE W

Of all the poorly written, poorly thought through measures on the ballot, Measure W is one of the Worst.

Cynically, the proponents use homelessness and illegal dumping to garner support for a new tax measure, an astronomical \$3,000 – \$6,000 per property. Measure W was so poorly written it was rushed on the ballot without public input or debate.

There are no guarantees the new tax will be directed to homelessness or blight. In fact, many of the vacant blighted properties in Oakland are owned by the City or on public property, but politicians exempted the city.

Measure W purports to “reduce suffering and solve homelessness” but there is no plan, other than raising money.

If a property (including a home or apartment) is vacant for any reason, the City will bill you up to \$6,000 annually.

The “Community Commission” the proponents tout as making recommendations and overseeing the money are political appointees of the council members and there are no written guidelines or rules on how the money would be spent.

Measure W is a scam to increase revenue to the city to pay for pensions and a growing bureaucracy. Today the City of Oakland’s operating budget is a whopping \$1.5 BILLION dollars a year -- an increase of almost \$500 million in less than 10 years.

Since the City has no effective program to help the homeless, most of the funds will be spent on city bureaucracy with only a pittance spent on the homeless.

Vote NO on W.

s/VITO ESPOSITO

 Homeowner

s/HOMAYOUN GHADERI

 Homeowner

s/KAREN FRANCISCO

 Homeowner

ARGUMENT AGAINST MEASURE W

Vote NO on this confusing, poorly written, new tax—an astonishing \$6,000 per home and \$3,000 per condo.

Homelessness is a serious issue the City must address. But using this issue merely to pass a new tax is dishonest and unethical.

It's clear from this proposal that our politicians have no plan to address homelessness. They know we want them to do something, but they have no answers.

Everywhere else, the politicians must come up with a solid proposal, run test programs, show us what they plan to do and how much it will cost.

Only in Oakland do they ask for more money first and then hope to come up with a coherent program to use it. Oaklanders are smarter than that!

By the City's own admission, this tax will cost Oakland millions of dollars before they even collect a single cent.

There is no independent oversight and no commitment to use the money as promised. Elected officials can use the money for anything they want, including paying for Oakland's growing bureaucracy.

We already have strict laws to force owners to fix blighted properties.

Why not enforce existing laws first?

Is this proposed tax about cleaning up the city, or is it simply a money grab?

The rules are complicated and poorly written. Property owners will be at the mercy of a confusing bureaucratic process just to decide what to do with their own property.

If the City wants more money to address homelessness, we want to first see a real plan based on what has worked in other cities. San Francisco has a variety of programs. Are they being tried in Oakland?

Homelessness is a serious issue the City must address. This tax won't do it!

Until serious studies are done and realistic plans proposed, vote NO!

s/GEORGIA W. RICHARDSON

Property Owner

s/VITO ESPOSITO

Homeowner

s/KAREN FRANCISCO

Homeowner

s/HOMAYOUN GHADERI

Homeowner

s/GRANT CHAPPELL

Homeowner

REBUTTAL TO ARGUMENT AGAINST MEASURE W

Our community faces a rising homelessness crisis, which is causing widespread human suffering, for those who are living in unsafe conditions like freeway underpasses, and for the surrounding community. We also face rising illegal dumping, which can attract and spread diseases. In order to be the healthy and compassionate community that matches our values, we must take action to solve these problems.

Part of the solution is providing dedicated funding, by passing the Vacant Property Tax, which devotes money to homeless services, affordable housing solutions, and to remedy blight and illegal dumping. The tax does NOT apply to homeowners in their home, but rather, is for properties that are not in use. Properties that are vacant tend to attract illegal dumping, crime, and other problems. People who rent out housing or who have a business on their property will not have to pay this tax.

The vacant property tax only applies to properties in use less than 50 days per year – so a property which hosts a once-per-week farmer's market or other weekly event would not have to pay the tax. Neither would non-profits, and individuals for whom the tax is a hardship, and low-income seniors, are exempt.

The Measure includes an independent community oversight committee, to make sure the money is being spent properly, and to make recommendations for how best to solve homelessness and blight.

Please join us in voting yes, to help be part of the solution to these serious problems.

s/REBECCA KAPLAN

City Councilmember

s/JAMES E. VANN

Homeless Advocacy Working Group

s/DAMITA DAVIS-HOWARD

Clergy; East Oakland Resident

s/ABEL GUILLEN

City Councilmember

FULL TEXT OF MEASURE W

Section 1. Title.

This Ordinance may be referred to as the “Oakland Vacant Property Tax Act.”

Section 2. Purpose.

The taxes imposed under this Ordinance are solely for the purpose of raising revenue necessary to support and fund services for homeless people and affordable housing, and related programs, described below. Because the proceeds of the parcel tax will be deposited into a special fund restricted for the services and programs specified in this Ordinance, the tax is a special tax.

Section 3. Code Amendment.

A new Chapter is hereby added to the Oakland Municipal Code to read as follows:

Chapter 4.56 Vacant Property Tax

Section 4.56.010 Definitions

Section 4.56.020 Determination of Vacancy

Section 4.56.030 Imposition of Parcel Tax on Vacant Property

Section 4.56.040 Vacant Property Tax Fund

Section 4.56.050 Use of Vacant Property Tax Act

Revenue

Section 4.56.060 Commission on Homelessness

Section 4.56.070 Accountability

Section 4.56.010. Definitions

“City” means the City of Oakland.

“Commission” means the Commission on Homelessness authorized by this Ordinance.

“County” means Alameda County.

“Heavily Impacted Neighborhoods” means the geographic area defined by the boundaries of 2010 Census Tracts 4007, 4008, 4009, 4010, 4014, 4015, 4016, 4017, 4018, 4022, 4024, 4025, 4026, 4027, 4030, 4033, 4057, 4053.02, 4054.01, 4054.02, 4055, 4056, 4058, 4059.01, 4059.02, 4060, 4061, 4062.01, 4062.02, 4063, 4064, 4065, 4071.01, 4071.02, 4072, 4073, 4074, 4075, 4076, 4077, 4085, 4086, 4087, 4088, 4089, 4090, 4091, 4092, 4093, 4094, 4095, 4096, 4097, 4102, 4103, 4104, and 4105. See Map (Attachment A) below.

“Mixed use parcel” means a parcel that is improved with both: i) at least one residential unit, and ii) uses other than a residential unit.

“Multifamily residential parcel” means all parcels that are improved with more than one residential unit.

“Owner” means the owner or owners of the real property located within the City of Oakland.

“Net General Purpose Fund budget for non-safety departments” means the total General Purpose Fund appropriation to the operating budgets of the non-safety departments, excluding expenditures that are offset by fees or other non-tax revenues.

“Nonresidential parcel” means all parcels that are improved

with uses other than residential units.

“Non-safety departments” means all operating departments of the City, except police and fire.

“Parcel” shall mean a unit of real property in the City of Oakland as shown on the most current official assessment role of the Alameda County Assessor.

“Residential parcel” means all parcels that are improved with one or more residential units.

“Residential unit” means a building or structure, or portion thereof, designed for or occupied exclusively by one household, including unrelated persons who live together and maintain a common household.

“Single-family residential parcel” means all parcels which are improved with only one residential unit.

“Tax” or “Oakland Vacant Property Tax” means the special tax authorized by this Ordinance.

“Undeveloped parcel” means all parcels, regardless of zoning or other land use designation, upon which no permanent improvements have been constructed or placed.

“Use” means the performance of a function or operation.

Section 4.56.020. Determination of Vacancy

A. For the purposes of this ordinance, a parcel of real property shall be deemed “vacant” and subject to the tax imposed by Section 4.56.030 below if the parcel is any of the following:

1. A parcel of land, whether undeveloped, residential (including multifamily residential), or non-residential, that is in use less than fifty (50) days during a calendar year.

2. A condominium, duplex, or townhouse unit under separate ownership that is in use less than fifty (50) days during a calendar year.

3. A parcel of land where ground floor commercial activities are allowed by the applicable zoning (with or without a use permit) or are a legal nonconforming use and all of the ground floor space that could be lawfully occupied by commercial activities is in use less than fifty (50) days in a calendar year.

B. The City Council shall establish, by ordinance, a method for determining and identifying the use and vacancy status of each parcel of real property in the City.

Section 4.56.030. Imposition of Parcel Tax on Vacant Property

A. A special tax in the amounts set forth below is hereby imposed on every vacant parcel of real property within the City, other than those exempted, as described below.

B. The tax constitutes a debt owed by the Owner of each parcel to the City.

C. Unless the City Council selects another method for collection of the tax, the County shall levy and collect the tax on each parcel of real property in the City for which the Owner receives a separate ad valorem property tax bill, at the same time and manner, and subject to the same penalties and procedures as ad valorem property taxes collected by

the County except as otherwise set forth in this Ordinance.

D. If the City Council selects collection of the tax by the County, the tax shall be imposed on the ad valorem property tax bill for the fiscal year that begins July 1 following the end of the calendar year in which the parcel was vacant. The special tax shall first be imposed no sooner than the ad valorem property tax bill for fiscal year 2020-2021 for parcels that were vacant in the previous calendar year.

E. Tax Rates.

1. The maximum tax rates for each property type shall be as set forth in the table below. The City Council may lower, but not increase, the rates, and may by Ordinance adopt further categories of exemption. The City shall be responsible for assigning a tax rate for each parcel.

PROPERTY TYPE	ANNUAL TAX RATE
Residential	\$6,000 per parcel
Condominium, duplex, or townhouse unit under separate ownership	\$3,000 per vacant residential unit
Nonresidential	\$6,000 per parcel
Parcel with ground floor commercial activity allowed but vacant	\$3,000 per parcel
Undeveloped	\$6,000 per parcel

2. For parcels with multiple units, whether residential or non-residential, the parcel is not vacant if any unit on it is not vacant. A condominium, duplex, or townhouse unit under separate ownership is treated as a separate parcel for the purposes of this Chapter, and if it is vacant, is subject to the tax regardless of the status of any other unit on the same lot or that is part of the same development.

3. For parcels where ground floor commercial activities are allowed by the applicable zoning (with or without a use permit) or are a legal nonconforming use, if all of the ground floor space that could be lawfully occupied by commercial activities is vacant, then the parcel shall be subject to the tax regardless of whether any other portion of the structures on the parcel are occupied.

F. Real property otherwise wholly exempt from ad valorem tax by state law shall also be exempted from the tax imposed by this Ordinance.

G. Adjustment in Tax Rate

The City Council may, by resolution, establish an annual tax rate less than the maximum amount then authorized. Following any such decrease in the annual tax rate, the City Council may, by resolution, increase the annual tax rate to the maximum rate then permitted, or to any other amount less than the maximum rate then permitted, without obtaining voter approval.

H. For parcels divided by Tax Rate Area lines, the payment for the portion of the parcel within Alameda County shall be calculated at the same rates as set forth above. For properties wholly within Alameda County and divided by Tax Rate Area lines into multiple parcels, the property shall be taxed as a single parcel at the rates set forth above.

I. Imposition of Tax by Zones

The City Council may, by ordinance, establish zones or areas within the City and may restrict the levy of the tax to properties within the zones or areas established.

J. Exemptions

1. The following shall be exempt from the tax imposed by this Ordinance:

a. An Owner who qualifies as very low-income, as the term "very low income" is defined by the United States Department of Housing and Urban Development.

b. An Owner for whom the payment of the tax imposed by this Ordinance would be a financial hardship due to specific factual circumstances.

c. An Owner whose property is vacant as a result of a demonstrable hardship that is unrelated to the Owner's personal finances.

d. An Owner who can demonstrate that exceptional specific circumstances prevent the use or development of the property. By way of example only and without limiting the generality of the foregoing, exceptional specific circumstances that prevent the use or development of property include property damage by a recent natural disaster, an undeveloped parcel adjoining a developed residential parcel and used by the occupants as part of the yard, and property with physical conditions that prevent development. The details of this exemption shall be further defined by separate ordinance of the City Council.

e. An Owner of a property that is under active construction. To qualify for this exemption, an Owner must call for inspections of the construction with sufficient frequency to keep the building permit or permits active.

f. An Owner of property for which an active building permit application is being processed by the City.

g. An Owner (1) who is 65 years of age or older and (2) who qualifies as "low income," as the term "low income" is defined by the United States Department of Housing and Urban Development.

h. An Owner who, regardless of age, (i) receives Supplemental Security Income for a disability or (ii) Social Security Disability Insurance benefits, regardless of age and whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services.

i. An Owner that is a non-profit organization or entity owned or controlled by a non-profit organization.

j. An Owner of a parcel included in a substantially complete application for planning approvals that has not yet received approval. An Owner of a parcel for which a project with development entitlements have been approved but needing time for completion may apply for and receive an administrative two-year exemption.

2. The City Administrator's Designee (which if not otherwise designated shall be the Finance Director) shall establish the procedures and guidelines for owners to apply for, and grant, the exemptions identified in this section. Owners who claim an exemption may be required to submit information annually to substantiate their continuing qualification for the exemption.

3. The City Council may, by ordinance, establish such other exemptions to the tax imposed by this Ordinance and the authorized methods of collection of the tax, as it determines to be appropriate.

4. The City Council may, by ordinance, provide supplemental definitions for the exemptions in this section and for the administration of the exemptions as part of the collection of the tax.

Section 4.56.040. Vacant Property Tax Fund

The "Vacant Property Tax Fund" ("Fund") is hereby created as a special revenue fund. Proceeds from the Oakland Vacant Property Tax Act, including penalties and interest earned on such proceeds, shall be deposited into the Fund and used only for the purposes listed in Section 4.56.050.

Section 4.56.050. Use of Vacant Property Tax Act Revenue

A. Monies deposited in the Vacant Property Tax Fund shall be used solely for those purposes identified in this Section.

B. Tax funds may be used to provide services and programs to homeless people, to reduce homelessness, and to support the protection of existing and production of new housing affordable to lower income households as defined in California Health and Safety Code Section 50079.5 at an affordable housing cost or affordable rent as defined in Health and Safety Code Sections 50052.5 and 50053. Examples of such uses include, but are not limited to:

1. Job training, apprenticeship, pre-apprenticeship, drug treatment, and job readiness assistance programs for homeless people or those at risk of becoming homeless;

2. Assistance connecting homeless people or those at risk of becoming homeless with available services and resources, including assistance applying for housing or public benefit programs;

3. Housing assistance, including the provision of temporary housing or move-in expenses, such as first-month's rent and a security deposit, and emergency rental assistance;

4. Sanitation, bathroom, and cleaning services related to homeless encampments, and programs to supplement remedying and deterring blight and illegal dumping throughout the City;

5. Incentive programs to encourage property owners to make space available for low-income housing, including making funds available for physical improvements to enable a unit to be used for a voucher-based housing program;

6. Relocation assistance funding for low-income households facing displacement;

7. Financial assistance for the design, development, construction or operation of affordable housing units, including housing alternatives such as, without limitation, shipping container homes, accessory dwelling units and small homes.

8. Accessibility support to provide or maintain housing, and make needed improvements for accessibility, for seniors and persons with disabilities; and

9. Displacement prevention, tenant education and assistance, emergency rent assistance; and

10. Navigation centers to provide space for people to stay, along with on-site support services for the homeless. Funding may be used for both capital and operating costs related to navigation centers; and

11. Code enforcement and cleanup of blighted vacant properties, other blight elimination, and remedying illegal dumping, including legal action to address any of the foregoing as necessary, no less than twenty-five percent (25%) of the revenue deposited into the Vacant Parcel Tax Fund in any single year shall be used to pay for the uses listed in this paragraph.

C. Monies in the Vacant Property Tax Fund may be used to pay the costs of audits of the use of monies in the Fund.

D. Monies in the Vacant Property Tax Fund may be used to pay for the City's costs of the election required to obtain voter approval of the tax authorized by this Ordinance, including City Attorney costs to prepare this Ordinance and related documents. City Attorney costs shall be deposited in a Revenue account for sole use by the Office of the City Attorney.

E. Monies in the Vacant Property Tax Fund may be used to pay for the costs of administering the special tax, regardless of how or by what entity those administrative services are provided. No more than fifteen percent (15%) of the revenue deposited into the Vacant Parcel Tax Fund in any single year may be used to pay for such administrative costs, except that revenue used to pay for the costs of the Commission on Homelessness established by Section 4.56.060 shall not count toward the fifteen percent (15%). Notwithstanding the foregoing, the City shall be reimbursed for its actual costs of establishing the program for collecting the tax, which costs shall be confirmed by the City Auditor. Administrative costs include, but are not limited to:

1. The costs to the City of determining and identifying the use and vacancy status of every parcel in the City;

2. The costs to the City associated with monitoring and enforcing compliance with this Ordinance. Authorized costs include, but are not limited to, any expenses, including attorneys' fees, associated with any proceedings needed to enforce the requirements of this Ordinance;

3. The costs to the City associated with developing ordinances and regulations to implement this Ordinance;

4. The costs to the City associated with the operations of the Commission on Homelessness established by Section 4.56.060 of this Ordinance; and

5. Reimbursement to the County for the costs it incurs in collecting the tax.

F. If this Ordinance or the use of tax funds is legally challenged, tax funds may be used to reimburse the City for its costs of legal defense, including attorneys' fees and other expenses.

Section 4.56.060. Commission on Homelessness

A. The Commission on Homelessness is hereby established for citizen oversight of the Oakland Vacant Property Tax.

B. The Commission shall meet at least four (4) times per fiscal year.

C. The Commission shall review relevant financial and operational reports related to the expenditure of the Homeless Services Fund. The Commission shall publish an annual report regarding how and to what extent the City Council and Mayor have implemented this Ordinance. Additionally, the Commission shall be requested to publish reports regarding the following: 1) recommendations from the Commission on how to prioritize the allocation of funds in accordance with the requirements of this Ordinance, including for: services and programs for homeless people, reduction of homelessness, and supporting the provision of Affordable Housing to households qualifying as at least low-income households; and 2) information, if available, concerning the impacts of this Ordinance on homelessness and illegal dumping outcomes in the City. The City Council may assign other duties to the Commission as provided for by Ordinance. Within 15 days of receipt of a Commission report, the City Administrator or designee shall cause the report to be published on the City's Internet website and to be transmitted to the City Council. Any recommendations from the Commission on prioritization of funds in accordance with the requirements of this Ordinance shall be approved no later than February 1st for incorporation into the City budget for the following fiscal year, and such report shall be transmitted to the Council and public for informational purposes in the budget or as an informational report at the meeting at which the City Council appropriates funds generated by the Special Supplemental Business Tax.

D. The Commission shall consist of nine (9) members who are all residents of the City. No less than half of the members must be residents of Heavily Impacted Neighborhoods. No less than two members must be currently homeless, formerly homeless or low-income, as the term "low income" is defined by the United States Department of Housing and Urban Development. No less than three members must have professional expertise in, or be providers of, homeless services or housing. No less than one representative must have financial expertise. Members may fulfill more than one of these criteria for the purposes of meeting these requirements. City Councilmembers shall make recommendations for members to the Mayor. Members of the Commission shall be appointed by the Mayor and confirmed by the City Council in accordance with City Charter section 601. Members of the Commission shall receive no salary for serving.

E. Members shall serve three (3) year terms, as provided

for in this subsection. No member shall serve more than two (2) consecutive three (3) year terms. Of the initial members of the Commission, three (3) appointments shall be for one-year terms, three (3) appointments shall serve for two-year terms, and three (3) appointments shall be for three-year terms. Thereafter, all terms shall be for three (3) years. All terms of members shall begin as of the date that six (6) members have been appointed, which is when the Commission may begin its work. All future terms shall begin and end on that date. A quorum of the Commission shall be a majority of appointed members, but shall never be fewer than three (3) members. A member may be removed for cause pursuant to City Charter section 601. Absence from three (3) consecutive regular meetings, or four (4) non-consecutive regular meetings during a single fiscal year, may constitute cause for removal from the Commission, in accordance with City Charter section 601.

F. The City Administrator or designee shall provide clerical assistance and administrative support and technical assistance to the Commission.

Section 4.56.070. Accountability

A. In accordance with the requirements of California Government Code Sections 50075.1 and 50075.3, the following accountability measures, among others, shall apply to the tax:

1. A separate, special account, referred to as the Vacant Property Tax Fund, shall be created, into which the proceeds of the tax must be deposited.

2. The specific purposes of the tax are for the funding of programs and services for homeless people, to reduce homelessness, and to support the provision of affordable housing and for as the other purposes set forth in Section 4.56.050 of this Ordinance. The proceeds of the tax shall be applied only to these specific purposes.

3. The Commission established by Section 4.56.060 shall perform the oversight functions listed in that Section to ensure that the revenue from the tax is spent solely for the purposes listed in Section 4.56.050.

4. The City Auditor shall perform regular audits to ensure accountability and proper disbursement of all revenue collected by the City from the tax imposed by this Ordinance, in accordance with the objectives stated herein and in compliance with provisions of California law.

B. The City's current General Purpose Fund expenditures for illegal dumping remediation may not be replaced by this tax. For any year during which this tax is in effect, if the City's General Purpose Fund expenditures on illegal dumping remediation are less than the amount expended in the 2016-2017 fiscal year, this tax shall not be levied and collected. In the event that a severe and unanticipated financial or other event occurs that so adversely impacts the General Purpose Fund as to prevent the City from budgeting for and maintaining the level of General Purpose Fund expenditures on illegal dumping remediation at the fiscal year 2016-2017 level, then the tax may nevertheless be levied and collected, if both of the following two conditions are

met: (1) The City's reduction to General Purpose fund illegal dumping remediation expenditures is no more than the same proportion of reduction that is imposed on the City's net General Purpose Fund budget for non-safety departments; and (2) The City Administrator submits a report to the City Council explaining the severe and unanticipated event, the steps that were taken by the City to avoid the need to reduce General Purpose Fund expenditures on illegal dumping remediation, and the steps that will be taken by the City in the future to restore the fiscal year 2016-2017 level of General Purpose Fund expenditures on illegal dumping remediation. Such actions must be taken for each fiscal year in which the City fails to meet the level of General Purpose fund illegal dumping remediation spending required by this paragraph. Following any General Purpose Fund reduction in illegal dumping remediation from the 2016-2017 fiscal year level and for the tax to be levied in any subsequent year, the level of General Purpose Fund expenditures on illegal dumping remediation must be increased proportional to the increases in the non-safety departments' net General Purpose Fund budgets up to at least the fiscal year 2016-2017 level of General Purpose Fund expenditures on illegal dumping.

Section 4. Severability.

Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 5. California Environmental Quality Act Requirements.

The City Council hereby determines that this Ordinance is not in-and-of-itself a "project" pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq., including without limitation CEQA Guidelines 15378(b)(4) and 15061(b)(3), as it can be seen with certainty that there is no possibility that the adoption of the ordinance itself may have a significant effect on the environment. To the extent that vacant property tax revenues generated by the Ordinance may in the future be used to fund the construction of capital improvements, the Ordinance may assist in the financing of future "projects" that will be subject to environmental review pursuant to CEQA at the "earliest feasible time" prior to "approval" consistent with CEQA Guidelines Sections 15004 and 15352.

Section 6. Approval; Effective Date.

This Ordinance, and all the provisions thereof, shall become effective only upon affirmative passage by a two-thirds majority vote of the voters voting on the Ordinance. This Ordinance shall be considered adopted on the date that the City Council declares the results of the election at which it was voted upon and shall be effective ten days thereafter.

Section 7. Council Amendments.

This Ordinance may only be amended by a vote of the

people if the amendment would result in the special tax being imposed, extended, or increased in a manner not authorized by this Ordinance as originally approved by the voters. The City Council of the City of Oakland is hereby authorized to amend Chapter 4.56 of the Oakland Municipal Code as adopted by this Ordinance in any manner that does not increase the tax rates, or otherwise constitute a tax increase for which voter approval is required by Article XIII C of the California Constitution.

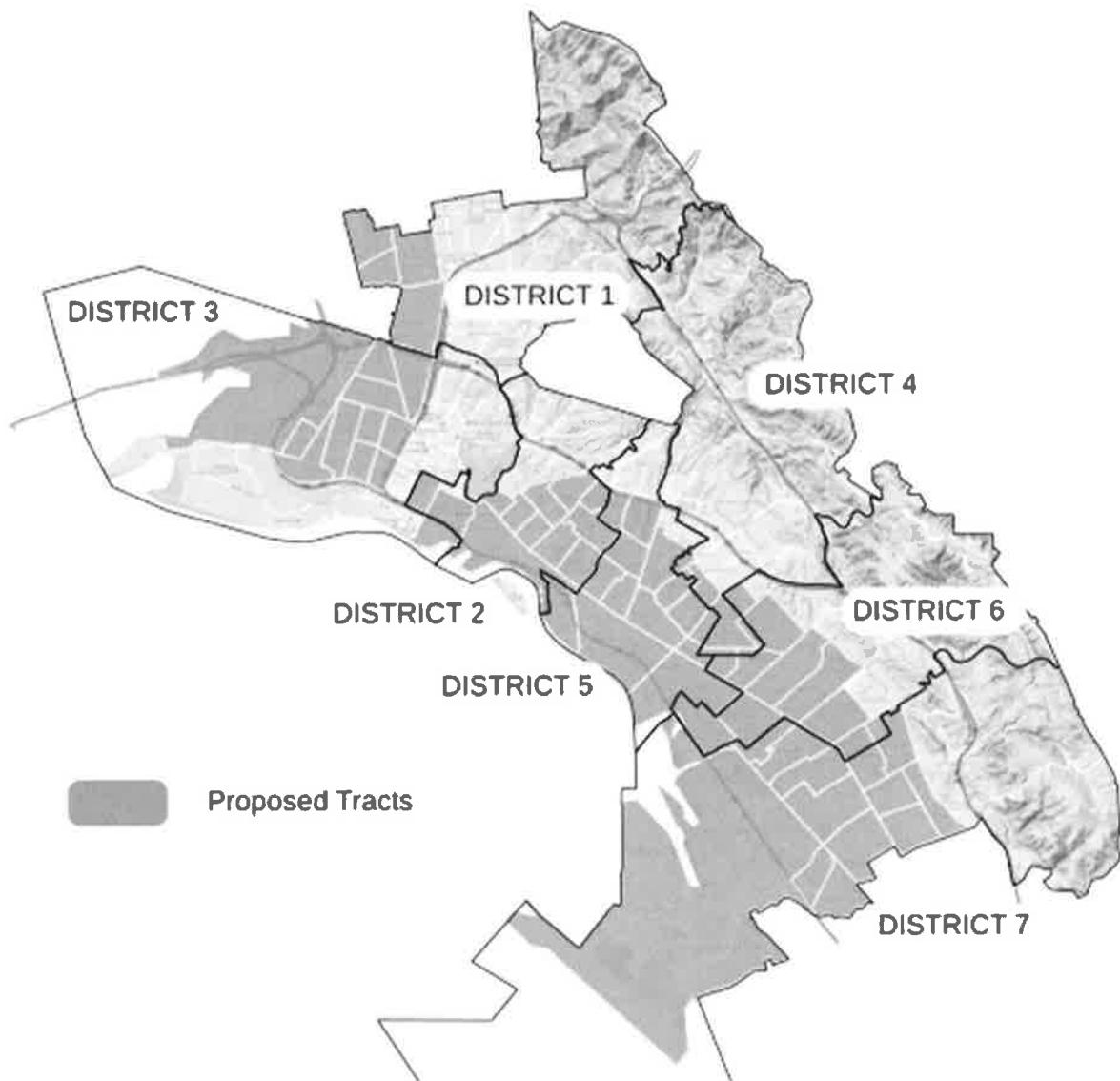
Section 8. City of Oakland Vacant Property Tax Collection Law.

The City shall collect the tax pursuant to rules and procedures established by the Vacant Property Parcel Tax Collection Law.

Section 9. Expiration of Tax.

This Ordinance shall expire 20 years after it is first levied. By way of example only and without limiting the generality of the foregoing, if the tax were first levied in the 2020-21 tax year, the 2040-41 tax year would be the last year in which it may be levied. The voters of the City of Oakland may amend the term of the tax at any time prior to its expiration.

ATTACHMENT A



CITY OF OAKLAND MEASURE X

X	Shall the Measure graduating the real estate transfer tax as follows: 1% up to \$300,000; 1.5% over \$300,000 - 2,000,000; 1.75% over \$2,000,000 - 5,000,000; and 2.5% over \$5,000,000; a lower rate for low-moderate income first-time homebuyers; and reducing the tax up to 1/3 for seismic retrofit or solar energy work costs incurred by low-moderate income homebuyers; raising approximately \$9,000,000 annually until repealed, be adopted?	<input type="checkbox"/> YES
		<input type="checkbox"/> NO

CITY ATTORNEY'S BALLOT TITLE AND SUMMARY OF MEASURE X

TITLE: A Proposed Ordinance Graduating the City's 1.5% Real Estate Transfer Tax Rate Based on Amount Paid, Setting the Tax Rate for Low and Moderate Income First-Time Homebuyers at .5% Below the Applicable Rate, and Reducing the Tax by up to One-Third for Seismic Retrofit and Solar Energy Work Costs Incurred by Low and Moderate Income Homebuyers

CITY ATTORNEY'S SUMMARY OF MEASURE X:

The City currently imposes a tax on the transfer of real property in Oakland at a flat rate of 1.5% of the amount paid for the property. This measure would establish four rates ranging from 1% to 2.5%; the higher rates would apply to transfers at higher amounts. The rates would be as follows:

- 1% up to \$300,000;
- 1.5% over \$300,000 to \$2 million;
- 1.75% over \$2 million to \$5 million; and
- 2.5% over \$5 million.

The City currently reduces the rate of the real estate transfer tax for low and moderate income first-time homebuyers from 1.5% to 1.25%. This measure would reduce the applicable tax rate for low and moderate income first-time homebuyers by one-half of a percentage point (.5%). The measure also would reduce the tax rate for low and moderate income first-time homebuyers for property transfers of \$2 million or less. And this measure would refund up to one-third (1/3) of the tax to low and moderate income homebuyers based on the actual cost the homebuyer incurred to complete specified seismic retrofit work or install a solar energy system within one year of the transfer.

The City would be permitted to use the tax revenue for any governmental purpose.

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE X

The Oakland Municipal Code currently imposes a tax on the transfer of real property in Oakland. Currently, the tax rate is a flat 1.5% of the value of the amount of consideration (generally the sales price) paid for the property. This rate is the same regardless of the amount of the consideration.

This measure would establish four tax rates ranging from 1% to 2.5%. For transfers with consideration of \$300,000 or less, the tax rate would be 1%; for transfers with consideration above \$300,000 and up to \$2 million, the tax rate would be 1.5%; for transfers with consideration above \$2 million and up to \$5 million, the tax rate would be 1.75%; and for transfers with consideration more than \$5 million, the tax rate would be 2.5%.

The City currently reduces the 1.5% real estate transfer tax to 1.25% for qualified low and moderate income first-time homebuyers. As part of the new graduated rate system, this measure would reduce the tax rate for low and moderate income first-time homebuyers by one-half of a percentage point below the applicable rate. For example, a sale of a home to a low and moderate income first-time homebuyer for \$500,000 would generate a transfer tax of \$5,000, at a tax rate of 1.0% (.5% below the 1.5% rate for a transfer at this price.) The tax rate reduction for low and moderate income first-time homebuyers would apply only to property transfers for \$2 million or less.

The City currently imposes the real estate transfer tax on the full value of the amount paid for the property without any reduction for seismic retrofit or solar energy work. This measure would reduce the tax by up to one-third (1/3) for seismic retrofit work or the installation of a solar energy system costs if the work is completed within one year of the transfer. Only transfers for \$2 million or less to low and moderate income homebuyers would be eligible for the reduction. The tax reduction would be refunded to homebuyers for the costs they incur for qualified seismic retrofit or solar energy installation work. The measure defines the type of work that qualifies as "seismic retrofit" and work to "install a solar energy system." The measure would allow the City Council to adopt rules to implement the seismic retrofit and solar energy refund.

The Oakland City Council placed this measure on the ballot. A "yes" vote supports the passage of the amendment to the Oakland Municipal Code; and a "no" vote opposes passage of the amendment. A majority vote (i.e., more than 50% of the votes cast) is required to pass the measure.

s/BARBARA J. PARKER
City Attorney

CITY AUDITOR'S IMPARTIAL ANALYSIS OF MEASURE X

Summary

This Measure, if adopted by majority vote (more than 50%), authorizes the City of Oakland to create a tiered Real Estate Transfer Tax rate by decreasing the tax rate for lower priced real estate transfers and increasing the rate for higher priced ones. The tax would continue to be collected annually to raise unrestricted general purpose fund revenue. It would become effective on January 1, 2019.

The City of Oakland assesses a Real Estate Transfer Tax on all Oakland real estate sold or transferred.

Oakland's current Real Estate Transfer Tax is 1.5%, regardless of the value of the property being sold or transferred. The proposed graduated tax rates, presented in real estate transfer tiers, are compared to the current rate below.

Real Estate Transfer Tiers	Current Tax Rate	Proposed Measure Tax Rate
\$300,000 or less	1.5%	1%
More than \$300,000 up to \$2,000,000	1.5%	1.5%
More than \$2,000,000 up to \$5,000,000	1.5%	1.75%
More than \$5,000,000	1.5%	2.5%

Exemptions / Exceptions

- Low and moderate income first-time homebuyers would receive a tax rate reduction of 0.5% for real estate transfers valued at \$2 million or less.
- No tax rate increase for non-profit, affordable-housing providers. The maximum rate would be 1.5%, regardless of the value of the property at the time of sale or transfer.
- Seismic and solar upgrades by low and moderate income homebuyers may be eligible for reimbursements up to one third of the transfer tax paid.

It is unlikely these exemptions would have a significant impact on future tax revenue.

Financial Impact

Real estate taxes are a volatile revenue source and estimates based on prior years' activity may not be predictive of future revenues.

When applying the proposed transfer tax rates to the past six years' real estate transactions, the City estimates revenue potentially increasing between \$1.7 million and \$17 million per year.

The City anticipates approximately \$181,000 in annual staffing costs for tax administration and collection.

Beginning in January 2024, and no more than once every five years thereafter, City Council may increase the \$300,000 threshold between the first and second tax rate tiers, and the \$2,000,000 threshold between the second

and third tax rate tiers by an amount equal to or less than the increase to the Consumer Price Index, with thresholds capped at \$500,000 and \$3,500,000.

Disclaimer

The Office of the City Auditor has not audited and, as such, has not validated the City of Oakland Finance Department's financial and statistical analysis that supports this measure. References to this data in our independent analysis represent the best data available at this time.

ARGUMENT IN FAVOR OF MEASURE X

Progressive taxation, a hallmark of a just and fair society, addresses wealth disparity by more equitably funding government services. Measure X will make Oakland's tax on real estate sales more progressive!

Oakland's current Real Estate Transfer Tax (RETT) rate is a flat 1.5% of the value of the transferred property, whether it is worth \$200,000 or \$20,000,000. Cities in California have lower RETTs than many cities nationally. Currently, San Francisco is the only city in California with a progressive, tiered RETT. It's time for Oakland to have one as well.

Measure X replaces Oakland's flat RETT with rates varying based on the value of the sale. It also doubles (.5%) the existing rate *reduction* for first-time low & moderate income homebuyers. It lowers taxes (down to 1%) on sales of \$300,000 or less, makes no change to the 1.5% rate for most sales, and raises taxes on expensive property sales (1.75% for over \$2 million and 2.5% for over \$5 million). And low and moderate income buyers also would be eligible for a partial refund for seismic retrofit and/or solar energy installation expenses.

Had this progressive tax structure been in effect since 2012, Oakland would have brought in an additional \$9,000,000 per year on average for vital City services. The new revenue generated by this measure would come from people buying and selling the most expensive properties – people in the upper income levels, larger businesses, and big time investors, who can afford to share more of the weight of funding our city services.

This is a great opportunity to better fund the important city services we all want and need. **Please join us in voting YES on Measure X.**

s/ED GERBER
Oakland Budget Advisory Commissioner

s/DAN KALB
Oakland City Councilmember

s/ZAC UNGER
Oakland Firefighter/Paramedic, IAFF Local 55

s/GEORGE CUMMINGS
Senior Minister, Imani Community Church

s/LIBBY SCHAAF
Mayor of Oakland

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE X

The advocates make this tax SOUND GOOD. Some taxes are necessary, but this tax will make Oakland WORSE.

This tax is a General Tax that will be placed in the General Purpose Fund to be spent on ANYTHING. Oakland's ongoing scheme is to raise taxes for an admirable purpose and spend most of the funds on bureaucracy expansion.

- In 2016 Oakland voters approved Measure KK principally to repave streets. Instead, the City delivered a 'pothole blitz', promises of a modest repaving program next year and pretty website pictures of a resurfaced street.
- For years the City has diverted Measure KK funds & Measure DD funds to a Public Arts projects. However, most of the Arts funds are spent on bureaucracy and only a pittance on artists.
- The voters have approved Alameda County sales taxes to repave streets. Oakland spends most of its share of this sales tax on bureaucracy and street maintenance, not repaving.
- In recent years Oakland has received more tax income than ever. Meanwhile, the unfunded pension liabilities for City staff has continued to soar from \$1.6 billion 4 years ago to over \$1.9 billion now.

The more discretionary taxes the voters approve for Oakland, the more the City bureaucracy grows and the larger the City debt grows. Already every Oakland's citizen's share is over \$4,000 and Oakland's street condition index is tied for the worst in the Bay Area.

This tax is good for the bureaucrats and bad for the rest of us. Vote NO!

s/MARCUS CRAWLEY

ARGUMENT AGAINST MEASURE X

NO! NO! NO! We don't want a new tax every election. We don't want to make Oakland's cost of housing and rents EVEN MORE UNAFFORDABLE. We don't want the City to pit one set of taxpayers against another. We DO want austerity for our government bureaucracy.

Council members will have you believe that the austerity mandated by voter-approved Proposition 13 has 'starved' our City government. And that this tax increase is necessary to offset what Prop 13 robs us in city services. But this is NOT TRUE. Oakland's bureaucrats have been diverting our taxes into bureaucratic expansion resulting in soaring unfunded pension liabilities. The previous City Auditor admonished Oakland to reduce the City Employees' unfunded pension liabilities. Instead, unfunded pension liabilities ballooned to \$1.9 billion and growing. And the City continues to expand its bureaucracy -- The new OakDOT bureaucracy nightmare diverts taxes from Capital Improvement Projects to staff with breathtakingly generous compensation. This is why we get 'pothole blitzes' rather than well-paved streets that the City Charter requires.

Some voters may be tempted to support this as A TAX ON SOMEONE ELSE. But MAKE NO MISTAKE, this tax increases the cost of buildings, which will be passed along to residents and small businesses through HIGHER RENTAL RATES.

City Council members will make you believe we do not pay our fair share compared to other states or Bay Area cities. Oakland's transfer fee is already ONE OF THE MOST expensive fees compared to other cities in the Bay Area. A city with serious affordability issue SHOULD NOT BE ADDING TO THE COST OF HOUSING AND BUSINESS.

No amount of new taxes will solve the City bureaucracy's lust to reward itself. Don't allow the City to continue increasing the cost of housing and doing business. Demand austerity and Vote NO!

s/MARCUS CRAWLEY

Concerned Taxpayer

s/SUZANNE CARO

Concerned Taxpayer

s/TOM RUBIN

Concerned Taxpayer

s/RANDALL C. WHITNEY

Concerned Taxpayer

REBUTTAL TO ARGUMENT AGAINST MEASURE X

FACT: Measure X is sensible, progressive tax policy that helps our community!

FACT: Voting YES on Measure X means you support *lower* taxes for first-time low / moderate income homebuyers, and any low / moderate income homebuyer who pays for seismic retrofit or solar installation on their new home.

FACT: Measure X raises taxes *only* on the most expensive property sales, starting at *over* \$2 million, to help pay for vital government services for our city.

FACT: Measure X does *NOT* raise the tax on homes sold for less than \$2 million. Average homebuyers will not see any change in their transfer tax, and some will see a reduction.

FACT: Measure X does *NOT* raise taxes on property sales for nonprofit affordable housing.

FACT: **This measure increases the one-time tax on fewer than 5% of property buyers while bringing in much-needed revenue to help address our city's many needs.**

FACT: Opponents of this progressive tax measure would like to see City services slashed in furtherance of their conservative, anti-tax, government-austerity ideology. They consistently oppose any new taxes, regardless of need and despite the crippling impact of flawed policies like Prop. 13 on the ability of cities to deliver services such as libraries, parks, public safety and more.

We ask that you reject rhetoric that suggests that Oakland cannot afford to tax property sales on those who can afford it most in one of the hottest real estate markets in the country.

Please join with us in voting YES on X.

s/JOSHUA SIMON

Oakland Homeowner; Nonprofit Affordable Housing Professional

s/KATHRYN STERBENC

Past Chair, Oakland Library Commission

s/JESSAMYN SABBAG

Executive Director, Oakland Rising Past Budget Advisory Commissioner

s/JACQUELINE DUHART

Oakland-Based Unitarian Universalist Ordained Clergy

s/LANIECE JONES

MGO Democratic Club Past President

FULL TEXT OF MEASURE X

Section 1. The Oakland Municipal Code is hereby amended to add, delete, or modify sections as set forth below (section numbers and titles are indicated in **bold type**; additions are indicated by underscoring and deletions are indicated by strike-through type; portions of the regulations not cited or not shown in underscoring or strike-through type are not changed).

Section 2. Code Amendments.

That Chapter 4.20, Sections 4.20.020 and 4.20.080 of the Oakland Municipal Code are amended and Section 4.20.220 is added to read as follows:

4.20.020 - Imposition of tax.

A. There is imposed a tax on all transfers by deeds, instruments, writings, or any other document, or changes in control and ownership of legal entities, by which any lands, tenements or other interests in real property located in the City, are or is granted, assigned, transferred, or otherwise conveyed to or invested in a transferee, or transferees thereof, which shall be levied as a percentage of the value of consideration at the rates set forth below: of one and one-half percent of the value of consideration.

<u>Amount of transfer</u>	<u>Tax</u>
\$300,000 or less	1%
More than \$300,000 up to \$2,000,000	1.5%
More than \$2,000,000 up to \$5,000,000	1.75%
More than \$5,000,000	2.5%

B. The People of Oakland authorize that the City Council may increase the \$300,000 threshold between the first and second tax rate tiers and the \$2,000,000 threshold between the second and third tax rate tiers by an amount no more than the increase to the Consumer Price Index as published by the U.S. Department of Labor, provided that such a threshold increase may not be done more than once per five years since the effective date of this Ordinance and that the thresholds may not be increased beyond \$500,000 for the threshold between the first and second tiers and \$3,500,000 for the threshold between the second and third tiers.

C. Notwithstanding subsection A., a transfer to a nonprofit corporation, or a limited partnership or limited liability company in which a nonprofit corporation is the managing general partner or managing member, accompanied by a binding agreement or covenant recorded on the property and enforceable by the city to provide all residential units on the property (other than units reserved for on-site property managers) at an affordable rent or affordable housing cost to lower income households as defined in California Health and Safety Code Section 50079.5, shall be taxed at a maximum rate of 1.5% regardless of the value of consideration.

4.20.080 - Exemption for low and moderate income first-time homebuyers.

~~Section 4.20.020 notwithstanding, t~~The tax on all transfers of real property located in the city made on or after ~~August 10, 1993~~ January 1, 2019 in which the buyers are low and moderate income first-time homebuyers shall be levied at the rates of one and one-quarter (1.25) percent of the value of consideration set forth in Section 4.20.020 reduced by one-half percentage point (.5%). For the purpose of this section, “low and moderate income first-time homebuyers” are defined as buyers who:

- A. Earn a maximum of one hundred (100) percent of the median family income for the Oakland Primary Metropolitan Statistical Area, as defined by the U.S. Department of Housing and Urban Development; and
- B. Will occupy the property as their principal residence; and
- C. Are not purchasing the property to be held as tenants in common; and
- D. The value of consideration for the transferred property is \$2 million or less; and

E. 1. D. Have not owned a home in three years prior to the date of purchasing the property; or

2. E. Are displaced homemakers. “Displaced homemaker” is defined as an adult individual who has not worked full-time, full-year in the labor force for a number of years but has, during such years, worked primarily without pay to care for the home and family, is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

4.20.220 - Exemption for low and moderate income homebuyers incurring seismic retrofit or solar energy system expenses.

Up to one-third of the tax imposed by this chapter shall be reduced, on a dollar for dollar basis, for all expenses incurred by low and moderate income homebuyers on or after July 1, 2018 to “seismically retrofit” or “install a solar energy system,” or any combination of the two, for any structure which is used exclusively for residential purposes and the transfer of which is triggering the tax, subject to the following:

A. For purposes of this section, “low and moderate income homebuyers” are defined as buyers who meet the requirements of Section 4.20.080.A., B., and D.

B. The term “seismically retrofit” in this chapter means any of the following:

1. Strengthening in compliance with Appendix Chapter A3 of the latest edition of the California Existing Building Code;
2. Bracing, anchoring, and/or strapping of water heater tanks in compliance with the California Plumbing Code or with standards adopted or approved by the building official;
3. Removal and/or replacement of masonry chimneys in accordance with FEMA P-1024-RA1 or substantially similar standards adopted or approved

by the building official;

4. Strengthening or risk reduction in unreinforced masonry bearing wall buildings in substantial compliance with Oakland Municipal Code Chapter 15.28, for buildings not already required to comply with that chapter;

5. Strengthening, stiffening, or other damage reduction measures deemed by the building official to comply with the intent of reduced seismic forces as defined by the California Existing Building Code.

C. The term “install a solar energy system” in this chapter means the installation of an “active solar energy system,” as defined by California Revenue & Taxation Code Section 73(b).

D. From the date of the recordation of the transfer document, the applicant shall have one year to complete all seismic retrofit and solar energy system work, if not already completed prior to the transfer of the property, and submit a seismic retrofit verification application, solar energy system verification application, or both to the Building Inspections Division of the City of Oakland. Upon completion of such work and certification by the Building Bureau as to the amount of the expenses of such work, the City Administrator or his/her designee shall refund such expenses not to exceed one-third of the tax imposed on and paid by the buyer.

E. The People of Oakland authorize that the City Council may establish rules that are necessary and desirable for implementation of Section 4.20.220 and may amend any aspect of this section as long as such amendment does not result in an increase in the authorized tax rate.

Section 3. Severability. Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 4. General Tax; Majority Approval; Effective Date. This Ordinance enacts a general tax for unrestricted general revenue purposes. Tax revenue collected pursuant to the Ordinance may be used by the City for any municipal governmental purpose. This Ordinance shall be effective only if approved by a majority of the voters voting thereon and shall go into effect on January 1, 2019.

NOTICE OF CORRECTION

Dear Voter: There was a typographical error in the ballot label for **Measure Y**.

This is the correct ballot label.

Y Shall the Measure amending Oakland's Just Cause for Eviction Ordinance ("Ordinance") to: (1) remove the exemption for owner occupied duplexes and triplexes; and (2) allow the City Council, without returning to the voters, to add limitations on a landlord's right to evict under the Ordinance, be adopted?	<input type="checkbox"/> YES
	<input type="checkbox"/> NO

If you have any questions, please contact the City of Oakland, Office of the City Clerk at (510) 238-3226.

CITY OF OAKLAND MEASURE Y

Y Shall the Measure amending Oakland's Just Yes Cause for Eviction Ordinance ("Ordinance") to: (1) remove the exemption for owner occupied duplexes and triplexes; and (2) allow the City Council, without returning to the voters, to add limitations on a landlord's right to evict under the Ordinance, be adopted?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
---	------------------------------	-----------------------------

CITY ATTORNEY'S BALLOT TITLE AND SUMMARY OF MEASURE Y

TITLE: Proposed Amendments to Oakland's Just Cause for Eviction Ordinance Eliminating Exemptions for Owner-Occupied Duplexes and Triplexes and Authorizing the City Council to Add Limitations on a Landlord's Right to Evict under the Ordinance Without Voter Approval

CITY ATTORNEY'S SUMMARY OF MEASURE Y:

In 2002 Oakland voters approved Oakland's Just Cause for Eviction Ordinance ("Ordinance") (Oakland Municipal Code ("OMC") section 8.22.300, *et seq.*; also referred to as Measure EE). The Ordinance generally allows landlords to evict tenants from residential rental units covered by the Ordinance only if there is "just cause" for the eviction. The ordinance specifies just cause grounds for eviction, for example, failure to pay rent, lease violation, owner move-in.

This measure would amend the Ordinance to:

- make owner-occupied duplexes and triplexes subject to just-cause for eviction requirements
- authorize the City Council, without voter approval, to add limitations on a landlord's right to evict under the ordinance;
- delete ordinance provisions that a court invalidated; and
- give the City Council authority to amend the ordinance to comply with changes in state or federal law and delete provisions that courts invalidate in the future.

Exemption for Owner-Occupied Duplexes and Triplexes

The ordinance does not apply to rental units in two- or three-unit properties if an owner occupies one of the units, i.e., such owners are not required to establish a just cause ground to evict tenants. This measure would remove this exemption so that the ordinance would cover tenants who rent units in owner-occupied duplexes and triplexes; owners of these units would be entitled to evict tenants only if they establish the existence of a just cause ground specified in the ordinance and also must comply with relocation requirements when they evict tenants for owner move-in or repairs.

This amendment would remove the exemption from current and future owner-occupied duplexes and triplexes. Only the voters could restore the exemption.

City Council's Authority to Add Limitations on a Landlord's Right to Evict under the Ordinance

Because the voters adopted the ordinance, they must approve any change to the ordinance. The ordinance specifies just cause grounds for eviction and lists additional prerequisites to eviction, such as providing proper notice. This measure would allow the City Council, without voter approval, to amend the ordinance to add additional limitations on a landlord's right to evict tenants under the ordinance, e.g., mandating compliance with certain rules and standards, such as, providing a proper notice.

This provision would not allow the City Council to create new exemptions from the ordinance, modify existing exemptions, or create new just cause grounds for eviction.

Amendments Would Delete Invalidated Provisions and Authorize City Council to Amend the Ordinance to Comply with Changes in Law or Court Invalidations of Provisions

This measure would delete provisions from the ordinance that the Alameda County Superior Court invalidated in 2006 (*Kim v. City of Oakland*, No. RG03081362). The measure also would give the City Council authority, without voter approval, to amend the ordinance to comply with changes in state or federal law, or delete provisions invalidated by court decisions.

s/BARBARA J. PARKER
City Attorney

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE Y

The Just Cause for Eviction Ordinance ("Ordinance") (Oakland Municipal Code § 8.22.300, *et seq.*; also referred to as Measure EE) generally prohibits landlords from evicting tenants from residential rental units covered by the Ordinance without specified just cause grounds. This measure would remove the exemption for owner-occupied duplexes and triplexes, and make the Ordinance applicable to units in those properties. This measure would authorize the City Council to amend the Ordinance to add additional limitations on a landlord's right to evict without voter approval. This measure also would remove provisions of the ordinance that a court decision invalidated.

Exemption for Owner-Occupied Duplexes and Triplexes

Currently, the Ordinance does not apply to owner-occupied duplexes or triplexes if the occupying owner has at least a one-third interest in the property because such units are exempt from the Ordinance. This measure would add owner-occupied duplexes and triplexes to the units that are covered by the just cause for eviction Ordinance. This change in the law would apply to units that are currently exempt and to any future duplexes and triplexes when one of the units becomes owner-occupied. As a result, this measure would require that landlords in owner-occupied duplexes and triplexes have just cause to evict tenants and comply with relocation requirements when they evict for owner move-in or repairs, unless some other exemption applies.

City Council's Authority to Add Eviction Requirements

Because the Oakland voters adopted the Just Cause for Eviction Ordinance, they must approve any change to the Ordinance. The Ordinance specifies just cause grounds for eviction and provides additional prerequisites to evictions, such as providing proper notice. This measure would allow the City Council, without returning to the voters, to amend the ordinance to add additional limitations on a landlord's right to evict, e.g., mandating compliance with certain rules and standards, such as, but not limited to, providing a proper notice.

This amendment would not allow the City Council to create new exemptions from the ordinance or modify existing exemptions, or create new just cause grounds for eviction.

Amendments Delete Invalidated Provisions and Authorize City Council to Amend the Ordinance to Comply with Changes in Law or Court Invalidation of Provisions

This measure would delete the Ordinance provisions that the Alameda County Superior Court invalidated in 2006 (*Kim v. City of Oakland*, No. RG03081362). This measure also would authorize the City Council to amend the ordinance to delete provisions that the courts invalidate and to comply with future changes in state or federal law.

The Oakland City Council placed this measure on the ballot. A "yes" vote for the measure will approve the Ordinance amendments described above; a "no" vote will

reject the amendments. A majority vote (i.e. more than 50% of the votes cast) is required for passage.

s/BARBARA J. PARKER

City Attorney

CITY AUDITOR'S IMPARTIAL ANALYSIS OF MEASURE Y

Summary

The Just Cause for Eviction Ordinance (Just Cause) was adopted by voters on November 5, 2002 (Oakland Municipal Code "O.M.C." 8.22.300) and places restrictions on tenant evictions. Presently, Just Cause covers all units on which construction was completed on or before December 31, 1995, with several exemptions, listed under O.M.C Section 8.22.350.

If the Measure is adopted by a majority (more than 50%) of voters, it would amend O.M.C. 8.22.300 by

- 1) eliminating the exemption for owner-occupied duplexes and triplexes from the Just Cause for Eviction Ordinance,
- 2) allowing City Council, without returning to the voters, to modify the Just Cause for Eviction Ordinance by adding limitations on a landlord's right to evict, without modifying any exemption from the Ordinance contained in O.M.C. Section 8.22.350, and
- 3) adding a subsection under O.M.C. Section 8.22.390, giving City Council the ability to amend the Just Cause Eviction Ordinance to conform to court decisions or state laws.

While the Measure would extend Just Cause eviction requirements to owner-occupied duplexes and triplexes, tenants in these units would not be provided the protections under the City's Rent Adjustment Program Ordinance (O.M.C. 8.22.020). For instance, landlords would not be required to obtain advance approval before raising rents more than the cost-of-living adjustment.

Financial Impact

Currently, there are approximately 8,000 duplex and triplexes in the City of Oakland. It is estimated approximately half of those are owner-occupied and would fall under the Just Cause ordinance.

Per O.M.C. Section 8.22.500 (Rent Program Service Fee), fees are charged against residential rental units that are subject to either the Rent Adjustment Ordinance, the Just Cause for Eviction Ordinance, or both. Currently, the annual service fee is \$68 per rental unit (of which owners may pass through one-half of the annual fee to the tenant).

Under this Measure, we estimate the City would collect additional revenues between \$612,000 and \$748,000 annually. All funds collected would be designated to support the City's Rent Adjustment Program and Just Cause operations and administration.

The implementation of these regulations based upon current staff allocations would have an estimated start-up and annual cost consisting of salaries and benefits of:

- Year one (includes start-up costs): \$92,000
- Subsequent annual costs: \$78,000

This Measure would go into effect ten (10) days after the vote is declared by Oakland City Council.

Disclaimer

The Office of the City Auditor has not audited and, as such, has not validated the City of Oakland Housing and Community Development Department's housing data and salary analysis that supports this Measure. References to this data in our independent analysis represent the best data available at this time.

ARGUMENT IN FAVOR OF MEASURE Y

“Protect All Oakland Renters. Close the Loophole.” Vote “YES” on Measure Y.

This May, Ms. Josephine Hardy, a 69-year old widow and grandmother living on a fixed income, was told that she had 60 days to vacate her Oakland home of 47 years. A new owner had bought Ms. Hardy’s building and was using the duplex-triplex loophole to remove all the tenants from her building. Before the landlord moved into one unit of her triplex, Ms. Hardy and all her neighbors were protected against arbitrary evictions under Oakland’s existing Just Cause for Eviction Ordinance. After the owner moved in, she immediately lost these protections and her landlord filed an eviction lawsuit for no cause.

If Measure Y passes, a new landlord could still select one unit of a building to live in, but the remaining tenants would retain their just cause for eviction protections, which protect them against eviction for no cause.

Ms. Hardy’s story is not unique. Every prospective landlord buying in Oakland can take advantage of the duplex-triplex loophole to push longtime tenants out and then re-rent their old units to newer, wealthier renters, who often pay two or three times more.

Measure Y is an important tool to address the housing crisis in Oakland. Placed on the ballot by unanimous vote of the City Council, Measure Y is a straightforward revision of the Just Cause for Eviction Ordinance based on what works to protect renters. Measure Y will:

- Protect all renters from displacement regardless of building size
- Close a loophole presently abused by speculators and leading to displacement of long-term tenants

For more information: www.protectoaklandrenters.org

s/LIBBY SCHAAF

Oakland Mayor

s/DAN KALB

Oakland City Councilmember

s/JAMES VANN

Oakland Tenants Union, Founder

s/GARY JIMENEZ

Service Employees Int’l Union (SEIU) local 1021,
Political Vice-President

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE Y

Oakland voters passed a strong eviction ordinance 15 years ago. It covers 95% of all rental properties in Oakland and has helped stabilize rents and helped to keep many Oakland renters in their homes or apartments.

The measure passed because it exempted small owners who live in their duplex or triplex and rent out the other unit(s). In fact, Oakland now encourages the building of granny units to increase affordable housing.

Adding new restrictions on small owners would virtually eliminate the building of granny units and many small owners will not rent a spare bedroom or apartment.

Fewer available apartments will push rents higher, harming even more renters. Existing homeowners will not be willing to endure the expense to build a granny unit.

The majority of small owners of duplexes and triplexes in Oakland are minorities, retirees, and people without other sources of income. Passage of Measure Y will discourage them from renting an extra apartment. Often this is the only way they are able to pay the mortgage and taxes.

The original exemption of small property owners was recognized as a way to keep small property owners in their own homes. This measure will force many small owners to take units off the market.

This proposal will make the housing crisis worse, not better. It is bad public policy and even Berkeley is moving to allow small owners an exemption.

This measure is bad for homeowners, bad for tenants and bad for housing.

Vote NO on Measure Y.

s/VITO ESPOSITO

Homeowner

s/HOMAYOUN GHADERI

Homeowner

s/KAREN FRANCISCO

ARGUMENT AGAINST MEASURE Y

The more you KNOW, the more you want to vote NO!

The housing shortage is a real problem but this proposed measure is TOO EXTREME and does NOTHING to solve it.

This initiative would take control of your home away from you!

Currently, YOU decided who lives upstairs in your duplex or in the in-law unit downstairs. If your elderly mother or another family needs the second unit, you work it out with your neighbor who is also your renter. Instead, this measure would give your renter-neighbor every reason to hire attorneys, sue you, and run up thousands of dollars in legal bills and many months of delay. Just to recover your own home!

The existing Eviction Ordinance passed because it exempts owners that live in their duplex and triplex as having “a special relationship” with their renters. They live on the same property, often in the same house. It was true then. It still is.

Faced with even this threat, many small owners will just leave the market, making the housing shortage even worse.

If you could no longer control who lives in your home, would you continue to rent it out?

Would you endure the expense to build a granny unit, only to find out your backyard tenant will be granted a lifetime lease? Even Berkeley is voting now on restoring this exemption in order to create more housing.

Fewer available apartments will push rents even higher, harming even more renters.

Please tell the tenant attorneys that this extreme proposal might be good for their business. But it would be bad for Oakland.

Thirty years of tightening restrictions have dug a deep hole in the rental market. IT'S TIME TO STOP DIGGING!

Vote NO on Measure Y. It's too extreme!

s/GEORGIA W. RICHARDSON

Homeowner

s/VITO ESPOSITO

Homeowner

s/KAREN FRANCISCO

Homeowner

s/HOMAYOUN GHADERI

Homeowner

s/GRANT CHAPPELL

Homeowner

REBUTTAL TO ARGUMENT AGAINST MEASURE Y

Keep Oakland housed. Please join us and “Vote Yes” on “Measure Y.”

Measure Y is a fair and reasonable approach to Oakland’s housing crisis that will extend just cause eviction protections to thousands of renters who are currently at risk of displacement and homelessness.

As illustrated in several news stories, speculative investors use eviction as a way of “capturing profit.” See the June 25, 2018 local CBS story “Caught On Video: Oakland Realtors Coach Buyers On How To Profit From Tenant Eviction” about realtors coaching potential buyers on how to evict tenants from duplexes and triplexes in Oakland. Measure Y will close a loophole that is leading to a wave of evictions of long-term renters.

If Measure Y passes, all landlords will continue:

- 1) To control to whom they rent;
- 2) To evict tenants for just causes such as failure to pay rent, owner move-in, family member move-in, failure to comply with the rental contract, nuisance or criminal activity.
- 3) Landlords who live in the same single family home or apartment unit as their tenants will continue to remain completely exempt from just cause for eviction restrictions under Measure Y.

A broad community coalition--including Oakland Councilmembers, Oakland tenants’ rights groups, faith leaders, homeowners, tenants, small landlords and labor-committed to ending Oakland’s housing crisis support Measure Y because we know that Oakland can do a better job of protecting long-term residents and addressing the increasing rate of homelessness.

Keep Oakland housed. Please join us and “Vote Yes” on “Measure Y.”

For more information: www.protectoaklandrenters.org

s/NOEL GALLO

Oakland City Councilmember

s/JAHMESE MYRES

Oakland Planning Commission, Chairperson

s/CHRISTINA DURAZO

Causa Justa : Just Cause, Housing Director

s/CARROLL FIFE

Oakland Alliance of Californians for Community Empowerment (ACCE), Director

s/KATHERINE PETERS

Property Owners for Fair and Affordable Housing, Homeowner and Member

FULL TEXT OF MEASURE Y

Section 1. Amendments to Section 5 of Measure EE [O.M.C. Section 8.22.350]. Added text is shown as double underlined type; deleted text is shown as ~~strikethrough~~ type; language for those portions invalidated in Alameda Superior Court No. RG03081362 (*Kim v. City of Oakland*) and deleted herein are shown as *italicized and strikethrough* type.

Section 5 [8.22.350] - Applicability and Exemptions.

The provisions of this chapter shall apply to all rental units in whole or in part, including where a notice to vacate/quit any such rental unit has been served as of the effective date of this chapter but where any such rental unit has not yet been vacated or an unlawful detainer judgment has not been issued as of the effective date of this chapter. However, Section 6 [8.22.360] and Section 7(A)-(E) [8.22.370(A) through 8.22.370(E)] of the chapter [O.M.C. Chapter 8.22, Article II] shall not apply to the following types of rental units:

- A. Rental units exempted from Part 4, Title 4, Chapter 2 of the California Civil Code (CCC) by CCC § 1940(b).
- B. Rental units in any hospital, skilled nursing facility, or health facility.
- C. Rental units in a nonprofit facility that has the primary purpose of providing short term treatment, assistance, or therapy for alcohol, drug, or other substance abuse and the housing is provided incident to the recovery program, and where the client has been informed in writing of the temporary or transitional nature of the housing at its inception.
- D. Rental units in a nonprofit facility which provides a structured living environment that has the primary purpose of helping homeless persons obtain the skills necessary for independent living in permanent housing and where occupancy is restricted to a limited and specific period of time of not more than twenty-four (24) months and where the client has been informed in writing of the temporary or transitional nature of the housing at its inception.
- E. Rental units in a residential property where the owner of record occupies a unit in the same property as his or her principal residence and regularly shares in the use of kitchen or bath facilities with the tenants of such rental units. For purposes of this section, the term owner of record shall not include any person who claims a homeowner's property tax exemption on any other real property in the State of California.
- F. ~~A rental unit in a residential property that is divided into a maximum of three units, one of which is occupied by the owner of record as his or her principal residence. For purposes of this section, the term owner of record shall not include any person~~

who claims a homeowner's property tax exemption on any other real property in the State of California. Reserved.

G. A unit that is held in trust on behalf of a developmentally disabled individual who permanently occupies the unit, or a unit that is permanently occupied by a developmentally disabled parent, sibling, child, or grandparent of the owner of that unit.

H. Reserved.

I. A rental unit or rental units contained in a building that has a certificate of occupancy for the new construction of the unit or building in which the rental unit(s) is contained is issued on or after December 31, 1995.

1. This exemption applies only to rental units that were newly constructed from the ground up and does not apply to units that were created as a result of rehabilitation, improvement or conversion of commercial space, or other residential rental space.
2. If no certificate of occupancy was issued for the rental unit or building, in lieu of the date a certificate of occupancy, the date the last permit for the new construction was finalized prior to occupancy shall be used.

Section 2. Amendments to Section 6 of Measure EE [O.M.C. Section 8.22.360]. Added text is shown as double underlined type; deleted text is shown as ~~strikethrough~~ type; language for those portions invalidated in Alameda Superior Court No. RG03081362 (*Kim v. City of Oakland*) and deleted herein are shown as *italicized and strikethrough* type.

Section 6 [8.22.360] - Good Cause Required for Eviction.

- A. No landlord shall endeavor to recover possession, issue a notice terminating tenancy, or recover possession of a rental unit in the city of Oakland unless the landlord is able to prove the existence of one of the following grounds:
 1. The tenant has failed to pay rent to which the landlord is legally entitled pursuant to the lease or rental agreement and under provisions of state or local law, and said failure has continued after service on the tenant of a written notice correctly stating the amount of rent then due and requiring its payment within a period, stated in the notice, of not less than three days. However, this subsection shall not constitute grounds for eviction where tenant has withheld rent pursuant to applicable law.
 2. The tenant has continued, after written notice to cease, to substantially violate a material term of the tenancy other than the obligation to surrender possession on proper notice as required by law, provided further that notwithstanding any lease provision to the contrary, a landlord shall not endeavor to recover possession of a rental unit as a result of subletting of the rental unit by the tenant if the landlord has unreasonably withheld

the right to sublet following a written request by the tenant, so long as the tenant continues to reside in the rental unit and the sublet constitutes a one-for-one replacement of the departing tenant(s). If the landlord fails to respond to the tenant in writing within fourteen (14) days of receipt of the tenant's written request, the tenant's request shall be deemed approved by the landlord.

3. The tenant, who had an oral or written agreement with the landlord which has terminated, has refused after written request or demand by the landlord to execute a written extension or renewal thereof for a further term of like duration and under such terms which are materially the same as in the previous agreement; provided, that such terms do not conflict with any of the provisions of this chapter. [O.M.C. Chapter 8.22, Article II].
 4. The tenant has willfully caused substantial damage to the premises beyond normal wear and tear and, after written notice, has refused to cease damaging the premises, or has refused to either make satisfactory correction or to pay the reasonable costs of repairing such damage over a reasonable period of time.
 5. The tenant has continued, following written notice to cease, to be so disorderly as to destroy the peace and quiet of other tenants at the property.
 6. The tenant has used the rental unit or the common areas of the premises for an illegal purpose including the manufacture, sale, or use of illegal drugs.
 7. The tenant has, after written notice to cease, continued to deny landlord access to the unit as required by state law.
 8. The owner of record seeks in good faith, without ulterior reasons and with honest intent, to recover possession of the rental unit for his or her occupancy as a principal residence where he or she has previously occupied the rental unit as his or her principal residence and has the right to recover possession for his or her occupancy as a principal residence under a written rental agreement with the current tenants.
 9. The owner of record seeks in good faith, without ulterior reasons and with honest intent, to recover possession for his or her own use and occupancy as his or her principal residence, or for the use and occupancy as a principal residence by the owner of record's spouse, domestic partner, child, parent, or grandparent.
 - a. Here the owner of record recovers possession under this Subsection (9) [Paragraph 8.22.360 A.9], and where continuous occupancy for the purpose of recovery is less than thirty-six (36) months, such recovery of the residential unit shall be a presumed violation of this chapter.
- b. The owner of record may not recover possession pursuant to this subsection more than once in any thirty-six (36) month period,
 - c. The owner must move in to unit within three (3) months of the tenant's vacation of the premises.
 - d. ~~When the owner seeking possession of a unit under Section 6(A)(9) [8.22.360 A.9] owns a similar vacant unit, the owner's decision not to occupy said similar unit shall create a rebuttable presumption that they are seeking to recover possession in bad faith. Reserved.~~
 - e. A landlord may not recover possession of a unit from a tenant under Subsection 6(A)(9) [8.22.360 A.9], if the landlord has or receives notice, any time before recovery of possession, that any tenant in the rental unit:
 - i. Has been residing in the unit for five (5) years or more; and
 - a) Is sixty (60) years of age or older; or
 - b) Is a disabled tenant as defined in the California Fair Employment and Housing Act (California Government Code § 12926); or
 - ii. Has been residing in the unit for five (5) years or more, and is a catastrophically ill tenant, defined as a person who is disabled as defined by Subsection (e)(i)(b) [8.22.360 A.9.e.i.b] and who suffers from a life threatening illness as certified by his or her primary care physician.
 - f. The provisions of Subsection (e) [8.22.360 A.9.e] above shall not apply where the landlord's qualified relative who will move into the unit is 60 years of age or older, disabled or catastrophically ill as defined by Subsection (e) [8.22.360 A.9.e], and where every rental unit owned by the landlord is occupied by a tenant otherwise protected from eviction by Subsection (e) [8.22.360 A.9.e].
 - g. A tenant who claims to be a member of one of the classes protected by Subsection 6(A)(9)(e) [8.22.360 A.9.e] must submit a statement, with supporting evidence, to the landlord. A landlord may challenge a tenant's claim of protected status by requesting a hearing with the Rent Board. In the Rent Board hearing, the tenant shall have the burden of proof to show protected status. No civil or criminal liability shall be imposed upon a landlord for challenging a tenant's claim of protected status. The Rent Board shall adopt rules and regulations to implement the hearing procedure.
 - h. Once a landlord has successfully recovered possession of a rental unit pursuant to Subsection 6(A)(9) [8.22.360 A.9], no other current landlords may recover possession of

any other rental unit in the building under Subsection 6(A)(9) [8.22.360 A.9]. Only one specific unit per building may undergo a Subsection 6(A)(9) [8.22.360 A.9] eviction. Any future evictions taking place in the same building under Subsection 6(A)(9) [8.22.360 A.9] must be of that same unit, provided that a landlord may file a petition with the Rent Board or, at the landlord's option, commence eviction proceedings, claiming that disability or other similar hardship prevents him or her from occupying a unit which was previously the subject of a Subsection 6(A)(9) [8.22.360 A.9] eviction. The Rent Board shall adopt rules and regulations to implement the application procedure.

- i. A notice terminating tenancy under this Subsection must contain, in addition to the provisions required under Subsection 6(B)(5) [8.22.360 B.5]:
 - ii. ~~[sic] i.~~ A listing of all property owned by the intended future occupant(s).
 - iii. ~~[sic] ii.~~ The address of the real property, if any, on which the intended future occupant(s) claims a homeowner's property tax exemption.
 - iv. ~~[sic] A statement informing tenant of his or her rights under Subsection 6(C) [8.22.360 C].~~ * Reserved

10. The owner of record, after having obtained all necessary permits from the City of Oakland on or before the date upon which notice to vacate is given, seeks in good faith to undertake substantial repairs that cannot be completed while the unit is occupied, and that are necessary either to bring the property into compliance with applicable codes and laws affecting health and safety of tenants of the building, or under an outstanding notice of code violations affecting the health and safety of tenants of the building.

- a. Upon recovery of possession of the rental unit, owner of record shall proceed without unreasonable delay to effect the needed repairs. The tenant shall not be required to vacate pursuant to this section, for a period in excess of three months; provided, however, that such time period may be extended by the Rent Board upon application by the landlord. The Rent Board shall adopt rules and regulations to implement the application procedure.
- b. Upon completion of the needed repairs, owner of record shall offer tenant the first right to return to the premises at the same rent and pursuant to a rental agreement of substantially the same terms, subject to the owner of record's right to obtain rent increase for capital improvements consistent with the terms of

the Oakland Residential Rent Arbitration Ordinance or any successor ordinance.

- c. A notice terminating tenancy under this Subsection 6(A)(10) [8.22.360 A.10] must include the following information:
 - i. A statement informing tenants as to their right to payment under the Oakland Relocation Ordinance.
 - ii. A statement that "When the needed repairs are completed on your unit, the landlord must offer you the opportunity to return to your unit with a rental agreement containing the same terms as your original one and with the same rent (although landlord may be able to obtain a rent increase under the Oakland Residential Rent Arbitration Ordinance [O.M.C. Chapter 8.22, Article I].)"
 - iii. *A statement informing tenant of his or her rights under Subsection 6(C) [8.22.360 C].* * Reserved
 - iv. An estimate of the time required to complete the repairs and the date upon which it is expected that the unit will be ready for habitation.
11. The owner of record seeks *in good faith, without ulterior reasons and with honest intent*, remove the property from the rental market in accordance with the terms of the Ellis Act (California Government Code Section 7060 et seq.).
- B. The following additional provisions shall apply to a landlord who seeks to recover a rental unit pursuant to Subsection 6(A) [8.22.360 A]:
 1. The burden of proof shall be on the landlord in any eviction action to which this order is applicable to prove compliance with Section 6 [8.22.360].
 2. A landlord shall not endeavor to recover possession of a rental unit unless at least one of the grounds enumerated in Subsection 6(A) [8.22.360 A] above is stated in the notice and that ground is the landlord's dominant motive for recovering possession and the landlord acts in good faith in seeking to recover possession.
 3. Where a landlord seeks to evict a tenant under a just cause ground specified in Subsections 6(A)(7, 8, 9, 10, 11) [8.22.360 A.7, 8, 9, 10, 11], she or he must do so according to the process established in CCC § 1946 (or successor provisions providing for 30 day notice period); where a landlord seeks to evict a tenant for the grounds specified in Subsections 6(A)(1, 2, 3, 4, 5, 6) [8.22.360 A.1, 2, 3, 4, 5, 6], she or he must do so according to the process established in CCP § 1161 (or successor provisions providing for 3 day notice period).

4. Any written notice as described in Subsection 6(A)(2, 3, 4, 5, 7) [8.22.360 A.2, 3, 4, 7] shall be served by the landlord prior to a notice to terminate tenancy and shall include a provision informing tenant that a failure to cure may result in the initiation of eviction proceedings.
5. Subsection 6(B)(3) [8.22.360 B.3] shall not be construed to obviate the need for a notice terminating tenancy to be stated in the alternative where so required under CCP § 1161.
6. A notice terminating tenancy must additionally include the following:
 - a. A statement setting forth the basis for eviction, as described in Subsections 6(A)(1) [8.22.360 A.1] through 6(A)(11) [8.22.360 A.11];
 - b. A statement that advice regarding the notice terminating tenancy is available from the Rent Board.
 - c. Where an eviction is based on the ground specified in Subsection 6(A)(9) [8.22.360 A.9], the notice must additionally contain the provisions specified in Subsection 6(A)(9)(i) [8.22.360 A.9.i].
 - d. Where an eviction is based on the ground specified in Subsection 6(A)(10) [8.22.360 A.10], the notice must additionally contain the provisions specified in Subsection 6(A)(10)(c) [8.22.360 A.10].
 - e. Failure to include any of the required statements in the notice shall be a defense to any unlawful detainer action.
7. Within ten (10) days of service of a notice terminating tenancy upon a tenant, a copy of the same notice and any accompanying materials must be filed with the Rent Board. Each notice shall be indexed by property address and by the name of the landlord. Such notices shall constitute public records of the City of Oakland, and shall be maintained by the Rent Board and made available for inspection during normal business hours. Failure to file the notice within ten (10) days of service shall be a defense to any unlawful detainer action.

C. Reserved *The following additional provisions shall apply to a landlord who seeks to recover a rental unit pursuant to Subsections 6(A)(9) [8.22.360 A.9] or (10) [8.22.360 A.10]:*

1. *Where the landlord owns any other residential rental units, and any such unit is available or will become available between the time of service of written notice terminating tenancy and the earlier of the surrender of possession of the premises or the execution of a writ of possession pursuant to the judgment of a court*

*of competent jurisdiction, the landlord shall, as a condition of obtaining possession pursuant to Section 6 [8.22.360], notify tenant in writing of the existence and address of each such vacant unit and offer tenant the right to choose any available rental unit and at the tenant's option: i) to enter into a temporary rental agreement; or ii) to enter into a new rental agreement. The landlord shall offer that unit to the tenant at a rent based on the rent that the tenant is currently paying, with upward or downward adjustments allowed based upon the condition, size, and other amenities of the replacement unit. Disputes concerning the initial rent for the replacement unit shall be determined by the Rent Board.**

2. *The following shall be considered rebuttably presumptive violations of this chapter by the landlord:**
 - a. *Where the event which the landlord claims as grounds to recover possession under Subsection 6(A)(9) [8.22.360 A.9] or (10) [8.22.360 A.10] is not initiated within three (3) months after the tenant vacates the unit.**
 - b. *Where a landlord times the service of the notice, or the filing of an action to recover possession, so as to avoid offering a tenant a replacement unit.**
 - c. *Where the individual (a landlord or qualified relative) for whom the Subsection 6(A)(9) [8.22.360 A.9] eviction occurred does not occupy a unit for a minimum of thirty-six (36) consecutive months.*

D. Substantive limitations on landlord's right to evict.

1. In any action to recover possession of a rental unit pursuant to Section 6 [8.22.360], a landlord must allege and prove the following:
 - a. the basis for eviction, as set forth in Subsection 6(A)(1) through 6(A)(11) [8.22.360 A.1 through 8.22.360 A.11] above, was set forth in the notice of termination of tenancy or notice to quit;
 - b. that the landlord seeks to recover possession of the unit with good faith, honest intent and with no ulterior motive;
2. If landlord claims the unit is exempt from this ordinance, landlord must allege and prove that the unit is covered by one of the exceptions enumerated in Section 5 [8.22.350] of this chapter. Such allegations must appear both in the notice of termination of tenancy or notice to quit, and in the complaint to recover possession. Failure to make such allegations in the notice shall be a defense to any unlawful detainer action.

- 3. This subsection (D) [8.22.360 D] is intended as both a substantive and procedural limitation on a landlord's right to evict. A landlord's failure to comply with the obligations described in Subsections 7(D)(1) or (2) [sic] [8.22.360 D.1 or 8.22.360 D.2] shall be a defense to any action for possession of a rental unit.
- E. In the event that new state or federal legislation confers a right upon landlords to evict tenants for a reason not stated herein, evictions proceeding under such legislation shall conform to the specifications set out in this chapter [O.M.C. Chapter 8.22, Article II].
- F. The City Council is authorized to modify the Just Cause for Eviction Ordinance (Measure EE [O.M.C., Chapter 8, Article II (8.22.300, et seq.)]) for the purpose of adding limitations on a landlord's right to evict, but the City Council may not modify any exemption from this Ordinance contained in Section 5 [O.M.C. Section 8.22.350].

Section 3. Amendments to Section 9 of Measure EE [O.M.C. Section 8.22.390]. Added text is shown as double underlined type; deleted text is shown as ~~strikethrough~~ type.

Section 9 [8.22.390] - Partial invalidity.

- A. If any provision of this chapter or application thereof is held to be invalid, this invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provisions or applications, and to this end the provisions and applications of this chapter are severable.
- B. If any provision of this Just Cause for Eviction Ordinance (Measure EE [O.M.C., Chapter 8, Article II (8.22.300, et seq.)]) is invalidated or required to be modified by a court decision or change in State or Federal law, the City Council is authorized to make such modifications to conform to the court decision or change in state law provided such modifications effectuate the purpose of the Just Cause for Eviction Ordinance and the original text.

Section 4. Applicability and Grandparenting.

- A. Applicability to rental units. The amendments set out in Section 1 of this measure apply to all rental units that qualify for exemption prior to the effective date of this measure and to all rental units subsequent to the effective date.
- B. Applicability to notices served prior to effective date of the measure. The amendments set out in Section 1 of this measure (1) do not apply to any valid notice terminating tenancy pursuant to Code of Civil Procedure 1161(2)-(4) served prior to the effective date of this measure; (2) apply to notices terminating tenancy pursuant to Civil Code 1946 or 1946.1 that have been served as of the effective

date of this measure, but where such rental unit has not been vacated or an unlawful detainer judgment has not been issued as of the effective date of this measure.

Section 5. This action is exempt from the California Environmental Quality Act ("CEQA") pursuant to, but not limited to, the following CEQA Guidelines: § 15378 (regulatory actions), § 15061(b)(3) (no significant environmental impact), and § 15183 (consistent with the general plan and zoning).

Section 6. Severability. If any section, subsection, sentence, clause or phrase of this Measure is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Measure. The voters hereby declare that it would have passed this Measure and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional. In lieu of severance, any section declared invalid or unconstitutional may be modified pursuant to Section 3 above, as appropriate.

Section 7. Effective Date. This Ordinance shall be effective only if approved by a majority of the voters voting thereon and shall go into effect ten (10) days after the vote is declared by the City Council.

CITY OF OAKLAND MEASURE Z

Z Shall the measure amending Oakland's Municipal Code to: (1) establish workplace protections and minimum hourly wage of \$15 with benefits or \$20 without benefits, increasing annually with inflation, for employees of Oakland hotels with 50 or more guest rooms; (2) authorize administrative enforcement of Oakland's employment standards for hotel and non-hotel workers; and (3) create City department to administratively enforce Oakland's employment standards for hotel and non-hotel workers, be adopted?	<input type="checkbox"/> YES
	<input type="checkbox"/> NO

CITY ATTORNEY'S BALLOT TITLE AND SUMMARY OF MEASURE Z

Ballot Title

A Proposed Ordinance and Amendments to the Oakland Municipal Code Creating Workplace Protections and a Minimum Wage for Hotel Employees, Modifying How Oakland's Local Employment Standards Are Enforced, and Creating a Department of Workplace and Employment Standards.

Ballot Summary

Minimum Wage for Hotel Employees

This measure would require that Oakland hotels with 50 or more guest rooms or suites of rooms provide hotel employees the following:

- minimum wage of \$15.00 per hour with healthcare benefits or \$20.00 per hour without healthcare benefits, which would increase annually with inflation (effective July 1, 2019);
- emergency contact device ("panic button") to report an ongoing crime, threats or other emergency;
- support in reporting violence or threatening behavior, including reassignment and paid time to contact the police and consult with a counselor or advisor;
- workload restrictions, including maximum floor space to be cleaned and limitations on mandatory overtime; and
- employee access to records regarding the employee's pay rate, daily workload, and overtime.

This measure would modify local minimum wage and sick leave enforcement provisions for hotel workers.

Discrimination and Retaliation Prohibited

This measure would make it unlawful for employers to discriminate or retaliate against employees for exercising their rights. It would be unlawful for an employer to discharge an employee within 120 days after the employee exercises his/her rights under the measure, unless the employer has clear and convincing evidence of just cause for the discharge. Employers could not reduce employees'

compensation or benefits to offset the cost of implementing the measure.

Enforcement

The City would have the authority to administratively enforce City employment standards by investigating possible violations, conducting due process hearings and ordering relief, including reinstatement, back pay and penalties. The City could order an employer to pay an administrative penalty to each employee/person whose rights have been violated of \$50.00 for each violation per day of violation; and to pay up to \$50.00 for each day and for each employee to compensate the City for the costs of enforcing the measure.

The City, City Attorney, employee, or other aggrieved person could sue the employer to address violations. The prevailing party would be entitled to attorney's fees and costs and remedies including back pay, reinstatement, injunctive relief and payment to each employee as a penalty of \$50 per day per violation, up to a maximum of \$1,000 per employee or aggrieved person. In any administrative or civil proceeding, the City or court would award interest on any due and unpaid wages or service charges.

Department of Workplace and Employment Standards

Effective July 1, 2020, this measure would create a Department of Workplace and Employment Standards ("Department") to enforce this measure and perform any other functions authorized by the City. The Department would enforce City minimum wage, sick leave, and other employment standards to the extent permitted by state law; and could promulgate rules and regulations to implement the measure.

s/BARBARA J. PARKER
City Attorney

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE Z

This measure would establish a minimum hourly wage for Hotel Employees of \$15.00 with healthcare benefits or \$20.00 without healthcare benefits, effective July 1, 2019. Existing law requires a minimum hourly wage of \$13.23, which increases yearly on January 1 with inflation, for employees who work at least two hours in a workweek in Oakland. The Hotel Employees minimum wage would adjust annually in the same manner.

This measure would establish workplace protections for Hotel Employees, including employer-provided emergency contact devices, rights for employees who report violence or threatening behavior, restrictions on maximum floor space to be cleaned, limitations on mandatory overtime, and employee access to pay, workload, and overtime records.

A “Hotel Employee” is any individual: (1) employed to provide services in an Oakland hotel with 50 or more guest rooms or suites of rooms, whether employed directly by the hotel or by the hotel’s contractor; and (2) who was hired to or did work an average 5 hours per week for 4 weeks.

This measure would require clear and convincing evidence of just cause for an employer to discharge an employee within 120 days after the employee exercises a right under this measure. Employers could not reduce employees’ compensation or benefits to offset the cost of implementing the measure.

This measure would modify employment standards enforcement provisions for hotel and non-hotel employees. Existing law allows the City to monitor compliance with local employment standards and investigate complaints. This measure would establish additional enforcement procedures, including authorizing the City to conduct due process hearings and order relief. The City could impose an administrative penalty of \$50.00 per day per violation to be paid to each employee and compensation to the City for enforcement costs of up to \$50.00 per day per employee.

Existing law provides a private right of action for aggrieved persons, entitling them to all available remedies; it allows maximum civil penalties of \$1,000 per violation. This measure would authorize the City Attorney to bring a civil action to address violations and allow a penalty payment to each employee of \$50 per day per violation, up to a maximum of \$1,000 per employee. The City or court would award interest on amounts due and unpaid.

Effective July 1, 2020, this measure would create a Department of Workplace and Employment Standards (“Department”) to enforce employment standards for hotel and non-hotel employees. The Department would perform any other functions authorized by the City and could promulgate rules and regulations to implement the measure.

This measure was placed on the ballot by a petition signed by the requisite number of voters. A majority vote (50% plus one) in favor of the measure is required for passage.

s/BARBARA J. PARKER
City Attorney

CITY AUDITOR'S IMPARTIAL ANALYSIS OF MEASURE Z

Summary

This Measure, if adopted by a majority (more than 50%) of voters, would amend and add sections to the City of Oakland’s Municipal Code requiring Oakland hotels, with 50 or more guest rooms or suites to provide hotel employees the following:

- 1. Measures to protect hotel employees from threatening behavior** including, but not limited to, a “panic button”, re-assignment/removal from threatening situations, management support in reporting and investigation, protections from disciplinary actions and posting notice of hotel worker protections in guestrooms;
- 2. Measures to provide a humane workload** including fair compensation for workload assignment and employee consent to overtime and work assignment capacity beyond stated limits;
- 3. Minimum wages** initially of \$15.00 per hour with health benefits or \$20.00 per hour without health benefits, which would increase annually with inflation (effective July 1, 2019). Comparable City of Oakland and State of California minimum hourly wages are currently \$13.23 and \$11.00 respectively;
- 4. Employee access to records** regarding the employee’s pay rate, daily workload, and overtime for a minimum of 3 years; and
- 5. No retaliation** for exercising their rights under this Measure.

Financial Impact

The City of Oakland’s Finance Department estimates the creation of a new department, as proposed by the Measure, would cost the city \$2.8 million annually for staffing and operations.

Other potential, but currently unquantifiable, impacts may include:

- Future staff salary and benefit cost of living increases;
- Initial and on-going community outreach and education costs around rights and responsibilities.

Disclaimer

The Office of the City Auditor has not audited and, as such, has not validated the City of Oakland Finance Department’s financial and statistical analysis that supports this measure. References to this data in our independent analysis represent the best data available at this time.

ARGUMENT IN FAVOR OF MEASURE Z

“I’m just one of the many women who work in Oakland’s hotels. We live in fear and shame of hotel guests exposing themselves to us—or worse—when we enter to clean their room or bring their food. It’s embarrassing and humiliating. These hotel guests take away our dignity and threaten our safety, but our managers just tell us to keep quiet; that the guest comes first. This should stop. Hotels should protect the women who work so hard to support our families. And the City of Oakland should protect all workers, and make sure our rights are enforced.”

Blanca Smith, Oakland hotel worker

Should hotel housekeepers be provided security panic buttons we can use to call for help if we are sexually assaulted or threatened by a hotel guest?

If your answer is “Yes”, please vote “Yes” on Measure Z. Should hotel housekeepers be protected from the terrible impacts of inhumane workloads?

If your answer is “Yes”, please vote “Yes” on Measure Z. Should hotel workers receive a living wage so we can keep our homes and take care of our families?

If your answer is “Yes”, please vote “Yes” on Measure Z. Should there be a Department of Workplace and Employment Standards to enforce these policies, as well as Oakland’s minimum wage, sick leave policy, and other local standards for all workers in our City?

If your answer is “Yes”, please vote “Yes” on Measure Z. We wish to thank the more than 26,000 Oakland voters who signed our petitions to put Measure Z on the ballot.

As hotel housekeepers and immigrants and women of color, we are blessed to live in a community where people care about us. Please vote Yes on Measure Z.

s/IRMA PEREZ
Oakland Hotel Housekeeper

s/BLANCA SMITH
Oakland Hotel Server

s/MELODY MIO YUN LI-HUEY
Oakland Hotel Housekeeper

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE Z

Questions pulling our hearts often sound simple and appealing; unfortunately they do not always work or create good policy. That is the case with Measure Z and the arguments made by its proponents. Although they sound good initially, upon examination, they won’t work, and create bad public policy at great expense to the City of Oakland.

Look at the details and impact, and you will see the serious problems it creates for our City.

Why should hotel workers be paid a higher minimum wage than any other worker in Oakland?

Why should we spend more than One Million Dollars for a new wage enforcement department when we already have a Compliance Department and State Agency enforcing wage and labor laws?

Why aren’t the most vulnerable housekeepers at smaller hotels in Oakland part of the new wage minimum or panic buttons?

Why should the voters set detailed worker rules for housekeepers instead of the employers and state laws?

We all agree that hotel workers – in fact, all workers – should be treated fairly. Measure Z fails to do that. Rather, it provides specific, preferential rules that do not apply to workers in other employment, or even to many hotel workers, at great cost to the City of Oakland.

Vote NO on Measure Z – it costs too much and is not fair.

s/R. ZACHARY WASSERMAN
Oakland Citizen

s/LARRY REID
Oakland City Councilmember

ARGUMENT AGAINST MEASURE Z

This Measure is misleading and fails to protect the most vulnerable hotel workers and provides a loop hole for the biggest unionized hotels. The Measure will not apply to hotels with less than 50 rooms. Many hotels that are in more dangerous neighborhoods have less than 50 rooms. So workers at some hotels along MacArthur Blvd will not have the protections of panic buttons, work rules or better wages. The Measure also exempts hotels that have bargaining agreements with a union if the hotel and the union agree. Workers at union hotels may be paid less than the minimum wage set forth by this measure and workers may not get the protection of the work rule limitations – which is the case with some workers today at Union hotels under the existing City wide minimum wage ordinance.

The work rules that would apply are unreasonable and almost impossible to administer.

The Measure also creates a new City Agency – the Department of Workplace and Employment Standards – that could cost an additional million dollars or more and duplicates federal, state and City agencies that already provide protections for workers. This unnecessary department would regulate ALL businesses in Oakland at the expense of tax payers.

Worker protections and fair wages are important. This measure achieves neither and at a great cost. We all want to protect workers but this overblown Measure filled with loopholes is the wrong way to do it. Vote No.

s/LARRY REID
Oakland Council Member
s/ZACK WASSERMAN
Oakland Citizen

REBUTTAL TO ARGUMENT AGAINST MEASURE Z

Measure Z is critical for ensuring housekeepers in the growing hospitality industry are protected from sexual assault, have humane workloads, and earn fair wages.

Hotel housekeepers, predominantly women of color, work by themselves in intimate spaces and face sexual assault at alarming rates. Measure Z creates commonsense protections to keep these women secure in their workplaces.

Measure Z will provide panic buttons to hotel housekeepers, set humane workload limits and a living wage for hotel workers, and strengthen enforcement of protections for all Oakland workers.

To oppose Measure Z is to put hotel owners' profits over the people of Oakland and the security and dignity of women.

The two men who argue against Measure Z don't seem to understand the hardships and dangers that many women experience in the workplace, and they certainly haven't proposed anything to address what they claim are their concerns.

More than half of hotel housekeepers surveyed have reported inappropriate sexual behavior perpetrated by a male guest. 1 in 4 housekeepers have been made to feel unsafe by a male guest's behavior.

Measure Z includes practical solutions that have already proven effective in cities in California and beyond, including Chicago, Seattle, and right next door in Emeryville.

As women who have lived in Oakland for decades, we know our community stands with women and believes in protecting workers. Measure Z embodies these Oakland values.

Please join with us in voting YES on Z.

s/DAMITA DAVIS-HOWARD
Asst. Pastor; East Oakland Resident
s/DANIELLE MAHONES
Non-Profit Leader and Oakland Resident
s/BEATRIZ FRANCO MENDOZA
Hotel Housekeeper and Oakland Resident
s/MIYA SAIKA CHEN
Attorney and Oakland Resident
s/REBECCA KAPLAN
Oakland City Councilmember At-large

FULL TEXT OF MEASURE Z

“SECTION 1. HOTEL MINIMUM WAGE AND WORKING CONDITIONS.

A new Chapter 5.93 is added to the City of Oakland Municipal Code, entitled “Hotel Minimum Wage and Working Conditions,” as follows:

5.93.010 - Definitions.

“*Additional-bed rooms*” means a room with additional beds such as cots or rollaways.

“*Checkout*” means a room occupied by guests who are ending their stay at the hotel.

“*Guest*” means registered guests, others occupying guest rooms with registered guests, and visitors invited to guest rooms by a registered guest or other occupant of a guest room.

“*Guest room*” means a room made available by a hotel for transient occupancy, within the meaning of Oakland Municipal Code section 4.24.020.

“*Hotel*” means structures as defined by Oakland Municipal Code section 4.24.020, and containing 50 or more guest rooms, or suites of rooms. “*Hotel*” also includes any contracted, leased, or sublet premises connected to or operated in conjunction with the building’s purpose, or providing services at the building.

“*Hotel Employer*” means a person who owns, controls, and/or operates a hotel in the City of Oakland, or a person who owns, controls, and/or operates any contracted, leased, or sublet premises connected to or operated in conjunction with the hotel’s purpose, or a person, other than a hotel employee, who provides services at the hotel.

“*Hotel Employee*” means any individual (1) who is employed directly by the hotel employer or by a person who has contracted with the hotel employer to provide services at a hotel in the City of Oakland; and (2) who was hired to or did work an average 5 hours/week for 4 weeks at one or more hotels.

“*Panic button*” means an emergency contact device carried by the hotel employee which allows him or her in the event of an ongoing crime, threat, or other emergency to alert another employee or security guard responsible for providing immediate on-scene assistance.

“*Person*” means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

“*Room cleaner*” means a hotel employee whose principal duties are to clean and put in order residential guest rooms in a hotel, regardless of who employs the person.

“*Workday*” means a 24-hour period beginning at 12:00 a.m. and ending at 11:59 p.m.

Sec. 5.93.020 - Measures to protect hotel employees from threatening behavior.

A. Purpose. Hotel employees who work by themselves are vulnerable to crimes and other threatening behavior, including sexual assault. This Chapter enables hotel workers to protect their safety by, among other measures, requiring that hotel employers provide workers who clean guest rooms with panic buttons which they may use to report threatening conduct by a hotel guest and other emergencies. Many instances of sexual assault go unreported to the police. This Chapter also includes provisions that support hotel employees’ ability to report criminal and threatening guest behavior to the proper authorities.

B. Each hotel employee assigned to work in a guest room or bathroom without other employees present shall be provided by the hotel employer, at no cost to the hotel employee, a panic button.

1. If a hotel employee encounters a situation necessitating his or her use of the panic button as described above, the hotel employee may cease working and remove him/herself from the situation to await the arrival of the employee or security guard responsible for providing immediate assistance. No hotel employee may be disciplined for ceasing work under these circumstances.

2. No hotel employee may be disciplined for use of a panic button absent clear and convincing evidence the hotel employee knowingly and intentionally made a false claim of emergency.

C. A hotel employee who brings to the attention of a hotel employer the occurrence of violence or threatening behavior, including but not limited to indecent exposure, solicitation, assault, or coercive sexual conduct by a guest, shall be afforded the following rights.

1. If the hotel employee reasonably believes that his or her safety is at risk and so requests, the hotel employee shall be reassigned to a different floor, or, if none is available for his or her job classification, a different work area, away from the person who is alleged to have engaged in the violence or threatening behavior, for the entire duration of the person’s stay at the hotel;

2. The hotel employer shall immediately allow the affected hotel employee sufficient paid time to contact the police and provide a police statement and to consult with a counselor or advisor of the hotel employee’s choosing; the hotel employer will permit, but may never require, the complaining hotel employee to report an incident involving alleged criminal conduct by a guest to the law enforcement agency with jurisdiction; and

3. The hotel employer shall cooperate with any investigation into the incident undertaken by the law enforcement agency and/or any attorney for the complaining hotel employee.

D. Each hotel shall place a sign on the back of each guestroom door, written in a font size of no less than 18 points, that includes the heading “The Law Protects Hotel Housekeepers and Employees From Threatening Behavior,” a citation to this Chapter of the Oakland Municipal Code, and notice of the fact that the hotel is providing panic buttons to its housekeepers, room servers, and other hotel

employees assigned to work in guest rooms without other employees present, in compliance with this Chapter.

Sec. 5.93.030 - Humane workload.

A. Purpose. Hotel employees who clean guest rooms are frequently assigned overly burdensome room cleaning quotas and unexpected overtime, which undermines the public interest in ensuring that hotel room cleaners can perform their work in a manner that adequately protects public health and interferes with their ability to meet family and personal obligations. This provision assures that workers receive fair compensation when their workload assignments exceed proscribed limits and prohibits hotel employers from assigning hotel employees overtime work when their shifts exceed 10 hours in a day, except in emergency situations, without obtaining workers' informed consent.

B. A hotel employer shall not require a room cleaner to clean rooms amounting to more than 4,000 square feet of floorspace, or more than the maximum floor space otherwise specified in this Section, in any one, eight-hour workday unless the hotel employer pays the room cleaner twice his or her regular rate of pay for all hours worked by the room cleaner during the workday. If a room cleaner works fewer than eight hours in a workday, the maximum floor space shall be reduced on a prorated basis. When a room cleaner during a workday is assigned to clean any combination of seven or more checkout rooms or additional-bed rooms, the maximum floorspace to be cleaned shall be reduced by 500 square feet for each such checkout or additional-bed room over six. The limitations contained herein apply to any combination of spaces, including guest rooms and suites, meeting rooms or hospitality rooms, and apply regardless of the furniture, equipment or amenities in any rooms.

C. A hotel employer shall not suffer or permit a hotel employee to work more than 10 hours in any workday unless the hotel employee consents. Consents must be written and signed by the hotel employee or communicated electronically through an account or number particular to the hotel employee. No consent is valid unless the hotel employer has advised the hotel employee in writing not more than 30 days preceding the consent that the hotel employee may decline to work more than 10 hours in any workday and that the hotel employer will not subject the hotel employee to any adverse action for declining. Such notice shall be provided in each language spoken by more than ten percent (10%) or ten (10) hotel employees at the hotel, whichever is less. An assignment in excess of 10 hours in a workday due to an emergency situation shall not violate this section. For purposes of this Section, an "emergency situation" shall mean an immediate threat to public safety or of substantial risk of property loss or destruction.

Sec. 5.93.040 - Hotel employee minimum wage.

A. Effective July 1, 2019, hotel employers shall pay hotel employees a wage of no less than \$15.00 per hour with health benefits, not including gratuities, service charge distributions, or bonuses, or \$20.00 per hour without health benefits, not including gratuities, service charge

distributions, or bonuses.

B. Health benefits under this Section shall consist of the payment of the difference between the higher wage and lower wage under Section 5.93.040(A) towards the provision of health care benefits for hotel employees and their dependents. Proof of the provision of these benefits must be kept on file by the hotel employer, if applicable.

C. The wage rates set forth in this Section shall be adjusted for inflation annually in the manner set forth in Section 5.92.020(B).

Sec. 5.93.050 - Preservation of records.

A. Each hotel employer shall preserve for at least three (3) years:

1. for each room cleaner, a record of his or her name, pay rates received, and the rooms (or at the hotel employer's option, total amount of square footage) each cleaned each workday;

2. a record of the written consents it received from hotel employees to work more than ten hours during a shift; and

3. for each hotel employee, a record of his or her name, hours worked, pay rate, and proof of health benefits consistent with Section 5.93.040(B) (if applicable).

D. The hotel employer shall make such records available to hotel employees or their representatives for inspection and copying, except that hotel employees' names (and any addresses and social security numbers) shall be redacted unless the requester is a hotel employee requesting his or her own records. Where a hotel employer does not maintain or retain adequate records consistent with this Section, or does not permit reasonable access to such records, it shall be presumed, in any administrative or judicial proceeding enforcing this Chapter, that:

1. the hotel employer required the room cleaner to clean total square footage in excess of 4,000 square feet on the day for which records are missing or inadequate, absent clear and convincing evidence otherwise;

2. no written consent to work more than ten hours during a shift exists for a hotel employee for days on which written consents are missing or inadequate, absent clear and convincing evidence otherwise; and

3. the hotel employer paid the hotel employee no more than the applicable federal or state minimum wage, absent clear and convincing evidence otherwise.

5.93.060 - No retaliation. A hotel employer shall not discharge, reduce the compensation of nor otherwise discriminate against any person for making a complaint to the City, participating in any of its proceedings, using any civil remedies to enforce his or her rights, or otherwise asserting his or her rights under this Chapter. Within one hundred twenty (120) days of a hotel employer being notified of such activity, it shall be unlawful for the hotel employer to discharge any person who engaged in such activity unless the hotel employer has clear and convincing evidence of just cause for such discharge.

5.93.070 - Waiver.

The provisions of this Chapter may not be waived by agreement between an individual hotel employee and a hotel employer. All of the provisions of Section 5.93.030 and 5.93.040, or any part thereof, may be waived in a *bona fide* collective bargaining agreement but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms.

5.93.080 - Enforcement and miscellaneous provisions.

A. This Chapter shall be enforced in accordance with the procedures set forth in Oakland Municipal Code Section 5.92.050, and the remedies set forth in that Section shall apply to violations of this Chapter, except that for a willful violation of Section 5.93.060, the amount damages attributable to lost income due to the violation shall be trebled.

C. No hotel employer may fund increases in compensation required by this Chapter, nor otherwise respond to the requirements of this Chapter, by reducing the compensation of any non-management hotel employees nor by reducing the pension, vacation, or other non-wage benefits of any such hotel employees, nor by increasing charges to them for parking, meals, uniforms or other items. If a hotel employer makes such adverse changes after the filing of the notice to circulate the petition giving rise to this Chapter but before this Chapter has become effective, then upon this Chapter's effective date, such hotel employer shall restore the conditions of the *status quo ante*.

D. Each hotel employer shall give written notification to each current hotel employee, and to each new Hotel Employee at time of hire, of his or her rights under this Chapter. The notification shall be in each language spoken by more than ten percent (10%) or ten (10) hotel employees at the hotel, whichever is less.

E. A hotel employer that contracts with another person, including, without limitation, another hotel employer, a temporary staffing agency, employee leasing agency or professional employer organization, to obtain the services of hotel employees shall share all civil legal responsibility and civil liability for violations of this Chapter by that person for hotel employees performing work pursuant to the contract. For the purposes of this subsection, the term "person" shall not include: (1) A bona fide nonprofit, community-based organization that provides services to workers; (2) A bona fide labor organization or apprenticeship program or hiring hall operated pursuant to a collective bargaining agreement.

5.93.090 - No preemption of higher standards.

The purpose of this Chapter is to ensure minimum labor standards for hotel employees. This Chapter does not preempt or prevent the establishment of superior employment standards (including higher wages) or the expansion of coverage by ordinance, resolution, contract, or any other action of the City or Port of Oakland. This Chapter shall not be construed to limit a discharged hotel employee's right to bring a common law cause of action for wrongful termination.

SECTION 2. WORKER RETENTION AT LARGE-SCALE HOSPITALITY BUSINESSES.

Oakland Municipal Code Section 2.36.010(A) is amended to read as follows:

A. "Hospitality Business" means any for-profit hotel within the City with 50 or more guest rooms or food service operation within the City which has employed more than one hundred and fifty (150) persons at a single site during any payroll period during the prior year. For these purposes "hotel" also includes any related facilities such as pools, restaurants, or spas which hotel guests may use.

SECTION 3. DEPARTMENT OF WORKPLACE AND EMPLOYMENT STANDARDS.

A new Chapter 2.44 is added to the Oakland Municipal Code, entitled "Department of Workplace and Employment Standards," as follows:

2.44.010. Department of Workplace and Employment Standards. There is hereby created under the jurisdiction of the City Administrator a Department of Workplace and Employment Standards. Effective July 1, 2020, the Department of Workplace and Employment Standards shall enforce Chapter 2.28 ("Living Wage Ordinance"); Chapter 2.36 ("Worker Retention at Large-Scale Hospitality Business Ordinance"); Chapter 5.92 ("City Minimum Wage, Sick Leave, and Other Employment Standards"); Chapter 5.93 ("Hotel Minimum Wage and Working Conditions"); Prevailing Wage Resolution (Resolution No. 57103 C.M.S.), Local Employment Program (Part IV of the Local and Small Local Business Enterprise Program, Resolution No. 69687 C.M.S., as amended and codified by Ordinance No. 12389 C.M.S., and as subsequently amended), and 15% Apprenticeship Program (Resolution No. 74762 C.M.S.), and shall carry out such additional duties and functions as assigned by the City Administrator, or by Charter, ordinance, or City Council resolution. The Department of Workplace and Employment Standards may impose penalties and take any and all appropriate action to enforce the requirements of such provisions. The Department of Workplace and Employment Standards shall have authority to adopt rules and regulations consistent with and necessary for the implementation of the foregoing laws. Such rules and regulations shall have the force and effect of law, and may be relied upon by employers, employees and other persons to determine their rights and responsibilities. The Department of Workplace and Employment Standards may enforce the provisions of the California Labor Code to the extent permitted by State law.

2.44.020. The Department of Workplace and Employment Standards shall be administered by a Chief Officer, who shall be appointed by, and shall serve at the pleasure of, the City Administrator. In appointing the Chief Officer, the City Administrator shall consider, among other relevant factors, the individual's experience enforcing employment standards, including prevailing wage requirements. The Chief Officer shall coordinate his or her activities with federal and state labor standards agencies.

2.44.030. All City departments and agencies shall

cooperate with the Chief Officer and his or her designees. The Chief shall have the authority to subpoena the production of books, papers, records or other items relevant to investigations under the jurisdiction of the Department of Workplace and Employment Standards.

SECTION 4. ENFORCEMENT OF CERTAIN CITY EMPLOYMENT STANDARDS.

Oakland Municipal Code Section 5.92.050 is amended as follows (deleted text is indicated by ~~strikethrough~~; added text is indicated with an underline; omitted text is indicated by (* * * *):

A. Retaliation. * * * *

C. Retention of Records. Each Employer shall maintain for at least (3) three years for each Employee a record of his or her name, hours worked, pay rate, Paid Sick Leave accrual and usage, and Service Charge collection and distribution. Each Employer shall provide each Employee or his or her representative a copy of the records relating to such Employee upon the Employee's or representative's reasonable request, except that the Employees' names (and any addresses and social security numbers) shall be redacted unless the requester is an Employee requesting his or her own records. Where an Employer does not maintain or retain adequate records documenting wages paid or does not allow reasonable access to such records, it shall be presumed in any administrative or judicial enforcement proceeding to enforce the provisions of this Chapter that the Employer paid the Employee no more than the applicable federal or state minimum wage, absent clear and convincing evidence otherwise. ****

G. Enforcement Procedures.

1. Enforcement Priority. It is the policy of the City of Oakland that all employees be compensated fairly according to the law and that Employers who engage in wage theft be held accountable.

2. Administrative Enforcement.

a. The City is authorized to take appropriate steps to enforce this Chapter. The City may investigate any possible violations of this Chapter by an Employer or other person and, where the City has reason to believe that a violation has occurred, it may order appropriate temporary or interim relief to mitigate the violation or maintain the status quo pending completion of a full investigation or hearing.

b. Where the City, after a hearing that affords a suspected violator due process, determines that a violation has occurred, it may order any appropriate relief, including, but not limited to, reinstatement, the payment of any back wages unlawfully withheld, and the payment of an additional sum as an administrative penalty in the amount of \$50 to each Employee or person whose rights under this Chapter were violated for each day that the violation occurred or continued. A violation for unlawfully withholding wages or service charges shall be deemed to continue from the date immediately following the date that the sums were due and payable as provided in Part 1 (commencing with

Section 200) of Division 2 of the California Labor Code, to the date immediately preceding the date the sums are paid in full. Where prompt compliance is not forthcoming, the City may take any appropriate action to secure compliance, including initiating a civil action pursuant to Section 5.92.050(G)(3), and, except where prohibited by state or federal law, requesting that City agencies or departments revoke or suspend any registration certificates, permits, or licenses held or requested by the Employer or person until such time as the violation is remedied. All City agencies and departments shall cooperate with such revocation or suspension requests. In order to compensate the City for the costs of investigating and remedying the violation, the City may also order the violating Employer or person to pay to the City a sum of not more than \$50 for each day and for each Employee or person as to whom the violation occurred or continued. Such funds shall be allocated to the City and shall be used to offset the costs of implementing and enforcing this Chapter and, on and after July 1, 2020, other laws under the jurisdiction of the Department of Workplace and Employment Standards. The amounts of all sums and payments authorized or required under this Section shall be updated annually for inflation, beginning January 1, 2019, using the inflation rate and procedures set forth in Section 5.92.020(B).

c. An Employee, representative of Employees, or other person may report in writing any suspected violation of this Chapter to the City. The City shall encourage reporting pursuant to this subsection by keeping confidential, to the maximum extent permitted by applicable laws, the name and other identifying information of the person reporting the violation and any Employee whose name is included in the report. Provided, however, that with the written authorization of such person, the City may disclose his or her name and identifying information as necessary to enforce this Chapter or for any other appropriate purpose. In order to further encourage reporting by Employees, if the City notifies an employer that the City is investigating a complaint, the City shall require the Employer to post or otherwise inform its Employees that the City is conducting an investigation, using a form provided by the City.

3. Civil Enforcement. The City, the City Attorney, any person aggrieved by a violation of this Chapter, any entity a member of which is aggrieved by a violation of this Chapter, or any other person or entity acting on behalf of the public as provided for under applicable state law, may bring a civil action in a court of competent jurisdiction against the Employer or other person violating this Chapter and, upon prevailing, shall be entitled to **G. Private Rights of Action.** Any Person claiming harm from a violation of this Chapter may bring an action against the Employer in court to enforce the provisions of this Chapter and shall be entitled to all remedies available to remedy any violation of this Chapter, including but not limited to back pay, reinstatement and/or injunctive relief, and the payment of an additional sum as penalty in the amount of \$50 to each Employee or person whose rights under this Chapter were violated for each day that the violation occurred or continued, up to a maximum of \$1,000 per Employee or aggrieved person. Violations

of this Chapter are declared to irreparably harm the public and covered employees generally. The Court shall award reasonable attorney's fees, witness fees and expenses to any plaintiff who prevails in an action to enforce this Chapter. Provided that any person or entity enforcing this Chapter on behalf of the public shall, upon prevailing, be entitled only to equitable, injunctive or restitutive relief, and reasonable attorneys' fees and costs. Any Person who negligently or intentionally violates this Chapter shall be liable for civil penalties for each violation with a maximum of one thousand dollars (\$1000.00) per violation, the amount to be determined by the court. No criminal penalties shall attach for any violation of this Chapter, nor shall this Chapter give rise to any cause of action for damages against the City.

H. Interest. In any administrative or civil action brought for the non-payment of wages or service charge distributions under this Chapter, the City or court, as the case may be, shall award interest on all due and unpaid sums at the rate of interest specified in subdivision (b) of Section 3289 of the California Civil Code, which shall accrue from the date the sums were due and payable, as provided in Part 1 (commencing with Section 200) of Division 2 of the California Labor Code, to the date the sums are paid in full.

H1. No Preemption of Higher Standards. The purpose of this Chapter is to ensure minimum labor standards. This Chapter does not preempt or prevent the establishment of superior employment standards (including higher wages) or the expansion of coverage by ordinance, resolution, contract, or any other action of the City or Port of Oakland. This Chapter shall not be construed to limit a discharged Employee's right to bring a common law cause of action for wrongful termination.

HJ. Severability. If any provision or application of this Chapter is declared illegal, invalid or inoperative, in whole or in part, by any court of competent jurisdiction, the remaining provisions and portions thereof and applications not declared illegal, invalid or inoperative shall remain in full force or effect. The courts are hereby authorized to reform the provisions of this Chapter in order to preserve the maximum permissible effect of each subsection herein. Nothing herein may be construed to impair any contractual obligations of the Port or City of Oakland. This Chapter shall not be applied to the extent it will cause the loss of any federal or state funding of City or Port activities.

J. Department of Workplace and Employment Standards. On and after July 1, 2020, the Department of Workplace and Employment Standards shall enforce this Chapter, and shall have authority to take any action permitted of the City in this Section.

K. Regulations. The City and, on and after July 1, 2020, the Department of Workplace and Employment Standards, may promulgate and enforce rules and regulations, and issue determinations and interpretations, consistent with and necessary for the implementation of this Chapter. Such rules and regulations, determinations and interpretations shall have the force of law and may be relied upon by Employers, Employees, and other persons to determine their rights and responsibilities under this

Chapter.

SECTION 4. SEVERABILITY.

If any provision or application of this Ordinance is declared illegal, invalid or inoperative, in whole or in part, by any court of competent jurisdiction, the remaining provisions and portions thereof shall remain in full force or effect. The courts are hereby authorized to reform the provisions of this chapter in order to preserve its maximum permissible effect.

SECTION 5. CONFLICTING MEASURES.

In the event that another measure or measures on the same ballot seeks to affect the same subject matter as this Initiative, any provisions of the other measure or measures shall be deemed to be in conflict with this Initiative. In the event that this Initiative receives a greater number of affirmative votes, the provisions of this Initiative shall prevail in their entirety, and the provisions of the other measure or measures shall be null and void.

SECTION 6. AMENDMENTS.

The City Council may amend this Ordinance in order to further this Ordinance's purposes of providing workplace protections to hotel workers and effective enforcement of City employment standards."

CITY OF OAKLAND MEASURE AA

AA	Shall the measure amending Oakland's Charter for the purposes of funding services to: expand access to early childhood and preschool education; improve high school and college graduation and career readiness; provide mentoring and college financial assistance; by establishing a \$198, 30-year parcel tax for single family parcels and specified rates for other parcel types, raising approximately \$25,000,000 - 30,000,000 annually, with citizen's oversight, and exemptions for low-income households and others, be adopted?	<input type="checkbox"/> YES
		<input type="checkbox"/> NO

CITY ATTORNEY'S BALLOT TITLE AND SUMMARY OF MEASURE AA

The City Attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

BALLOT TITLE:

Proposed Amendment to the Oakland City Charter Creating the Children's Initiative of 2018 and Approving a Parcel Tax to Fund Early Childhood Education and College Readiness Programs

BALLOT SUMMARY:

This measure would amend the City Charter to add Article XVI, "The Children's Initiative of 2018", and authorize a thirty-year annual special parcel tax. The tax revenue could be used only for the purposes specified in the measure, which include the following:

- 62% would be used to support programs to expand access to and quality of early childcare and education and preschool to increase educational outcomes and reduce educational inequality.
- 31% would be used to reduce disparities in postsecondary education outcomes, and increase college awareness and expectations, college savings, family economic well-being, college and career access, college application, enrollment, admission rates, affordability and graduation rates.
- 7% would be used for oversight and accountability costs including the cost of operating the Citizens' Oversight Commission ("Commission") established by the measure, staffing, operations, audits, implementation planning, outreach and independent third-party evaluations.

This measure creates a new City staff position to serve as the Children's Initiative accountability officer. This measure establishes guidelines for programs funded by tax revenue ("Guidelines") for the first five years. After the first five years, Guidelines would be developed by the accountability officer and approved by the Commission. The Commission would be appointed by the Mayor subject to City Council confirmation, to oversee programs funded by this measure and perform other tasks. The Commission would select a nonprofit or government agency to administer

the funds.

The parcel tax would be imposed through fiscal year ("FY") 2048-2049. The tax for each single-family residential parcel is \$198. For multiple unit residential parcels, the tax is \$135.25 per occupied unit. For non-residential parcels, the tax would vary depending on parcel frontage and square footage, based on the formula specified in the measure. Exemptions from the parcel tax would be available to qualifying low-income households, low-income senior households, and affordable housing projects. The City would provide a rebate of 50% of the tax to qualifying tenants in single-family homes that have been foreclosed upon.

Beginning in FY 2020-2021, and each year thereafter, the City Council could increase the parcel tax by making one of the following findings:

- The cost of living in the immediate San Francisco Bay Area, as determined by the U.S. Department of Labor, has increased, or
- California per capita personal income, as determined by the California Department of Finance, has increased.

The increase in the parcel tax could not exceed the greater of the verified increase in the cost of living in the Bay Area using 2019 as the index year and the California per capita personal income, using FY 2018-2019 as the index year.

Passage of this measure requires approval by two-thirds of the voters who cast ballots. A "yes" vote will approve the parcel tax; a "no" vote will reject the parcel tax.

s/BARBARA J. PARKER
City Attorney

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE AA

This measure would amend the Oakland City Charter to add Article XVI, "The Children's Initiative of 2018", and authorize a thirty-year annual parcel tax from fiscal year ("FY") 2019-2020 through FY 2048-2049.

The parcel tax revenue would be used solely to fund three new funds, with the revenue allocated as follows:

- 62% to the Early Education Fund,
- 31% to the Oakland Promise Fund, and
- 7% to the Oversight Accountability and Evaluation Fund.

See the Ballot Summary for details of allowable uses of the revenue in each fund.

This measure would create a new City staff position, funded by the tax revenue, to serve as the accountability officer to oversee the programs funded by the measure. This measure would establish a Citizens' Oversight Commission ("Commission"); the Mayor would appoint members subject to City Council confirmation.

After it receives the accountability officer's recommendation, the Commission would select a nonprofit agency, government agency or City department, as specified in the measure, to administer the funds, and submit its selection to the City Council for approval. The Council must approve or reject the Commission's recommendation. First 5 Alameda County (a County agency) or another public entity would administer the Early Education Fund for the first five years. The measure requires independent financial audits of fund expenditures and external evaluations of the entities administering the funds.

This measure would establish guidelines for the programs funded by the measure; those guidelines cannot be amended for the first five years. After the first five years, the accountability officer would develop the guidelines and the Commission would approve them. The measure would establish additional requirements for the Early Education Fund for the first five years, and thereafter unless the Commission recommends and the City Council decides that they shall no longer apply.

The tax for each single-family residential parcel would be \$198. For multiple unit residential parcels, the tax would be \$135.25 per occupied unit. For non-residential parcels, the tax would vary depending on parcel frontage and square footage based on a formula specified in the measure. For hotels, the tax would depend on the percentage of transient occupancy based on a formula specified in the measure.

Exemptions from the parcel tax would be available to qualifying low-income households, low-income senior households, and affordable housing projects as defined in the measure. The City would provide a rebate of 50% of the tax to qualifying tenants in foreclosed upon single-family homes who paid a passed through parcel tax.

Each year beginning in fiscal year 2020-2021, the City Council, after making certain findings, may increase the parcel tax by the greater of the increase in the Bay Area cost

of living or the increase in California per capita personal income.

This measure was placed on the ballot by a petition signed by the requisite number of voters. This special tax measure requires a two-thirds vote for passage.

s/BARBARA J. PARKER
City Attorney

CITY AUDITOR'S IMPARTIAL ANALYSIS OF MEASURE AA

Summary

This Measure, if adopted by two-thirds of voters, authorizes the City of Oakland to collect an annual parcel tax for a period of thirty (30) years. The use of proceeds would be restricted to the objectives of the Measure: to fund early education and 'Oakland Promise.' The Measure would take effect the day after the vote is declared by Oakland City Council.

The Early Education Fund would provide support to programs expanding access to, or enhancing, early child-care and preschool education.

The Oakland Promise Fund provides support such as mentoring, college savings, and scholarships, to ensure every Oakland public school student graduates high school and college.

The City would designate 62% of revenues collected to the Early Education Fund and 31% to the Oakland Promise Fund. The City estimates 20,000 children would benefit from this funding. The remaining 7% of revenue collected would be deposited into an Oversight, Accountability, and Evaluations Fund.

Financial Impact

The Finance Department estimates approximately \$30 million in revenue would be generated annually. The City would expend approximately \$2.1 million annually to manage the funds and administer the programs.

The parcel taxes as proposed in this Measure are shown here:

Unit Type	Proposed Measure Tax Rate
Single Family Residential	\$198.00
Multiple Unit Residential	\$135.25
Non-Residential	Various rates*

* The tax for Non-Residential Parcels is calculated using both frontage and square footage measurements to determine total single family residential unit equivalents.

Low-income and senior households, and rental housing owned by nonprofit corporations and nonprofit-controlled partnerships for senior, disabled, and low-income households may request tax exemptions or modifications.

The City would provide a rebate of one half (1/2) of the tax and subsequent increases to tenants in single family homes that have been foreclosed upon who have paid this proposed parcel tax through a pass-through.

The Oakland City Council may increase the parcel tax established by this Measure, each year, beginning in Fiscal Year 2020-21 and thereafter, based on the greater of:

1. An increase in the U. S. Department of Labor San Francisco Bay Area cost of living adjustment, or
2. An increase in the California Department of Finance per capita personal income.

City of Oakland Programs for Youth

The City of Oakland supports various and multiple programs for children and youth. Each year, the City sets aside a portion of its unrestricted General Purpose fund to support programs such as Head Start, which promotes school readiness for children from low income families; and the Kids First! Fund, which provides grants to approximately 150 community-based, non-profits, and Oakland Unified School District programs. In total, the City spends approximately \$36 million each year on such programs that benefit Oakland's youth.

Disclaimer

The Office of the City Auditor has not audited and, as such, has not validated the City of Oakland Finance Department's financial and statistical analysis that supports this Measure. References to this data in our independent analysis represent the best data available at this time.

ARGUMENT IN FAVOR OF MEASURE AA

Measure AA will invest in early childhood education and increase high school and college graduation rates for more than 10,000 Oakland children annually. By voting YES, we will dramatically expand access to quality affordable preschool for children from low-income backgrounds, and increase access to and graduation from 2- or 4- year colleges and trade certificates by providing mentoring and scholarships.

In Oakland, 20% of residents live below the poverty level, and every year more than 2,000 children are born into poverty. By focusing resources on students from low- income backgrounds, this measure gives us a chance to disrupt poverty. Currently, only 15% of high school freshman will go on to earn college degrees. When 90% of a child's brain develops before age 5, expanding preschool in these critical years ensures that every child in Oakland is on the path to success. That's why we support YES on Oakland Measure AA.

Preschool shouldn't be a luxury, but many Oakland families are forced to dedicate up to 25% of their income on preschool. For many families, even working two jobs isn't enough to afford preschool. That means more children entering kindergarten underprepared.

Measure AA ensures that Oakland has the resources necessary to improve preschool, high school, college, and career readiness for students and sets them up for success. This measure invests in children and makes sure every child achieves their potential, regardless of their family's income.

Oakland will be required to spend this money only on preschool and college access. An independent citizens' oversight commission, mandatory annual audits and external evaluations will ensure that funds are spent properly. It also includes exemptions for low-income residents and seniors, and affordable housing.

Join teachers, health advocates, childcare providers, labor leaders, parents, community leaders, and us in voting YES on Measure AA.

www.YesOnMeasureAA.com

s/BARBARA LEE

Member of Congress

s/LIBBY SCHAAF

Mayor of Oakland

s/GEORGE HOLLAND, SR.

President, NAACP Oakland

s/GARY F. JIMENEZ

Vice President, SEIU 1021

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE AA

Proponents of Measure AA have absolutely no facts to support their outrageous and unproven claims that passage of the gigantic tax will in fact "increase high school and college graduation rates for 10,000 children."

Unlike other Oakland taxes that support our schools and community college, (we are paying for at least 6 separate ones currently) the money from Measure AA will be managed by individuals selected by the council members with no public oversight. \$30,000,000 a year will be distributed to organizations without accountability or a track record of success.

Why should an Oakland resident, with no children in the schools, or a senior with limited income be forced to pay almost \$200 a year for 30 years for programs that have not even been approved?

Of the endorsers of Measure AA, the majority are not Oakland residents and will not have to pay this tax. They want you to pay. The low income exemption is a scam, written so no one will qualify.

The proponents rushed to get Measure AA on the ballot as they know Oakland schools and Peralta Colleges are proposing additional parcel taxes as well. Every election there new proposals asking for more money, always providing emotional arguments and always saying the money is needed.

Over the past few years our City Government has grown astronomically, with no increase in services or benefits to citizens. By their own admission over \$2,000,000 a year will be spent on "administration." How may scholarships could that fund?

Vote no.

s/GEORGIA W. RICHARDSON

Homeowner

s/GRANT CHAPPELL

Homeowner

ARGUMENT AGAINST MEASURE AA

This is one of the largest parcel tax proposals in Oakland's history.

It was put on the ballot without community input and without a plan on how to spend the \$30,000,000 a year the measure would generate. Lost in the details of the measure is the fact that the money can be used to fund the growing bureaucracy of the city.

We share the wonderful goals of this 15-page ballot measure. Unfortunately, we don't see any realistic steps to reaching them. "Give us the money and we'll figure out how to do it" is not acceptable.

Who controls the estimated \$30 million annually? New, unnamed city employees. But nothing in this measure holds public employees accountable for all this money! A "Citizens' Oversight Commission" is created, but its members would be handpicked by city bureaucrats.

The "Oakland Promise Fund" is full of promises to "increase early college awareness and expectations" and "increase college persistence and graduation rates." How? What exactly is the plan? There is no plan. Over and over we've seen similar taxes raising money with good intentions but without clear programs. Local organizations are promised funding and taxpayers get the bill.

While we share Mayor Libby Schaaf's commitment to address persistent problems with the Oakland schools, this initiative is deeply flawed. Our children deserve better! This measure will last 30 years, long past the term of this Mayor. Oakland children, born today will be over 30 before this tax expires.

Rather than work with the Council or the School District to prioritize funding for Oakland's children, Schaaf is passing the buck to homeowners without a realistic plan.

Despite the feel good language, this 'Initiative' is nothing but another thinly disguised attempt to raise more money for programs that sound good but yield little results.

Please vote NO!

s/GEORGIA W. RICHARDSON

Property Owner

s/VITO ESPOSITO

Homeowner

s/KAREN FRANCISCO

Homeowner

s/HOMAYOUN GHADERI

Homeowner

s/GRANT CHAPPELL

Homeowner

REBUTTAL TO ARGUMENT AGAINST MEASURE AA

In Oakland, 43% of students enter school kindergarten ready and only 15% earn college degrees. Measure AA increases graduation rates for more than 10,000 children annually, while making college more affordable through scholarships and mentorships.

Our opponents' argument isn't rooted in facts. Over 400 community members participated in drafting this measure. Measure AA includes strict guidelines to ensure funds are spent wisely and exclusively on early education and college access and completion programs, including annual audits, external evaluations, an automatic sunset, and an accountability officer to oversee spending. An independent citizens' oversight commission - not City Council or OUSD - approves funding guidelines regularly, with mandatory representation for homeowners, parents, students, and teachers. Administrative expenses are capped at 7%. Measure AA includes exemptions for low-income households and seniors, and affordable housing.

Over 2,000 Oakland children are born into poverty annually, and only a third of African American, Latino and low-income students enter school kindergarten ready. Measure AA expands quality, affordable preschool for all 4-year-olds from low-income backgrounds and provides children with the financial aid they need to graduate from college. Research shows that early education produces returns on investment of up to \$9 for every dollar spent, including reduced taxpayer costs in welfare and public safety.

Measure AA is endorsed by local teachers and Lt. Gov. Gavin Newsom, Congresswoman Barbara Lee, Mayor Libby Schaaf, Assemblyman Rob Bonta, NAACP Oakland, Latino Education Network, Alameda Labor Council, SEIU 1021, Oakland Parents Together, and many more. Vote YES on Measure AA.

www.YesOnMeasureAA.com

s/MICAH WEINBERG

President, Bay Area Council Economic Institute

s/BARBARA LESLIE

Businessperson & Civic Leader

s/CARMINA PORTEA

Oakland Transitional Kindergarten (TK) Teacher

s/ELIZABETH ACOSTA-CROCKER

Parent and Former Preschool Director and Head Teacher

s/GENA LEWIS

Oakland Pediatrician & Medical Director

FULL TEXT OF MEASURE AA

SEC. 1. Title.

This Act shall be known and may be cited as “The Children’s Initiative of 2018.”

SEC. 2. Findings and Declarations.

The People of the City of Oakland hereby find and declare the following:

A. Regardless of the zip code of their birth, the children of Oakland are our future and will provide the leadership, creativity, and productivity to strengthen and sustain the quality of life in our City.

B. Research shows that 90% of a child’s brain develops during the first five years of life, and this critical period is a window of opportunity to lay the foundation for all of the years that follow.

C. Only 43% of assessed Oakland Unified School District (OUSD) students entered school “kindergarten-ready,” and more specifically, while 82% of white students and 82% of children from families making more than \$100,000 entered kindergarten-ready, just 36% of African American students, 29% of Latino students, and 34% of students from families making less than \$35,000 were ready for kindergarten in 2015.

D. Parents and caregivers and support for them are crucial to a child’s development, but many marginalized families, including the working poor, are unable to access quality child care, early education services, particularly in preschool deserts, and post-secondary educational support. The homeless population in Oakland in particular includes hundreds of children who cannot equitably access the educational system.

E. Studies have shown that workforce compensation for early educators is one of the most effective guarantees of quality early education, and low compensation for early educators combined with a lack of outreach to immigrant and newcomer communities drives turnover and hampers the ability to attract and retain skilled educators, which in turn undermines stable, continuous relationships that are essential to children.

F. Kindergarten readiness has a demonstrated impact on success in a child’s early elementary school years, and research suggests that students who are not reading proficiently by 3rd grade are four times less likely to graduate by age 19 than their peers who are proficient readers. Poverty compounds the effect of third grade literacy on high school graduation rates. Students who face poverty and are not proficient readers are 13 times less likely to graduate than proficient readers from wealthier families.

G. Research demonstrates that public investment in quality early education programs produces some of the highest returns on investment, with up to \$8.90 for every public dollar we spend, with reduced costs for special education, welfare, and public safety.

H. Over a lifetime, college graduates will earn up to \$1 million more than those with a high school diploma, and

college graduates are far less likely to suffer from poverty, unemployment, poor health outcomes, or to be involved with the criminal justice system.

I. In 2016, only 51% of OUSD graduates completed the comprehensive course requirements for enrollment in a California state university, including just 33% of African American graduates and 53% of Latino graduates, compared to 71% of white graduates.

J. According to OUSD’s latest data, only 15% of OUSD high school students will have a Bachelor’s degree within 6 years of graduating from high school, and just 19% will have a 2-year college and/or 4-year degree.

K. 63.4% of the OUSD class of 2016, including just 54% of African American students and 59% of Latino students, enrolled in 2-year or 4-year colleges the fall after graduating, compared to 79% of White students.

L. Educational achievement is a strong social determinant of health. At age 25, U.S. adults without a high school diploma can expect to die nine years sooner than college graduates. By 2011, the prevalence of diabetes had reached 15 percent for adults without a high school education, compared with seven percent for college graduates.

M. Professionals in many industries have long recognized the value of joining together in professional organizations to facilitate their participation in training opportunities, provide a collective voice to improve their professions, and make it easier for them to jointly provide feedback to policymakers. However, early educators face barriers to participating in professional organizations, including low pay, high turnover, and isolation of the workforce. Facilitating early educators’ participation in professional organizations would help to strengthen and professionalize the workforce, which would in turn improve the quality and stability of early education paid for with city funds, including for city employees.

N. Low- and moderate-income students with as little as \$500 in dedicated savings for post-secondary education are three times more likely to attend college and four times more likely to graduate from college than youth without college savings.

O. All students have the capacity to learn and be successful, but current systems, policies, and norms cumulatively benefit certain populations and disadvantage others, and thus reinforce and perpetuate inequities, such as those related to race, income, wealth, and language background, which ultimately affect educational, health, wealth, and general life outcomes. As a result, the City has a fundamental interest in working across traditional silos to comprehensively support educational equity from a child’s earliest days.

SEC. 3. Purpose and Intent.

In enacting the Children’s Initiative, it is the purpose and intent of the people of the City of Oakland to expand support for children from their earliest years until their successful completion of a two-year college, four-year college, accredited technical degree, and/or certificate. The

Initiative will accomplish this by expanding access to early care and education and high-quality preschool; increasing early college awareness and expectations in children and their families; instilling a college-bound identity in students and a college-going culture in schools; increasing college savings and family economic well-being starting early in a child's life; aligning preschool, TK-12 education, and postsecondary education systems; coordinating federal, state and local funding streams to increase impact; removing barriers to college access in elementary, middle, and high school; increasing college and career awareness and success, access, planning, and eligibility, as well as college eligibility, application, admission, and enrollment rates; making college more affordable, including by expanding access to public and private student financial aid, and direct scholarships to students; increasing college retention, persistence and graduation rates, such as by expanding access to mentoring; and ultimately reducing disparities in both kinder-readiness and college completion, such as those related to income and wealth or for children traditionally underrepresented in higher education.

SEC. 4. The Charter of the City of Oakland is hereby amended by adding Article XVI, to be titled "The Children's Initiative of 2018", to the Appendix of the Charter as follows:

The Children's Initiative of 2018.

SEC. 1600. Definitions.

- (a) "Act" shall mean the Children's Initiative of 2018.
- (b) "Citizens' Oversight Commission" shall mean the Children's Initiative Citizens' Oversight Commission created by Section 1601 of this Act.
- (c) "College" shall mean a not-for-profit post-secondary educational institution, including two-year, four-year accredited career technical educational degrees, and/or certificates.
- (d) "Early Education Fund" shall mean the Oakland Early Education Fund established by Section 1604 of this Act.
- (e) "Early Education Implementation Partner" shall mean the body selected to implement the early education program, either directly or through subcontracts, pursuant to Section 1605 of this Act.
- (f) "First 5 Alameda County" shall mean the independent county agency established by the County of Alameda pursuant to Section 130140 of the California Health and Safety Code.
- (g) "Guidelines" shall mean strategic guidelines developed by the accountability officer and adopted by the Citizens' Oversight Commission every five (5) years for the Early Education and Oakland Promise Funds to outline the priorities for programs supported by the Funds in support of the Purpose and Intent and consistent with the Act.
- (h) "High need" shall mean a child experiencing homelessness, or other criteria as recommended by the accountability officer and approved by the Citizens' Oversight Commission, such as homelessness as broadly defined by the McKinney Vento Homeless Assistance

Act, child abuse or neglect, trauma, interaction with the foster care system, interaction with the criminal-justice system including incarceration or deportation, linguistic isolation, domestic violence, a child or family with disabilities or special needs, or children living in areas of high concentrated poverty, or children facing other similar challenges.

(i) "Preschool" shall mean a developmentally-appropriate and evidence-based educational program for children prior to kindergarten.

(j) "Oakland Promise Fund" shall mean the Oakland Promise Fund established by Section 1607 of this Act.

(k) "Oakland Promise Implementation Partner" shall mean the body selected to implement the Oakland Promise program, either directly or through subcontracts, pursuant to Section 1608 of this Act.

(l) "Oakland Public School" shall mean a K-12 educational institution in Oakland that is supported with public funds and that is authorized by action of and operated under the oversight of a publicly constituted local or state educational agency.

(m) "Oversight, Accountability, and Evaluation Fund" shall mean the Oversight, Accountability and Evaluation Fund established by Section 1603 of this Act.

(n) "Proceeds of the parcel tax" shall mean all revenue derived from the parcel tax imposed by this Act net of Alameda County's cost of collection.

The Children's Initiative Oversight and Accountability.

SEC. 1601. The Children's Initiative Citizens' Oversight Commission.

(a) **Establishment.** There is hereby established the Children's Initiative Citizens' Oversight Commission.

(b) **Membership; Appointment Process; Qualifications.** The Citizens' Oversight Commission shall be composed of nine (9) to fifteen (15) members. Members of the Citizens' Oversight Commission shall be appointed by the Mayor and confirmed by the Council pursuant to Section 601 of the Charter. The Mayor shall request recommendations from members of the City Council and the Oakland Unified School District Board of Education and Superintendent at least fourteen (14) days prior to submitting any appointments for confirmation. The composition of the Commission should be reflective of the diversity of Oakland and shall include the following members:

- (1) At least one (1) member with professional expertise in early childhood education policy;
- (2) At least one (1) member with professional expertise in, or who is a provider of, early childhood care or education;
- (3) At least one (1) member with at least two (2) years of experience teaching in early childhood education;
- (4) At least one (1) member with at least two (2) years of experience teaching TK-12, or who has professional expertise in TK-12 education or college access;
- (5) At least one (1) member with professional expertise in

college completion, college or university leadership, or support for traditionally underrepresented college students;

(6) At least one (1) member with experience in budgeting, auditing, finance, or early asset building;

(7) At least one (1) member of a union or labor advocacy group who is employed by the City of Oakland Head Start, the Oakland Unified School District, or a participating early care and education provider;

(8) At least one (1) homeowner who is subject to the parcel tax imposed by Section 5 of the Act;

(9) At least one (1) parent, who presently has, or has had within five (5) years from the time of appointment, a child of preschool age who attended a preschool program benefiting from public subsidy, or who was on a waitlist for such a program; and

(10) At least one (1) member who is, or who within five (5) years from the time of appointment was, enrolled in an Oakland public school, or who has graduated from an Oakland public school and enrolled in college within five (5) years from the time of appointment, or who is the first in their immediate family to graduate from College.

(c) Qualifications; Conflicts. A majority of the members of the Commission shall be residents of Oakland. The members in paragraphs (7) through (10) must be residents of Oakland. The members set forth in paragraphs (1) through (6) must reside and/or work in Oakland. At least one (1) member in paragraphs (1) or (2) must be an employee of the Oakland Unified School District. One member may satisfy more than one of the requirements set forth in paragraphs (1) through (10) of subdivision (b). Members may not receive income from or serve as an officer, director, or employee of an Implementation Partner.

(d) Terms. A member shall serve no more than four (4) full, consecutive terms. A member may be removed for cause pursuant to Section 601 of the Charter, or for the failure to attend three (3) consecutive meetings of the Citizens' Oversight Commission or more than fifty percent (50%) of the meetings in a twelve-month period. For the initial nine (9) appointments only, one-third (1/3) of the members shall be appointed to serve for four (4) years, one-third (1/3) shall be appointed to serve for three (3) years, and one-third (1/3) shall be appointed to serve for two (2) years. Subsequently, all terms shall be for three (3) years.

(e) Quorum. A majority of the appointed members of the Commission shall constitute a quorum, but in no case shall a quorum be fewer than five (5) members.

(f) Compensation. Members shall serve without compensation, provided that members may request and receive reimbursement for actual transportation and childcare expenses, not to exceed five hundred dollars (\$500) annually.

(g) Responsibilities. It shall be the responsibility of the Citizens' Oversight Commission to:

(1) Approve subsequent five-year Guidelines for the Early Education and Oakland Promise Funds after the expiration of the initial five-year Guidelines, which are set forth in

Sections 1606 and 1609 of this Act;

(2) Review the analysis and recommendations of the accountability officer for the selection of Implementation Partners, approve or reject the recommendation for the selection of Implementation Partners for the Early Education and Oakland Promise Funds, ensure that the selection is consistent with the Act, and once approved, submit the final selection to the Oakland City Council for its adoption without amendment;

(3) After considering the recommendation of the accountability officer, approve any extensions of the term of an Implementation Partner, by a majority vote, or any termination of an Implementation Partner for reasons as specified in Sections 1605 and 1608, by a two-thirds (2/3) vote, if extension or termination would further the purposes of the Act;

(4) Review and approve the results of annual independent financial audits of each of the Funds;

(5) Review the performance appraisals of the implementation of the Early Education and Oakland Promise programs presented by the accountability officer;

(6) Review the external evaluations of the implementation of the Early Education and Oakland Promise programs presented by the accountability officer; and

(7) Perform such other functions and duties as may be prescribed by the City Administrator.

SEC. 1602. The Children's Initiative Accountability Officer.

(a) Establishment. A position that serves as accountability officer for the Children's Initiative is hereby established at a classification and at a salary scale commensurate with the duties of the position, as determined by the City Administrator. The City Administrator or his/her designee shall hire for the position, in consultation with the Superintendent of the Oakland Unified School District and shall oversee the work of the accountability officer for the Children's Initiative. The City Administrator may appoint an interim Children's Initiative accountability officer to carry out the duties set forth in subdivision (b) until such time as a permanent appointment is made or if the position is vacant.

(b) Responsibilities. The accountability officer shall be responsible for:

(1) Overseeing the Early Education and Oakland Promise programs and ensuring that the programs further the Purpose and Intent of the Act, supporting and providing recommendations to the Citizens' Oversight Commission, and bringing any required items to City Council;

(2) Preparing subsequent five-year Guidelines for the Early Education and Oakland Promise Funds after the expiration of the initial five-year Guidelines set forth in Sections 1606 and 1609. The subsequent five-year Guidelines shall be created through an assessment of the local context and needs, as well as national evidence-based best practices in the field, and shall identify metrics for each program to assess the achievement of outcomes central to the identified

goals in support of the statement of Purpose and Intent and consistent with the Act;

(3) Leading the selection process and contracting for the Early Education and Oakland Promise Implementation Partners, consistent with the Act, making a recommendation to the Citizens' Oversight Commission for the selection of the Implementation Partners, and developing the scope of services, including performance standards and mechanisms for monitoring and reporting progress to the Citizens' Oversight Commission at least every two (2) years;

(4) Ensuring that independent financial audits of expenditures from the Funds for the implementation of the Early Education and Oakland Promise programs are conducted, and presenting the audits to the Citizens' Oversight Commission;

(5) Monitoring the performance of the Implementation Partners through a formal performance appraisal, consistent with the metrics established in the five-year Guidelines and scope of services for the Implementation Partners, and reporting at least once every two (2) years regarding the Implementation Partners' performance to the Citizens' Oversight Commission;

(6) Overseeing a rigorous and reliable external evaluation or evaluations of the Implementation Partners' performance, including the selection of external evaluation partners or the utilization of existing external evaluations as applicable, and presenting the results of such evaluations to the Citizens' Oversight Commission;

(7) Carrying out such other duties as may be delegated by the City Administrator; and

(8) Providing or coordinating training for members of the Citizens' Oversight Commission.

SEC. 1603. Funding for Oversight, Accountability, and Evaluation.

(a) **The Fund.** There is hereby established the Oakland Children's Initiative Oversight, Accountability, and Evaluation Fund.

(b) **Revenue.** For each fiscal year, seven percent (7%) of the proceeds of the parcel tax imposed pursuant to Section 5 of this Act shall be deposited in the Children's Initiative Oversight, Accountability, and Evaluation Fund, and shall be appropriated, together with any interest that accrues thereon, for the purposes specified in subdivision (c) of this Section.

(c) **Eligible Uses.** Moneys in the Children's Initiative Oversight, Accountability and Evaluation Fund shall be used to support the oversight and accountability costs of the Citizens' Oversight Commission, including but not limited to the costs of Commission and accountability staff, operations and meetings, financial management, audits, strategic and implementation planning, and communications and outreach. At least one-third (1/3) of the moneys deposited in the Oversight, Accountability and Evaluation Fund shall be appropriated for independent third-party evaluations.

(d) **Transfer to Program Funds.** To the extent that at

the end of each two-year (2) budget period, any unspent and unencumbered or undesignated funds remain in the Oversight, Accountability, and Evaluation Fund, fifty percent (50%) of the funds remaining shall be transferred to the Early Education Fund and shall be available for appropriation to achieve the goals of the Early Education Fund, twenty-five percent (25%) shall be transferred to the Oakland Promise Fund and shall be available for appropriation to achieve the goals of the Oakland Promise Fund, and twenty-five percent (25%) shall remain in the Oversight, Accountability and Evaluation Fund as a reserve for the eligible uses set forth in subdivision (c) of this Section.

The Oakland Early Education Program.

SEC. 1604. Early Education Fund.

(a) **The Account.** There is hereby established the Oakland Early Education Fund.

(b) **Revenue.** For each fiscal year, sixty-two percent (62%) of the proceeds of the parcel tax imposed pursuant to Section 5 of this Act shall be deposited in the Early Education Fund, and shall be appropriated, together with any interest that accrues thereon, for the purposes specified in subdivision (c) of this Section.

(c) **Eligible Uses.** Moneys in the Early Education Fund shall be used to support programs to expand access to, or to enhance the quality of, early care and education and preschool for children who reside in Oakland or whose parents resided in Oakland at the time of their enrollment in such programs, including the collection and maintenance of data to enable evaluation over time and family support services, in order to increase educational outcomes, such as kinder-readiness, and to reduce educational inequality, such as by disparities related to income and wealth or for children traditionally underrepresented in higher education, as further specified in the five-year Guidelines.

(d) Non-Supplantation.

(1) Moneys in the Early Education Fund shall only be used to expand access to, or enhance the quality of, early care and education, provided, however, that if federal, state, non-City, or restricted Oakland Unified School District funding was committed for the purpose of providing such services and subsequently ceases to be provided and is not replaced by other federal, state, non-City, or restricted Oakland Unified School District funding committed for that same purpose, then moneys in the Early Education Fund may be expended to the extent necessary for such services to continue.

(2) Moneys in the Early Education Fund shall not be used for K-12 school day services except for the purpose of expanding transitional kindergarten eligibility to additional four-year old children.

SEC. 1605. Early Education Implementation Partner.

(a) **Selection.** The Early Education Implementation Partner shall be selected pursuant to paragraph (1) of subdivision (b) of Section 1606, and pursuant to subdivision (b) of this Section or through a request for proposals. If the requirement in paragraph (1) of subdivision (b) of Section

1606 is deemed not to apply pursuant to subdivision (c) of Section 1606, then the accountability officer shall recommend, and the Citizens' Oversight Commission shall select an Early Education Implementation Partner pursuant to a request for proposals or pursuant to subdivision (b) of this Section. The Early Education Implementation Partner shall meet the following minimum criteria:

(1) The Implementation Partner must have a mission consistent with the purposes of the Early Education Fund and the capability to implement all of the Guidelines of the Early Education Fund, through direct provision or through partnership agreements;

(2) The Implementation Partner must have expertise in early education or a record of successfully implementing programs or services for children age zero to five; and

(3) At the time of application and while acting as Early Education Implementation Partner, the Implementation Partner must not be a private preschool provider in the City of Oakland.

(b) Alternative Selection Process.

(1) The accountability officer may recommend First 5 Alameda County as the Early Education Implementation Partner to the Citizens' Oversight Commission, without issuing a request for proposals, provided that:

(A) The voters of Alameda County have approved a tax to fund child care and early education in June 2018 and that First 5 Alameda County is the entity selected to implement the child care and early education programs; and

(B) First 5 Alameda County is willing, and has the capacity, to serve as the Early Education Implementation Partner.

(2) The accountability officer may recommend administering the program through a City of Oakland department, which shall serve as the Early Education Implementation Partner, without issuing a request for proposals.

(c) Term of the Early Education Implementation Partner.

(1) The initial Early Education Implementation Partner shall act as the Early Education Implementation Partner for a period of five (5) years with an opportunity for renewal for additional terms of up to five (5) years, provided that it remains in good standing and continues to carry out the requirements specified in this Act and is not terminated prior to the expiration of its term pursuant to paragraph (2).

(2) The accountability officer may recommend, and the Citizens' Oversight Commission may approve, by a vote of two-thirds (2/3) of its members, the termination of the Early Education Implementation Partner before the expiration of the Early Education Implementation Partner's term, if the Early Education Implementation Partner breaches its agreement with the City, is unwilling or unable to carry out the purposes of this Act, or engages in gross negligence, fraud, or unlawful activity. In the event of termination, the accountability officer shall recommend an Early Education Implementation Partner in accordance with this Section to serve until the expiration of the then-current five-year Guidelines.

(3) At the expiration of the first five-year period, the accountability officer may recommend, based on the Early Education Implementation Partner's performance, that the Citizens' Oversight Commission renew the contract for an additional term of up to five (5) years, issue a request for proposals for an Early Education Implementation Partner, or if the requirement in paragraph (1) of subdivision (b) of Section 1606 is deemed not to apply, select an Early Education Implementation Partner in accordance with subdivision (a) or (b) of this Section for a period of up to five years. The terms of the Early Education Implementation Partner shall be aligned with the five-year Guidelines and there shall be no limit on the number of years an Implementation Partner may serve.

(c) Requirements for the Early Education Implementation Partner. The City Administrator shall have the authority to enter into a contract with the Implementation Partner that includes legally required terms and terms deemed to be in furtherance of the Purpose and Intent of this Act, such as but not limited to the following:

(1) Performance metrics and benchmarks;

(2) Plans for consultation or engagement with experts, community members, and program beneficiaries;

(3) Annual independent financial audits;

(4) Data sharing agreements including disaggregation by race and income of program beneficiaries; and

(5) Accounting practices that securely segregate Fund revenues and expenditures in order to ensure appropriate accounting of receipts and expenditures.

SEC. 1606. The First Five Years of the Early Education Fund.

(a) Early Education Guidelines for the First Five Years. For the first five (5) years following the appointment of a quorum of the Citizens' Oversight Commission, in order to expedite implementation and ensure the people of Oakland begin to feel the benefit of the approval of the Act, the Guidelines for the Early Education Fund, which are based upon an assessment of the local context and needs and national evidence-based best practices in the field, shall be as follows and shall not be amended:

(1) Increase overall attainment and reduce socioeconomic and/or other demographic disparities, in child educational outcomes, such as kinder-readiness, and provide family support services, to achieve the following outcomes prioritized as follows, such that plans to fund a lower priority outcome may only be implemented if the Early Education Implementation Partner has determined that the next highest priority goal is reasonably achievable within the five-year period:

(A) Make available free or affordable and high-quality early education and/or preschool for four-year old children from low-income families, such as those who make less than eighty-five-percent (85%) of the state median income, with a priority on serving the children of families with the lowest incomes and/or those who are in high need, while also supporting such families who need family, friend, and

neighbor care.

(B) Increase the availability of free or affordable and high-quality early education and/or preschool for three-year-old children from low-income families, with a priority on serving the children of families with the lowest incomes or those who are in high need, while also supporting such families who need family, friend, and neighbor care.

(C) Increase the affordability and/or quality of preschool for all four-year-old children, with a priority on serving the children of families with the lowest incomes or those in highest need, while also supporting such families who need family, friend and neighbor care.

(D) Increase the affordability and/or quality of preschool for three-year-old children, with a priority on serving the children of families with the lowest incomes or those in highest need, while also supporting such families who need family, friend and neighbor care.

(E) Increase the availability and/or quality of child development support services for children and families from low-income backgrounds with children from birth through age three, while also supporting such families who need family, friend, and neighbor care.

(2) Provide for a rigorous external evaluation of the impact of the early education programs, such as on child outcomes data including kindergarten-readiness, that will facilitate assessment of whether the early education programs are achieving the goals of the Act and provide information on how to mitigate disparities, such as those by wealth and income or for children in high-need.

(3) Ensure that professional development and coaching are generally available for educators, and that participating center-based preschool programs generally are able to do the following within a reasonable timeframe:

(A) Achieve a baseline rating of at least three (3) or higher on the regional Quality Rating and Improvement System (QRIS), or a successor system;

(B) Utilize a developmentally-appropriate curriculum aligned with California Department of Education standards, and in addition that is also evidence-based and/or has demonstrated success in improving preparation for kindergarten;

(C) Conduct formative assessments to shape instruction; and

(D) Participate in valid, regular, and reliable assessments of early education quality in order to foster continuous improvement and to reduce disparities, such as those by income and wealth, in child outcomes.

(4) Ensure that funding streams from federal, state and local sources, including Head Start, are coordinated to reduce the administrative burden of program beneficiaries in accessing services, and to ensure that existing high-quality early education programs are not made financially unviable.

(5) Give priority consideration to expanding higher quality programs and/or facilities for children who are in the highest need, from the lowest-income backgrounds, live in areas of high unmet early education need, and/or who

are traditionally underserved, as resources allow, which could include enhanced services, such as bilingual or dual-language instruction, supports to enhance cultural competency, or a higher rating on the QRIS or a successor system.

(b) Additional Requirements for the Early Education Fund for the First Five Years.

(1) Administration by a Public Agency.

The Alameda County Children and Families First Commission, known as First 5 Alameda County, or another public entity, will be selected by the Citizens' Oversight Commission to be the Early Education Implementation Partner and to administer the program.

(2) Expanding Existing Public Services.

First funding priority shall be given to public agencies to expand public programs in all areas of the City that meet a baseline quality level and can accommodate more children using empty classrooms and/or filling vacancies, particularly programs at Oakland Unified School District and City of Oakland Head Start. This could include converting part-day OUSD preschool to full-day OUSD preschool at OUSD sites, hiring additional OUSD staff, or expanding the hours of service to better meet the needs of working families, subject to capacity limitations determined by OUSD and City of Oakland Head Start in consultation with the Implementation Partner. After OUSD and Head Start sites have reached agreement with the Implementation Partner on ensuring funding to reach capacity as outlined above, the Early Education Fund may contract with private nonprofit agencies that show a commitment to and interest in serving low income children, and adhere to the privatization requirements set forth in paragraphs (3) and (4) of this subdivision.

(3) Private Contractor Requirements.

(A) Maintenance of Wage Standards: All contracted nonprofit agencies receiving Fund dollars must pay all employees at least fifteen dollars (\$15) per hour, to be adjusted annually by the San Francisco-Oakland-San Jose Consumer Price Index (CPI). This is the minimum wage irrespective of whether the contracted nonprofit agency offers benefits and no reduction in total compensation that existed prior to the contract should occur.

(B) All contracted agencies must present as a part of the contracting process: (i) a list of current employees with employee names and job classifications, on a biannual basis. The contractor will also provide length of continuous employment of those employees provided that employer tracks length of employment; (ii) the annual rate of current staff turnover for early educators and teaching assistants; (iii) the number of hours of training planned for each employee in subject matters directly related to providing services to state residents and clients; (iv) a self-certification which requires the contractor report whether the contractor has or has not violated any applicable federal, state or local rules, regulations or laws, including laws governing employee safety and health, labor relations and other employment requirements, and any citations, court findings

or administrative findings for violations of such federal, state or local rules, regulations or laws. In the case where a contractor has violated aforementioned laws or regulations, contractor must disclose the date, enforcement agency, the rule, law or regulation involved and any additional information the contractor may wish to submit; and (v) any collective bargaining agreements or personnel policies covering the employees who provide services.

(C) (i) **Union Neutrality:** Moneys from the Early Education Fund shall not be used to support or oppose unionization, including but not limited to, preparation and distribution of materials which advocate for or against unionization; hiring or consulting legal counsel or other consultants to advise the contractor about how to assist, promote or deter union organizing or how to impede a union which represents the contractor's employees from fulfilling its representational responsibilities; holding meetings to influence employees about unionization; planning or conducting activities by supervisors to assist, promote, or deter union activities; or defending against unfair labor practice charges brought by federal or state enforcement agencies.

(ii) Contractors are prohibited from retaliating against early educators for participating in or contributing to a professional organization. Violation of this provision shall constitute an immediate breach of contract.

(4) Worker Organization and Payroll Deduction.

(A) The Early Education Implementation Partner will regularly convene organizations representing parents and/or early educators, as appropriate, to receive input on program development and implementation. They will collaborate with parent and early educator organizations and providers and other stakeholders to disseminate information in public meetings or other means, such as pamphlets, to families, child care providers and early educators and others about initiative-funded programs and to support robust involvement in Guideline components.

(B) Funding agreements with participating child care and early education programs paid for with Early Education Fund dollars will require these programs to honor their early educator employees' written, voluntary requests to contribute part of their pay via payroll deduction to a professional organization of their choosing. Funding agreements will require the participating child care and early education program operators to notify early educators about the programs' contractual obligation to honor their written request to contribute.

(C) Early educators will be informed about their rights under this program during an orientation. The Early Education Implementation Partner or a contracted third party will convene regular in-person orientation sessions for family child care center providers and their assistants, family, friend and neighbor providers, and center early educator employees who work in programs receiving funding from the initiative. These staff at participating programs will be required to attend an informational orientation session within a certain period of time after programs are contracted to participate in initiative funded components. For agencies who are unable to document full participation

of staff, information may be shared in alternative formats on a case-by-case-basis. Effort will be made to ensure that this information will include program overview, quality and other guidelines, and information on other city-related resources and programs will not deter participation in these initiative-funded activities. These information sessions shall also include presentations by qualified professional early childhood education organizations and other stakeholders with goals, missions, or resources related to the initiative's goals, including training and professional development at which qualified professional organizations will be invited to participate. Attendance sheets for orientation sessions and qualifying staff rosters will be made available twice per year upon request in order to allow professional organizations to monitor participation.

(D) Professional organizations will be required to meet minimum criteria, including nonprofit status, connecting early educators to professional development and training opportunities, and improving the ability of early educators to advocate for improvement to the child care system.

(c) Applicability of Requirements After Five Years.

(1) The requirements set forth in subdivision (b) of this Section shall remain in effect for a minimum of five (5) years, and shall remain in effect thereafter unless the Citizens' Oversight Commission recommends, and the City Council approves, deeming that any of the requirements set forth in subdivision (b) shall not apply.

(2) Prior to the Citizens' Oversight Commission's consideration of funding guidelines for each five-year period, the Early Education Implementation Partner shall convene a meeting of stakeholders, including organizations representing parents and early educators, to assess whether the requirements set forth in subdivision (b) are serving the purposes of the Act and to consider whether the requirements should be deemed not to apply for the purposes of the next five-year funding period. The Early Education Implementation Partner shall present any recommendations that the requirements should be deemed not to apply that it considers necessary to further the purposes of the Act to the Citizens' Oversight Commission for its consideration, and if the Citizens' Oversight Commission recommends adoption of any recommendations, the recommendations shall be presented to the City Council for approval so that the changes are in place for the next five-year period. In addition, upon a finding of a fiscal emergency by the Citizens' Oversight Commission, the Early Education Implementation Partner shall follow the process outlined above and present any recommendations that the requirements should be deemed not to apply that it considers necessary to address the fiscal crisis to the Citizens' Oversight Commission for its consideration, and if the Citizens' Oversight Commission recommends adoption of any recommendations, they shall be presented to the City Council for approval.

(3) Notwithstanding paragraph (1) of this subdivision, the requirement in subparagraph (A) of paragraph (3) of subdivision (b) of this Section that all contracted nonprofit agencies receiving Fund dollars pay all employees at least fifteen dollars (\$15) per hour may not be amended. In

addition, if, in any fiscal year, the percentage increase in the San Francisco-Oakland-San Jose Consumer Price Index (CPI) is greater than the percentage increase in the proceeds of the parcel tax, or if the proceeds of the parcel tax decline, the requirements in subparagraph (A) of paragraph (3) of subdivision (b) of this Section that the minimum wage be adjusted annually by the San Francisco-Oakland-San Jose Consumer Price Index (CPI) and that no reduction in total compensation occur shall not apply for that fiscal year.

(4) When considering whether the requirement set forth in paragraph (2) of subdivision (b) of this Section should be deemed not to apply, the Citizens' Oversight Commission and the City Council shall consider the ability and the capacity of public agencies to serve the early care and education needs of children age three and below in determining whether the funding priority is consistent with achieving the purposes and intent of the Act.

The Oakland Promise Program.

SEC. 1607. The Oakland Promise Fund.

(a) **The Account.** There is hereby established the Oakland Promise Fund.

(b) **Revenue.** For each fiscal year, thirty-one (31%) of the proceeds of the parcel tax imposed pursuant to Section 5 of this Act shall be deposited in the Oakland Promise Fund, and shall be appropriated, together with any interest that accrues thereon, for the purposes specified in subdivision (c) of this Section.

(c) **Eligible Uses.** Moneys in the Oakland Promise Fund shall be used exclusively to achieve the following public purposes for Oakland residents and children who attend Oakland Public Schools, as further specified by the five-year Guidelines, and including the collection and maintenance of data to enable evaluation over time:

(1) Increase early college awareness and expectations in children and their families, such as by instilling a college-bound identity in students and college-going culture in schools;

(2) Increase college savings and/or family economic well-being starting early in a child's life;

(3) Increase college- and/or career- access, such as by increasing awareness, preparedness, planning, and/or eligibility;

(4) Increase college enrollment rates, and application and/or admission rates;

(5) Increase college affordability, such as by expanding access to public and private student financial aid, and direct scholarships to students for tuition, room and board, and/or other college expenses;

(6) Increase college persistence and graduation rates, such as by expanding access to mentoring; and

(7) Reduce disparities in post-secondary education outcomes for students traditionally underrepresented in post-secondary education.

SEC. 1608. Oakland Promise Implementation Partner.

(a) **Selection.** The accountability officer shall recommend and the Citizens' Oversight Commission shall approve the Oakland Promise Implementation Partner pursuant to a request for proposals. The Implementation Partner must meet the following minimum criteria:

(1) The Implementation Partner must be an Oakland-based non-profit organization in good standing or a government agency, or an entity, project, or program within such a body;

(2) The Implementation Partner must be a non-profit organization, government agency, or an entity, project or program within such a body, with a mission consistent with the purposes of the Oakland Promise Fund and the capability to implement all of the Guidelines, including the initial Guidelines set forth in Section 1609, and the eligible uses of the Oakland Promise Fund, as set forth in paragraphs (1) through (7) of subdivision (c) of Section 1607, through direct provision or through partnership agreements;

(3) The Implementation Partner must have the capability to successfully implement, either directly or through subcontracts, evidence-based programs or services for children from birth through college graduation and experience serving populations reflective of the diversity of Oakland, in service of all Oakland Promise Fund eligible uses as set forth in paragraphs (1) through (7) of subdivision (c) of Section 1607;

(4) The Implementation Partner must have the ability to leverage other funding sources, such as private philanthropy, grants, and/or an endowment or quasi-endowment, to achieve the purposes of the Oakland Promise Fund; and

(5) The Implementation Partner must have the ability to enable the external evaluation of programs, demonstrated through means such as having an existing data-evaluation system or an existing relationship with a credible external evaluator.

(b) Term of the Oakland Promise Implementation Partner.

(1) The initial Oakland Promise Implementation Partner shall act as the Oakland Promise Implementation Partner for a period of five (5) years with opportunity for renewal for additional terms of up to five (5) years, provided that it remains in good standing and continues to carry out the requirements specified in this Act and is not terminated prior to the expiration of its term pursuant to paragraph (2) of this subdivision.

(2) The accountability officer may recommend, and Citizens' Oversight Commission may approve, by a vote of two-thirds (2/3) of its members, the termination of the Oakland Promise Implementation Partner before the expiration of the Oakland Promise Implementation Partner's term, if the Oakland Promise Implementation Partner breaches its agreement with the City, is unwilling or unable to carry out the purposes of this Act, or engages in gross negligence, fraud, or unlawful activity. In the event of termination, the accountability officer shall recommend a new Oakland Promise Implementation Partner in accordance with subdivision (a) of this Section to serve until the expiration of the then-current five-year Guidelines.

(3) At the expiration of the first five-year period, the accountability officer may recommend, based on the Oakland Promise Implementation Partner's performance, that the Citizens' Oversight Commission renew the contract for additional terms of up to five (5) years, without issuing a request for proposals. In the event an existing contract is not extended, the Oakland Promise Implementation Partner shall be selected in accordance with subdivision (a) of this Section for a period of up to five years. The terms of the Oakland Promise Implementation Partner shall be aligned with the five-year Guidelines and there shall be no limit on the number of years an implementation partner may serve. In any event, the Oakland Promise Implementation Partner must be selected pursuant to a request for proposals at least once every ten (10) years, and the Oakland Promise Implementation Partner selected pursuant to the decennial request for proposals shall act as the Oakland Promise Implementation Partner for a period of five years, unless terminated pursuant to paragraph (2) of this subdivision.

(c) Requirements for the Oakland Promise Implementation Partner. The City Administrator shall have the authority to enter into a contract with the Implementation Partner that includes legally required terms and terms deemed to be in furtherance of the purposes of this Act, such as but not limited to the following:

(1) Performance metrics and benchmarks;

(2) Plans for consultation or engagement with experts, community members, and program beneficiaries;

(3) Annual independent financial audits;

(4) Data sharing agreements including disaggregation by race and income of program beneficiaries;

(5) Accounting practices that securely segregate Fund revenues and expenditures in order to ensure appropriate accounting of receipts and expenditures; and

(6) Ensuring that students who receive a financial benefit through a program funded by the initiative are not deprived of that financial benefit for as long as they are eligible to participate in the program, even if the program is discontinued.

SEC 1609. Oakland Promise Guidelines for the First Five Years.

For the first five (5) years following the appointment of a quorum of the Oversight Commission, in order to expedite implementation and ensure the people of Oakland begin to feel the benefit of the approval of the Act, the Guidelines for programs supported by the Oakland Promise Fund, which are based upon an assessment of the local context and needs and national evidence-based best practices in the field, shall be, consistent with the public purposes expressed in the Act, as follows and shall not be amended:

(a) Reduce socioeconomic and/or demographic disparities, such as those related to wealth and income, for children from an early age, in College readiness, access, affordability, applications, enrollment, retention and completion, particularly for students in high-need or who are traditionally underrepresented in post-secondary education.

(b) Increase early College savings and asset building for families with children ranging in age from zero to grade five, such as through the creation and seeding of college savings accounts and the provision of financial coaching and supports to families.

(c) Increase the expectations and resources to attend College among children and families of all socioeconomic backgrounds in Oakland public schools, with a priority for students from low-income backgrounds and/or traditionally underrepresented in College, through strategies, such as increasing school-based programming that builds the college-bound identity of students and a college-going culture in elementary, middle, and high schools.

(d) Increase College awareness, application, and eligibility, as measured by increases in completing courses required for College enrollment, such as those required by the University of California, and in College acceptance rates of Oakland Public School students, through means such as providing College access services that are integrated into schools.

(e) Increase College affordability, including by expanding access to public and private student financial aid, such as by increasing FAFSA or Dream Act Application completion rates, increasing the direct provision of College scholarships including multi-year last dollar scholarships, and partnering with educational institutions in order to provide institution-specific scholarships and to reduce tuition, room and board, and/or other college expenses.

(f) Increase College admission, matriculation, and enrollment rates, such as increasing the percent of students who enroll in College in the fall directly following high school graduation through a focus on the above strategies.

(g) Increase full-time College persistence rates for students enrolled in College, especially persistence between their first and second year of enrollment, through means such as mentoring, peer advising, and on-campus supports.

(h) Increase the number of Oakland students graduating from College within six (6) years of high school graduation.

SEC. 5. Parcel Tax

SEC. 5.1. Definitions.

For purposes of Section 5 only, the following terms shall be defined as set forth below:

(a) "Building" shall mean any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, chattel or property of any kind. The word "Building" includes the word "structure."

(b) "City" shall mean the City of Oakland, California.

(c) "Family" shall mean one (1) or more persons related by blood, marriage, domestic partnership, or adoption, legal guardianship, who are living together in a single residential unit and maintaining a common household. Family shall also mean all unrelated persons who live together in a single Residential Unit and maintain a common household.

(d) "Hotel" shall be as defined by Oakland Municipal Code Section 4.24.020.

(e) "Multiple Residential Unit Parcel" shall mean a parcel zoned for a Building, or those portions thereof, that accommodates or is intended to contain two (2) or more residential units, whether or not developed.

(f) "Non-Residential" shall mean all parcels that are not classified by this Act as Single Family Residential or Multiple Residential Unit Parcels, and shall include, but not be limited to, parcels for industrial, commercial and institutional improvements, whether or not developed.

(g) "Occupancy" shall be as defined by Oakland Municipal Code Section 4.24.020.

(h) "Operator" shall be as defined by Oakland Municipal Code Section 4.24.020.

(i) "Owner" shall mean the Person having title to real estate as shown on the most current official assessment role of the Alameda County Assessor.

(j) "Parcel" shall mean a unit of real estate in the City of Oakland as shown on the most current official assessment role of the Alameda County Assessor.

(k) "Person" shall mean an individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

(l) "Possessory Interest" as it applies to property owned by any agency of the government of the United States, the State of California, or any political subdivision thereof, shall mean possession of, claim to, or right to the possession of, land or Improvements and shall include any exclusive right to the use of such land or Improvements.

(m) "Residential Unit" shall mean a Building or portion of a Building designed for or occupied exclusively by one Family.

(n) "Single Family Residential Parcel" shall mean a parcel zoned for single-family residences, whether or not developed.

(o) "Transient" shall mean any individual who exercises Occupancy of a Hotel or is entitled to Occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days. Any individual so occupying space in a Hotel shall be deemed to be a Transient until the period of thirty (30) consecutive days has elapsed.

SEC. 5.2. Imposition of Parcel Tax

For each year beginning in fiscal year 2019-2020 and ending in 2048-49, there is hereby imposed a special tax on all Owners of parcels in the City of Oakland for the privilege of using municipal services and the availability of such services. The tax imposed by this Section shall be assessed on the Owner unless the Owner is by law exempt from taxation, in which case, the tax imposed shall be assessed to the holder of any Possessory Interest in such parcel, unless such holder is also by law exempt from taxation. The tax is imposed as of July 1 of each year on the person who owned

the parcel on that date. The tax shall be collected at the same time, by the same officials, and pursuant to the same procedures as the one percent (1%) property tax imposed pursuant to Article XIII A of the California Constitution.

The tax hereby imposed shall be set as follows subject to adjustment as provided in Section 5.4 of this Act:

(a) For owners of all Single Family Residential Parcels, the tax shall be at the annual rate of one hundred ninety-eight dollars (\$198) per Parcel.

(b) For owners of all Multiple Residential Unit Parcels, the tax shall be at the annual rate of one hundred thirty-five dollars and twenty-five cents (\$135.25) per occupied Residential Unit.

(c) The tax for Non-Residential Parcels is calculated using both frontage and square footage measurements to determine total single family residential unit equivalents (SFE). A frontage of eighty (80) feet for a commercial institutional parcel, for example, is equal to one (1) single family residential unit equivalent. (See matrix.) An area of six thousand four hundred (6,400) square feet for the commercial institutional parcel is equal to one (1) single family residential unit equivalent. For tall buildings (more than five (5) stories), the single family residential unit equivalent computation also includes one (1) single family residential unit equivalent for every five thousand (5,000) square feet of net rentable area. The tax is the annual rate one hundred ninety-eight dollars (\$198) multiplied by the total number of single family residential unit equivalents (determined by the frontage and square footage).

LAND USE CATEGORY	FRONTAGE	AREA (SF)	BUILDING AREA (SF)
Commercial/ Institutional	80	6,400	N/A
Industrial	100	10,000	N/A
Public Utility	1,000	100,000	N/A
Golf Course	500	100,000	N/A
Quarry	1,000	250,000	N/A
Tall Buildings > 5 stories	80	6,400	5,000

Example: assessment calculation for a Commercial Institutional Parcel with a Frontage of one hundred sixty (160) feet and an Area of 12,800 square feet:

$$\begin{aligned}\text{Frontage} & 160 \text{ feet} \div 80 = 2 \text{ SFE} \\ \text{Area} & 12,800 \text{ square feet} \div 6,400 = 2 \text{ SFE} \\ & 2 \text{ SFE} + 2 \text{ SFE} = 4 \text{ SFE} \\ & 4 \text{ SFE} \times \$198 = \$792 \text{ tax}\end{aligned}$$

(e) The tax imposed by this Act shall be imposed on each Hotel within the City as follows:

(1) **Residential Hotels.** Rooms in a Hotel occupied by individuals who were not Transients for eighty percent (80%) or more of the previous fiscal year shall be deemed Residential Units and the parcel on which they are located shall be subject to the Parcel tax imposed on Multiple Residential Unit Parcels. The remainder of the Building shall be subject to the applicable tax computed in accordance with the single family residential unit equivalent formula

set forth in Section 5.2(c) of this Act.

(2) **Transient Hotels.** Notwithstanding paragraph (1) of this subdivision, if 80% or more of the Operator's gross receipts for the previous Fiscal Year were reported as rent received from Transients on a return filed by the Operator in compliance with Section 4.24.010 of the Oakland Municipal Code (commonly known as the Uniform Transient Occupancy Tax of the City of Oakland), such Hotel shall be deemed a Transient Hotel. The entire Building shall be deemed a Non-Residential Parcel, categorized as commercial/institutional, and shall be subject to the applicable tax computed in accordance with the single family residential unit equivalent formula set forth in Section 5.2(c) of this Act, and the parcel tax imposed on Multiple Residential Units shall not apply.

SEC. 5.3. Exemptions.

(a) **Low income household exemption.** The following is exempt from this tax: an Owner of a Single Family Residential Unit (1) who resides in such unit and (2) whose combined family income, from all sources for the previous year, is at or below the income level qualifying as sixty percent (60%) of area median income for a Family of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A. Sections 1437 et. seq.), or successor legislation, for such year. The Director of Finance shall set forth procedures for annual applications from Owners for the exemption, which may require information such as federal income tax returns and W-2 forms of owner occupants eligible for the exemption, or procedures for an alternative process.

(b) **Senior household exemption.** The following is exempt from this tax: an Owner of a single family residential unit (1) who resides in such unit, (2) who is sixty-five (65) years of age or older and (3) whose combined family income, from all sources for the previous year, is at or below the income level qualifying as eighty percent (80%) of area median income for a Family of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A. Sections 1437 et. seq.), or successor legislation, for such year. The Director of Finance shall set forth procedures for annual applications from Owners for the exemption, which may require information such as federal income tax returns and W-2 forms of owner occupants eligible for the exemption, or procedures for an alternative process.

(c) **Exemption for affordable housing projects.** Rental housing owned by nonprofit corporations and nonprofit-controlled partnerships for senior, disabled, and low-income households that are exempt from ad valorem property tax pursuant California Revenue and Taxation Code Sections 214(f), (g) and (h) are exempt from this tax.

(d) **Rebate to tenants in foreclosed single family homes.** The City will provide a rebate of one-half (1/2) of the tax and subsequent increases thereto to tenants in single family homes that have been foreclosed upon who have paid a passed through Parcel Tax. To qualify for this rebate, a tenant must: (1) have lived in the unit before foreclosure proceedings commenced; and (2) be at or below the income level qualifying as sixty percent (60%) of area median

income for a Family of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A. Sections 1437 et. seq.), or successor legislation, for such year. The City will provide this rebate for every month that the tax was applied and the tenant occupied the unit. The City will provide this rebate at the end of each year, or when the tenant vacates the unit, whichever is earlier. The City Administrator will promulgate regulations to effectuate this subdivision.

(e) Real property owned by a religious organization or school that is exempt from property taxes under California law is exempt from this tax. To qualify for this exemption, each religious organization or school seeking such exemption shall submit such information required to determine eligibility for such exemption.

SEC. 5.4. Reduction in Tax Rate; Rate Adjustment.

Beginning in the Fiscal Year 2020-2021, and each year thereafter, the City Council may increase the tax imposed hereby only upon making one of the following findings:

(a) That the cost of living in the immediate San Francisco Bay Area, as determined by the twelve-month (12) month Annual Percentage Change in the Consumer Price Index (CPI) for all items in the San Francisco Bay Area as published by the U.S. Department of Labor Statistics, has increased; or

(b) That the fiscal year change in California per capita personal income, as determined by the California State Department of Finance and shown in the Price Factor and Population Information Report issued each May, has increased.

The increase of the tax imposed hereby shall not exceed the verified increase in either (1) the cost of living in the immediate San Francisco Bay Area, using 2019 as the index year, or (2) California per capita personal income, using Fiscal Year 2018-2019 as the index year, whichever is greater.

SEC. 5.5. Duties of the Director of Finance; Notice of Decisions.

It shall be the duty of the Director of the Finance to collect and receive all taxes imposed by this Act. The Director of Finance is charged with the enforcement of this Act and may adopt rules and regulations relating to such enforcement.

SEC. 5.6. Examination of Books, Records, Witnesses; Penalties.

The Director of Finance or the Director of Finance's designee is hereby authorized to examine assessment rolls, property tax records, records of the Alameda County Recorder and any other records of the County of Alameda deemed necessary in order to determine ownership of Parcels and computation of the tax imposed by this Act.

The Director of Finance or the Director of Finance's designee is hereby authorized to examine the books, papers and records of any person subject to the tax imposed by this Act, including any person who claims an exemption, for the purpose of verifying the accuracy of any petition, claim or return filed and to ascertain the tax due. The Director of

Finance, or the Director of Finance's designee is hereby authorized to examine any person, under oath, for the purpose of verifying the accuracy of any petition, claim or return filed or to ascertain the tax due under this Act and for this purpose may compel the production of books, papers and records, whether as parties or witnesses, whenever the Director of Finance believes such persons have knowledge of such matters. The refusal of such examination by any person subject to the tax shall be deemed a violation of this Act and of the Oakland Municipal Code and subject to any and all remedies specified therein.

SEC. 5.7. Collection of Tax; Interest and Penalties.

The tax shall be delinquent if the City does not receive it on or before the delinquency date set forth in the notice mailed to the Owner's address as shown on the most current assessment roll of the Alameda County Tax Collector; and the tax shall be collected in such a manner as the City Council may decide. The City may place delinquencies on a subsequent tax bill.

A one-time penalty at a rate set by the City Council, which in no event shall exceed twenty-five percent (25%) of the tax due per fiscal year, is hereby imposed by this Act on all taxpayers who fail to timely pay the tax provided by this Act. In addition, the City Council may assess interest at the rate of one percent (1%) per month on the unpaid tax and the penalty thereon.

Every penalty imposed and such interest as accrues under the provisions of this Act shall become a part of the tax herein required to be paid.

The City may authorize the County of Alameda to collect the taxes imposed by this Act in conjunction with and at the same time and in the same manner as the County collects property taxes for the City. If the City elects to authorize the County of Alameda to collect the tax, penalties and interest shall be those applicable to the nonpayment of property taxes.

SEC. 5.8. Collection of Unpaid Taxes.

The amount of any tax, penalty, and interest imposed under the provisions of this Act shall be deemed a debt to the City. Any person owing money under the provisions of this Act shall be liable to an action brought in the name of the City for the recovery for such amount.

SEC. 5.9. Refund of Tax, Penalty, or Interest Paid More than Once, or Erroneously or Illegally Collected.

Whenever the amount of any tax, penalty, or interest imposed by this Act has been paid more than once, or has been erroneously or illegally collected or received by the City it may be refunded provided a verified written claim for refund, stating the specific ground upon which such claim is founded, is received by the Director of Finance within one (1) year of the date of payment. The claim shall be filed by the person who paid the tax or such person's guardian, conservator, or the executor of her or his estate. No representative claim may be filed on behalf of a taxpayers or a class of taxpayers. The claim shall be reviewed by the Director of Finance and shall be made on forms provided

by the Director of Finance. If the claim is approved by the Director of Finance, the excess amount collected or paid may be refunded or may be credited against any amounts then due and payable from the person from whom it was collected or by whom paid, and the balance may be refunded to such person, or such person's administrators or executors. Filing a claim shall be a condition precedent to legal action against the City for a refund of the tax.

SEC. 6. Savings Clause.

If any provision, sentence, clause, Section or part of this Act is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall affect only such provision, sentence, clause, Section or part of this Act and shall not affect or Act any of the remaining provisions, sentences, clauses, Sections or parts of this ordinance. It is hereby declared to be the intention of the city, that the City would have adopted this Act had such unconstitutional, illegal or invalid provision, sentence, clause Section or part thereof not been included herein.

If any tax or surcharge imposed by this Act is found to be unconstitutional, illegal or invalid, the amounts, services, programs and personnel required to be funded from such taxes and surcharges shall be reduced proportionately by any revenues lost due to such unconstitutionality, illegality or invalidity.

SEC. 7. Regulations.

The City Administrator is hereby authorized to promulgate such regulations as he or she shall deem necessary in order to implement the provisions of this Act.

SEC. 8. Amendment.

This Act may not be amended by action of the City Council without voter approval.

SEC. 9. Challenge to Tax.

Any action to challenge the taxes imposed by this ordinance shall be brought pursuant to Government Code section 50077.5 and Code of Civil Procedure section 860 et seq.

SEC. 10. Severability.

If any provision of this Act, or part of this Act, or the application of any provision or part to any person or circumstances, is for any reason held to be invalid, the remaining provisions, or applications of provisions, shall not be affected, but shall remain in full force and effect, and to this end the provisions of this measure are severable. If a court were to find in a final, unreviewable judgment that the exclusion of one or more entities or activities from the applicability of the Act renders the Act unconstitutional, those exceptions should be severed and the Act should be made applicable to the entities or activities formerly exempt from the Act. It is the intent of the voters that this Act would have been enacted regardless of whether any invalid provision had been included or any invalid application had been made.

SEC. 11. Conflicting Initiatives.

(a) In the event that this measure and another measure addressing the educational development and potential of

Oakland children and youth shall appear on the same City ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes than a measure deemed to be in conflict with it, the provisions of this measure shall prevail in their entirety, and the other measure or measures shall be null and void.

(b) If this measure is approved by the voters but superseded by law by any other conflicting measure approved by voters at the same election, and the conflicting ballot measure is later held invalid, this measure shall be self-executing and given full force and effect.

SEC. 12. Liberal Construction.

This Act shall be liberally construed to effectuate its purposes.

SEC. 13. Effective Date.

This Act shall take effect the day after the election at which it is adopted.

DETACH HERE

FROM:



PLACE
1ST CLASS LETTER
POSTAGE
STAMP HERE

DID YOU SIGN YOUR APPLICATION?

**REGISTRAR OF VOTERS
ALAMEDA COUNTY
PO BOX 23340
OAKLAND CA 94623-2334**

IBC



DETACH HERE

BECOME A POLL WORKER

- Earn extra money (\$130 - \$205) by serving your community for a day
- Gain valuable work experience as an Inspector, Judge, Clerk, or Student worker
- Lawful Permanent Residents (Green Card Holders) may serve as Poll Workers

**II Workers Must Be
English and One of
the Following Languages:**

Cantonese or Mandarin,
Khmer, Korean, Punjabi,
Spanish, Tagalog, Vietnamese



Sign up today! Visit ACVOTE.ORG or call (510) 272-6971



