

MEASURE L ROCKRIDGE LIBRARY

MEASURE L: Shall a permanent Rockridge Library be financed in part by authorizing the City Council of the City of Oakland, by and through the Rockridge Community Facilities District No. 1, to levy a special tax of an amount up to and not to exceed \$25.00 per taxable living unit per year for a period of up to 30 years within such District, all as set forth in its Resolution No. 67202 C.M.S., adopted on June 12, 1990 (as amended by Resolution No. 67359 C.M.S. adopted July 24, 1990); and shall the annual appropriations limit of such District for fiscal year 1991-1992 be set at \$25.00 in accordance therewith?

YES

NO

The Council of the City of Oakland does hereby submit on its own motion the following measure to be voted on by the qualified electors of the City of Oakland at the General Municipal Election (Run-Off) consolidated with the Statewide General Election to be held in the City on Tuesday, November 6, 1990.

CITY OF OAKLAND PROPOSED ORDINANCE

FULL TEXT OF MEASURE L

FORMATION OF THE ROCKRIDGE COMMUNITY FACILITIES DISTRICT AND LEVYING OF A SPECIAL TAX PURSUANT TO MELLO-ROOS COMMUNITY FACILITIES ACT

THE PROPOSED MEASURE READS AS FOLLOWS:

WHEREAS, the California Government Code, section 53311 et seq., known as the Mello-Roos Community Facilities Act of 1982 ("Act of 1982") provides for the establishment of a community facilities district ("CFD"); and

WHEREAS, pursuant to Sections 53222 through 53325 of the Act of 1982, the City has taken actions preliminary to the formation of such a CFD in the Rockridge community, for which reference thereto is found in Resolution No. 67087 C.M.S.; and

WHEREAS, a portion of the construction costs of this public branch library is intended to be funded by the levying of a special tax on the qualified residents within the Rockridge community; and

WHEREAS, on June 12, 1990, by Resolution No. 67202 C.M.S., amended by Resolution No. 67359 C.M.S., July 24, 1990, the City Council did form Rockridge Community Facilities District No. 1 (the "District") to become effective upon obtaining two-thirds voter approval with the District; and

WHEREAS, the measure submitted to District voters be subject to the following conditions and findings:

Section 1. The boundaries of the proposed district, to be designated as the "Rockridge Community Facilities District No. 1 (the District)", shall be the area within the following voter precincts (a map of which is on file in the Office of the City Clerk):

21400	21460	21512
21420	21470	21521
21430	21480	21530
21440	21500	21540
21450	21510	21550

A map has been recorded in the Office of the County Recorder of Alameda County in the Book of Maps of Assessment and Community Facilities Districts.

Section 2. The Office of the City Manager prepared a report ("Staff Report") that was submitted to and reviewed by the City Council on May 8, 1990, containing estimates of costs associated with the construction and maintenance of the library facility in question, along with the special tax spread and timetable among Rockridge neighborhood residents, which is available through the City Clerk.

Section 3. Except where funds are otherwise available, a special tax to pay for a portion of library facilities, will be annually levied within the District. 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 within the District, and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien cancelled in accordance with law or until collection of the tax by the District ceases. The rate and method of apportionment of the special tax is hereby established at an amount not to exceed \$25 per taxable living unit per year for a period up to 30 years.

Section 4. The Office of the Director of Finance, City of Oakland, 1 City Hall Plaza, Oakland, Ca. 94612, (415) 273-3201, is designated as the office responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number, and for responding to inquiries regarding estimates of future special tax levies. Any taxpayer who feels that the amount or formula of the special tax is in error may file an Application with the Director of Finance contesting the levy of the special tax. The Director of Finance, or his or appointee, shall promptly review the application, and if necessary, meet with the applicant. If the findings of the Director of Finance or the appointee verify that the special tax should be modified or changed, a recommendation to that effect will be made to the City Council, and as appropriate, the special tax levy shall be corrected and, if applicable in any case, a refund shall be granted. If the Director of Finance or the appointee denies the application, the taxpayer may appeal that determination within 14 days of the mailing of notification of denial, to the City Council under such procedures as the City Council shall establish. The determination of the City Council of the appeal shall be final for all purposes. The filing of an application or an appeal shall not relieve the taxpayer of the obligation to pay the special tax when due.

Section 5. Interpretations may be made by Resolution of the City Council for purposes of clarifying any vagueness or ambiguity as it relates to any of the terms or provisions of the special tax.

Section 6. This special tax and authority to issue bonds shall apply only to the designated Rockridge neighborhood residents within the boundaries in the District.

Section 7. In addition to restricting the use of the tax proceeds raised under this special levy, the City will also restrict the use of the entire parcel on which the library is to be constructed to public, i.e., non-private developmental, use.

Section 8. The maintenance costs to be funded by the proceeds of the special tax levy will be limited to financing major structural repairs such as roof and permanent fixtures but not routine building maintenance services such as janitorial work.

Section 9. This City Council also established the annual appropriations limit of the District at \$25.00 for the 1990-91 fiscal year, subject to voter approval.

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE L

Measure L submits to voters of the Rockridge Community Facilities District No. 1 the question of whether or not the City should construct a permanent Rockridge Branch public library with related library services to be financed by a special tax. By approving the measure, the City would be authorized to levy a special tax of no more than \$25.00 annually on each living unit in the District.

A "Yes" vote is a vote in favor of authorizing this special tax.

A "No" vote is a vote against such authorization.

Measure L has been proposed in order to contribute approximately one-third towards the costs of construction of a permanent library facility. The construction includes planning, design and construction of a permanent library structure together with planning, design, construction, acquisition and installation of related furniture and other necessary appurtenances. Related library services includes books, and structural maintenance services, and shall not include janitorial and routine maintenance services. The parcel on which the library is to be constructed will be devoted to public purposes only.

The remainder of the construction and acquisition costs are proposed to be funded by California Library Construction and Renovation Bond Act of 1988 (Proposition 85) monies through a grant application process, and by City of Oakland funds.

The maximum amount of tax per parcel shall be up to and not to exceed \$25.00 annually. This special tax shall be levied for each fiscal year by the City Council of Oakland for a period not to exceed 30 years. Certain property shall be exempt from the tax, such as parcels in public ownership used for public purposes, commercial properties and property exempt from regular ad valorem property taxes. Measure L proposes a "special tax" within the meaning of Article XIII A of the California Constitution. For that reason, Measure L will be approved only if it receives a "Yes" vote from two-thirds or more of the qualified electors voting on the measure.

s/Jayne Williams
City Attorney

The above is an impartial analysis of MEASURE L. If you desire copies of Oakland Resolutions No. 67087 C.M.S., 67202 C.M.S., and 67359 C.M.S. please call the office of the City Clerk at (415) 273-3611, and copies will be mailed at no cost to you.

CITY AUDITOR'S FINANCIAL ANALYSIS OF MEASURE L

Adoption of Measure L will increase the cost of City government by approximately \$210,000 per year. Election costs of \$13,000 will be incurred whether or not the measure is adopted.

BACKGROUND

Measure L authorizes the City to levy a special annual tax of no more than \$25.00 on each living unit not exempt from property tax in the Rockridge Community Facilities District No. 1. This tax would be in effect for not more than 30 years. These tax monies will be used to help finance the construction costs of the Rockridge Branch Library and related library services.

FINANCIAL IMPACT ON CITY GOVERNMENT

• One Time Costs

Election Costs for this Measure

	<u>Amount</u>
Election Costs for this Measure	\$ 13,000

• Annual Costs

Additional Operating and Maintenance Costs at Rockridge Branch

Library for Expanded Space and Staff

Office of Finance Operating Cost to Administer this Tax Levy

Alameda County Tax Collection Charge

Additional Operating and Maintenance Costs at Rockridge Branch	\$ 200,000
Office of Finance Operating Cost to Administer this Tax Levy	\$ 10,000
Alameda County Tax Collection Charge	Unknown

ADDITIONAL INFORMATION

• Cost Components

Land, Purchased with Monies Advanced from City's Off-Street Parking Fund

Estimated Costs for: Construction

Landscaping

Site Development

Furniture, Shelving and Outfitting

Additional Land to be Purchased

Amount

Land, Purchased with Monies Advanced from City's Off-Street Parking Fund	\$ 614,000
Estimated Costs for: Construction	\$ 1,425,000
Landscaping	\$ 300,000
Site Development	\$ 160,000
Furniture, Shelving and Outfitting	\$ 190,000
Additional Land to be Purchased	Unknown

• Sources of Funds

Anticipated Grant from California Library Construction and Renovation Bond Act of 1988 to pay 65% of Eligible Construction Costs
Special Property Tax Levy to Pay for Approximately One-Third of Construction Costs

\$1,586,106

\$1,200,000

Contribution from Off-Street Parking Fund to Pay for Parking Component
If the grant from the California Library Construction & Renovation Bond Act of 1988 is not approved, construction will not proceed until other funds are made available.

\$ 500,000

The annual tax levy from this measure is approximately \$126,000, adjusted for estimated uncollectible accounts. It is anticipated that either a tax exempt financing through bonds will be arranged or that a loan will be made from the City's capital improvement funds to meet the construction costs pending the collection of this annual special tax levy. If a loan is made from the City's capital improvement funds, it will be repaid at an interest rate adequate to cover the City's cost of funds.

Neither the method of using tax exempt financing through bonds nor that of obtaining a loan from the City's capital improvement funds would have a financial impact on City government.

s/Norma Ng Lau
City Auditor

ARGUMENT IN FAVOR OF MEASURE L

WE NEED A PERMANENT LIBRARY IN ROCKRIDGE

We lost our permanent library in 1987. The temporary mobile unit at the middle school is too small to accommodate community needs.

MEASURE L PROVIDES FOR A PUBLIC LIBRARY EXCLUSIVELY

Measure L funds can be used only for a library on a public parcel, which will include parking. There can be no private development mixed with the library.

MEASURE L DEMONSTRATES COMMUNITY SUPPORT NECESSARY FOR KEY STATE FUNDING

City funding has been committed to purchase the property and will operate the library. No City funds are available for construction. The City is applying for State bond funds which can pay for only a portion of construction costs. The remainder of the construction funds are up to the community. Competition for State monies is fierce. Our community support will strengthen our application greatly. These State monies are available one time only. This is our chance to get a library now.

MEASURE L IS REASONABLE AND FAIR

The modest amount of \$25.00 a year, or less than 7 cents a day, is reasonable to build a new library so our community can begin enjoying its benefits right away.

WE WILL ALL BENEFIT FROM A PERMANENT LIBRARY

A single-purpose library will add to the value of our community. It will be easily accessible and will maintain the character and scale of the neighborhood. A permanent library will be a safe and friendly place that provides: the latest best sellers and old favorites; reading and meeting rooms for people of all ages; newspapers and magazines; large print books; records, cassettes, CDs, and books on tape; reference help; and entertainment programs for children.

YES ON MEASURE L.

s/Nancy Dutcher, Co-Chairperson,
Neighbors for a Rockridge Library

s/Marge Gibson Haskell
Oakland City Councilmember

s/August Scornaienchi, Associate
Superintendent of Curriculum &
Instruction, Alameda County Schools

No argument submitted against Measure L.

YES FOR OUR LIBRARY.

s/Lelia White, Retired
Oakland Library Director

s/Randy H. Hamilton, President,
Claremont Pines Association

**NEED HELP LOCATING YOUR POLLING PLACE
ON ELECTION DAY?**

The location of your polling place is shown on the back cover of your Sample Ballot. If you misplace your Sample Ballot and need the location of your polling place, you may call the Registrar of Voters at 451-VOTE or 272-6973 or call the office of your City Clerk at the number listed for your city below:

Alameda	748-4506
Albany	528-5720
Berkeley	644-6947
Dublin	833-6650
Emeryville	654-6161
Fremont	745-2720
Hayward	784-8667
Livermore	373-5130
Newark	793-1400 ext. 370
Oakland	273-3611
Piedmont	420-3040
Pleasanton	484-8199
San Leandro	577-3368
Union City	471-3232

Isn't open space, Oakland's Zoo, upgraded and additional Park and Recreation facilities, to serve Oakland, worth to you less than the cost of one pizza per year? VOTE YES ON MEASURE K!

s/John Sutter
Former City Council Member
City of Oakland

s/Joel J. Parrott
Executive Director
Oakland Zoo

s/Harlan Kessel
Director
East Bay Regional Park
District

s/Anne Woodell
Oakland Parks and
Recreation Commission

s/Robert Eagle
Member
Oakland Shoreline Committee

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FULL TEXT OF MEASURE L

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DISTRICT AND LEVYING OF A SPECIAL TAX PURSUANT
TO MELLO-ROOS COMMUNITY FACILITIES ACT

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WHEREAS, on June 12, 1990, by Resolution No. 67202 C.M.S., amended by Resolution No. 67359 C.M.S., July 24, 1990, the City Council did form Rockridge Community Facilities District No. 1 (the "District") to become effective upon obtaining two-thirds voter approval with the District; and

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MEASURE L ROCKRIDGE LIBRARY	
<p>Measure L: Shall a permanent Rockridge Library be financed in part by authorizing the City Council of the City of Oakland, by and through the Rockridge Community Facilities District No. 1, to levy a special tax of an amount up to and not to exceed \$25.00 per taxable living unit per year for a period of up to 30 years within such District, all as set forth in its Resolution No. 67202 C.M.S., adopted on June 12, 1990 (as amended by Resolution No. 67359 C.M.S., adopted July 24, 1990); and shall the annual appropriations limit of such District for fiscal year 1991-1992 be set at \$25.00 in accordance therewith?</p>	YES
	NO

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE L

Measure L submits to voters of the Rockridge Community Facilities District No. 1 the question of whether or not the City should construct a permanent Rockridge Branch public library with related library services to be financed by a special tax. By approving the measure, the City would be authorized to levy a special tax of no more than \$25.00 annually on each living unit in the District.

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Measure L proposes a "special tax" within the meaning of Article XIII A of the California Constitution. For that reason, Measure L will be approved only if it receives a "Yes" vote from two-thirds or more of the qualified electors voting on the measure.

s/JAYNE W. WILLIAMS
City Attorney

The above is an impartial analysis of MEASURE L. If you desire copies of Oakland Resolution Nos. 57087 C.M.S., 67202 C.M.S., and 67359 C.M.S., please call the Office of the City Clerk at (415) 273-3611, and copies will be mailed at no cost to you.

CITY AUDITOR'S FINANCIAL ANALYSIS OF MEASURE L

Adoption of Measure L will increase the cost of City government by approximately \$210,000 per year. Election costs of \$13,000 will be incurred whether or not the measure is adopted.

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FINANCIAL IMPACT ON CITY GOVERNMENT

* <u>One Time Costs</u>	<u>Amount</u>
Election Costs for this Measure	\$ 13,000
* <u>Annual Costs</u>	
Additional Operating and Maintenance Costs at Rockridge Branch Library for Expanded Space and Staff	\$ 200,000
Office of Finance Operating Cost to Administer this Tax Levy	\$ 10,000
Alameda County Tax Collection Charge	Unknown

ADDITIONAL INFORMATION

* <u>Cost Components</u>	<u>Amount</u>
Land, Purchased with Monies Advanced from City's Off-Street Parking Fund	\$ 614,000
Estimated Costs for: Construction	\$1,425,000
Landscaping	\$ 300,000
Site Development	\$ 160,000
Furniture, Shelving and Outfitting	\$ 190,000
Additional land to be Purchased	Unknown
* <u>Sources of Funds</u>	
Anticipated Grant from California Library Construction and Renovation Bond Act of 1988 to pay 65% of Eligible Construction Costs	\$1,586,106
Special Property Tax Levy to Pay for Approximately One-Third of Construction Costs	\$1,200,000
Contribution from Off-Street Parking Fund to Pay for Parking Component	\$ 500,000
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The annual tax levy from this measure is approximately \$126,000, adjusted for estimated uncollectible accounts. It is anticipated that either a tax exempt financing through bonds will be arranged or that a loan will be made from the City's capital improvement funds, to meet the construction costs pending the collection of this annual special tax levy. If a loan is made from the City's capital improvement funds, it will be repaid at an interest rate adequate to cover the city's costs of funds.

Neither the method of using tax exempt financing through bonds nor that of obtaining a loan from the City's capital improvement funds would have a financial impact on City government.

s/NORMA NG LAU
City Auditor

ARGUMENT IN FAVOR OF MEASURE L

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YES ON MEASURE L.

s/Nancy Dutcher, Co-Chairperson
Neighbors for a Rockridge Library

s/Marge Gibson Haskell
Oakland City Councilmember

s/August Scornaienchi, Associate
Superintendent of Curriculum &
Instruction, Alameda County Schools

YES FOR OUR LIBRARY.

s/Lelia White, Retired
Oakland Library Director

s/Randy H. Hamilton, Pres.
Claremont Pines Assoc.

No argument submitted against Measure L.

Information booklet on Oakland measures compiled by:

ARRECE JAMESON
City Clerk and
Clerk of the Council

9/90