

SUMMARY

BERKELEY CITY COUNCIL SPECIAL MEETING

TUESDAY, OCTOBER 21, 2003 – 5:00 P.M.

Council Chambers, 2134 Martin Luther King Jr. Way
Teleconference Location – 1636 Channing Way, Berkeley, CA

The City Council is scheduled to take action on the following matters:

Preliminary Matters

1. **Roll Call:** 5:00 p.m. All present.

Ballot Measures

2. **Special Tax Measure for March 2, 2004 Ballot**

The City Council will be considering the placement of one or more special tax measures on the March 2004 ballot to raise revenues to bridge the City's projected revenue shortfall. These special taxes would be restricted to specified purposes which the Council is to determine and could include parcel taxes, transfer taxes, business license taxes and other taxes that local governments have the power to levy. The Mayor's Revenue Tax Force and the City Manager, however recommend the placement of a single parcel tax measure on the March 2004 ballot. The Council will provide direction to the staff on the number and type of ballot measures it wishes to place on the March 2004 ballot and the purposes to which the revenue from such tax is to be devoted.

a. From: Mayor Bates' Advisory City Revenue Task Force

Recommendation: Short term recommendations include: 1) adopting a balanced approach of both cuts and tax increases; 2) placing a \$10 million parcel tax measure on the March 2004 ballot; and 3) engaging in serious education campaign to explain budget issues to residents. Long term recommendations include: 1) exploring other revenue options; 2) aggressively pursuing: a) greater cost recovery from UC Berkeley, Lawrence Berkeley National Laboratory (LBNL) and other major non-profit organizations; b) state and federal funding; c) economic development; and 3) matching the city's tax policy with its planning policy.

Contact: Tom Bates, Mayor, 981-7100

b. From: City Manager

Recommendation: It is recommended the Council: 1) concur with the Task Force's recommendations to: a) place a special tax measure on the March 2004 ballot aimed at raising \$10 million per year in new revenue; b) develop a 5-year balanced approach to address the structural budget problem; and c) include in the measure a sunset provision, low-income exemption, and designate a citizen's oversight body; 2). Dedicate the special tax for fire services, with guarantees of maintaining existing staffing levels at the fire stations; 3) include a provision to increase the tax annually by the cost of living (CPI) or 5%, whichever is greater; and 4) give staff further direction on the specifics of the ballot measure at this meeting and direct the City Attorney to draft ballot language for review and comment at a special meeting on November 4.

Contact: Phil Kamlarz, Deputy City Manager, 981-7000

Action: Directed staff to return on November 4, 2003 with ballot language for a special tax measure for the March 2004 ballot that would include a cost of living adjustment, a low-income exemption and a sunset clause of 7 years. Staff to present proposals for a tax measure in the amount of \$8 million and \$10 million.

3. Runoff Elections (CF 13-03)

From: City Manager

Recommendation: 1) Determine whether the Council desires to place a charter amendment on either the March or November 2004 ballot to: a) change the date of runoff elections; b) reduce the threshold to trigger a runoff election from 45% to a lower percentage; c) eliminate runoffs and replace with a plurality system; and 2) if the Council desires to place a measure on the ballot, direct the City Attorney to prepare charter amendment language for review and comment at a special meeting on November 4.

Contact: Sherry M. Kelly, City Clerk, 981-6900

Action: Directed staff to return on November 4, 2003 with charter amendment language for the March 2004 ballot that would change the date of the runoff election to the first week in February of the odd-numbered year with the person elected in the runoff to take office the first week in March of the odd-numbered year and all persons elected in November of even-numbered years to take office December 1 in the even-numbered year. Staff also directed to return with charter amendment language that would reduce the threshold trigger for a runoff from 45% to 40%.

4. Instant Runoff Voting (CF 13-03)

From: City Manager

Recommendation: 1) Determine whether the Council desires to place a charter amendment on either the March or November 2004 ballot to allow for instant runoff voting, when feasible and 2) if the Council desires to place a charter amendment on either the March or November ballot, review and comment on proposed charter language prepared by the City Attorney.

Contact: Sherry M. Kelly, City Clerk, 981-6900

Action: Council consensus to delay placing a measure a charter amendment on the ballot to allow for instant runoff voting to the November 2004 election.

5. Changes to Candidate Nomination Process (CF 13-03)

From: City Manager

Recommendation: Determine whether the Council desires to: 1) require candidates to submit signatures in support of a candidate's nomination over and above the 20 currently required; 2) establish a filing fee to cover the cost of processing the candidate's nomination papers; 3) require candidates to pay their pro rata share for the cost of printing, handling, translating, and mailing the candidate statement as part of the voter pamphlet; 4) make revisions to information contained in the candidate statement; and 5) give direction to the City Clerk and City Attorney related to preparing any required ordinances or charter amendments for review at a special meeting on November 4.

Contact: Sherry M. Kelly, City Clerk, 981-6900

Action: Staff directed to return on November 4, 2003 with charter amendment language to require: 1a) a filing fee of \$150 or 150 signatures in-lieu of the filing fee (\$1 per signature) from registered voters to be eligible to be nominated for a council seat and 1b) the 20 to 30 registered voters that nominate a candidate to run for a council seat must be registered voters within the district; 2) a filing fee of \$300 or 300 signatures in-lieu of the filing fee (\$1 per signature) from registered voters to be eligible to be nominated for the office of mayor; and 3) a filing fee of \$200 or 200 signatures in-lieu of the filing fee (\$1 per signature) from registered voters to be eligible to be nominated for the citywide office of auditor, school board director and rent stabilization board commissioner.

6. Process to Call a Special Election for March 2, 2004

From: City Manager

Recommendation: That Council: 1) decide which, if any charter amendments and/or other measures it desires to place on the March ballot; 2) give further direction to the City Manager on specific measures to be placed on the ballot and request staff return with ballot language by November 4, 2003; and 3) give direction to the City Manager and City Clerk to prepare resolutions calling for the March 2, 2004 election including making findings of urgent necessity, if required, and requesting consolidation with Alameda County.

Contact: Sherry Kelly, City Clerk, 981-6900

Action: Staff directed to prepare enabling documents to call a March 2, 2004 election.

7. Eco-Pass Program

From: Councilmember Worthington

Recommendation: Support inclusion of the Eco-Pass program into the Regional Transportation Program (RTP) and expansion of the Eco-Pass to additional employers, including consideration by the City, the Berkeley Unified School District (BUSD), and regional agencies of whether to include this in future ballot measures. Refer to the BUSD the possibility of adding the Eco-Pass into a future ballot measure.

Contact: Kriss Worthington, Councilmember District 7, 981-7170

Action: Held over to the meeting of November 4, 2003.

Information Reports

8. **FY 2004 First Quarter Status Report** (*to be delivered*)
From: City Manager
Contact: Paul Navazio, Budget Manager, 981-7000.
Action: Received and filed.

Public Comment

9. **Public Comment:** 10 speakers.

Supplemental Reports and Communications #1

Item 4: Instant Runoff Voting

1. Bob Sheppard
2. Nancy Bickel, League of Women Voters

Item 8: FY 2004 First Quarter Status Report

3. Revised report, submitted by City Manager

Supplemental Reports and Communications #2

Item 2: Special Tax Measure for March 2, 2004 Ballot

4. Barbara Gilbert (2)

Adjournment

Adjourned at 6:48 p.m.