

AMENDED

RESOLUTION NO. 2004-619

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JUL 27 2004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO, CALIFORNIA, CALLING AND GIVING NOTICE OF THE SUBMISSION TO THE VOTERS OF A QUESTION RELATING TO MAINTAINING A PARCEL TAX FOR ADDITIONAL LIBRARY SERVICES AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO CHARTER CITIES

WHEREAS, under the provisions of the laws relating to Charter Cities in the State of California, a General Municipal Election shall be held on November 2, 2004, for the purpose of submitting a question to the voters pertaining to a parcel tax for additional library services; and

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

Section 1: That the City Council, pursuant to its right and authority, does order submitted to the voters at the consolidated General Municipal Election the following question(s):

To maintain children's programs, homework centers, increased hours, new book funding, and technology in branch libraries, shall an equivalent parcel tax replace the existing assessment in 2007-2008 (single family residences \$26.60/year; other properties at proportional amounts) for 10 years, with adjustments not exceeding 3% annually or \$8.00 total for single family residences during the life of the tax, and requiring City library funding to be maintained or only reduced proportionally with other non-safety services?	YES
	NO

Section 2: That the complete text of the measure to be submitted to the voters is attached as Exhibit A.

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Section 3: That the ballots to be used at the election shall be in form and content as required by law.


Section 4: That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

Section 5: That the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in Section 14301 of the Elections Code of the State of California.

Section 6: That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 7: That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

Section 8: That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.


MAYOR

ATTEST:


CITY CLERK

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EXHIBIT A

COMPLETE TEXT OF MEASURE ___

ADDITIONAL LIBRARY SERVICES PARCEL TAX

SECTION 1.

On November 5, 1996, the voters of the City of Sacramento approved an assessment district and annual assessments on all real property within the City of Sacramento for the purpose of funding additional library services including more open hours at neighborhood, community, and regional libraries, additional library staff at neighborhood and community libraries including children's librarians, more books, more technology resources, and other library services. The assessment was set at \$22.00 per year for single family residences and all other properties at specified proportional amounts for 10 years, with adjustments not exceeding 3% annually, and not more than \$7.00 total during the life of the assessment for single family residences. The last year of the assessment is 2006-2007. The assessment for a single-family residence for 2004-2005 is \$25.96, subject to a maximum annual adjustment of 3% through 2006-2007. The California Constitution no longer permits the City of Sacramento to fund additional library services by imposing assessments. However, the California Constitution and state law permit the City of Sacramento to fund additional library services with a parcel tax if the tax is approved by a two-thirds vote. It is the purpose of this ordinance to impose a parcel tax in the same amount as the existing assessment, subject to the same annual adjustment, for the ten years following the expiration of the assessment, and to place the parcel tax before the voters of the City of Sacramento for approval.

The additional library services to be provided are:

1. Additional open hours per week at all branches with increased staffing.

EXAMPLE:

BRANCH	Base Hours Per Week (FY 04/05)	# Hours To Be Increased	Total Hours Per Week (FY 04/05)
Belle Cooleage	31	11	42
Colonial Heights	29	13	42
Del Paso Heights	23	11	34
McClatchy	21	13	34

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McKinley	21	14	35
Martin Luther King	34	8	42
North Sacramento/Hagginwood	27	7	34
South Natomas	29	13	42
Valley Hi/North Laguna	0	36	36

2. Additional library materials (books, magazines, CD's, DVD's, online databases, etc.) for all branches, bookmobile and specialized resources.
3. Enhanced technology at branches, including network connections, software and hardware, self-service technology and online access
4. Enhanced services to children and teens by trained staff, including after school homework help programs and programs for all age groups

SECTION 2.

Chapter 3.148 is added to the Sacramento City Code to read as follows:

Chapter 3.148. PARCEL TAX FOR ADDITIONAL LIBRARY SERVICES

Section 3.148.010 Parcel tax imposed.

There is hereby imposed upon every parcel of real property in the City a parcel tax for additional library services. Additional library services are library services over and above the basic library services funded by general fund resources of the city, including, without limitation, children's and teen-age programs such as "homework centers" for students, additional open hours at branch libraries, additional professional library staff at branch libraries including children's librarians, acquisition of additional books, magazines, newspapers, media, and other library materials, and additional technology at library branches.

Section 3.148.020 Tax rates.

The tax rates for fiscal year 2007-2008 shall be:

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RESIDENTIAL

Single family	\$26.60
Multi-family	a. \$19.95 per unit, units 1-4
	b. \$13.30 per unit, units 5-15
	c. \$ 6.65 per unit, units over 15
	(Add a. plus b. plus c. for total multi-family tax per parcel)
Condominiums	\$19.95 per condominium
Mobile Homes	\$13.30 per mobile home

NON-RESIDENTIAL

Institutional \$119.70 per acre (first 5 acres)
\$29.93 per acre (acres over 5)

Professional \$79.80 per acre (first 5 acres)
\$19.95 per acre (acres over 5)

Commercial/Industrial and Recreational \$39.90 per acre (first 5 acres)
\$9.98 per acre (acres over 5)

VACANT \$9.98 per acre (maximum taxed area per parcel: 5 acres)

(Misc. vacant, parking lots, airports, cemeteries and mortuaries)

EXEMPT USES

Common area, Agriculture, Utilities, Public Agencies \$0

Section 3.148.030 Annual adjustment of tax rates.

The tax rates for fiscal year 2007-2008 set forth in Section 3.148.020 shall be increased annually in proportion to the increase in the Consumer Price Index (CPI), San Francisco Area, all items, most recently available prior to the date of increase, provided, however, that this increase shall not exceed three percent (3%) in any year. The maximum increase during the life of the tax for single-family residences shall be \$8.00 and proportionally on other properties.

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Section 3.148.040 Collection by the county.

The tax shall be collected on behalf of the city by the county auditor. The City Clerk shall file with the county auditor a certified copy of a tax roll with a request that the taxes be posted to the county roll for general property taxes. This filing shall occur on or before August 1 of the fiscal year in which the taxes are to be collected. The tax shall be collected at the same time and in the same manner and shall be subject to the same late charges and penalties for delinquency as general property taxes and all laws providing for the collection and enforcement of such property taxes shall apply to the collection and enforcement of the tax. After deduction of the collection charges of the county auditor, the net amount of the taxes collected shall be remitted to the City for transfer to the Sacramento Public Library Authority to be used to provide additional library services within the City of Sacramento.

Section 3.148.050 Parcel tax not to replace general fund contribution.

The City's current general fund contribution to library services may not be replaced by the parcel tax. If the City general fund contribution to the Sacramento Public Library Authority is reduced below \$7,635,600, the parcel tax shall not be levied; provided, however, that if the reduction to the City general fund contribution is no more than the same proportion of reduction that is imposed on the City's net general fund budget for non-safety departments (which are all operating departments except police and fire) in any year during the ten-year period of the tax, then the tax nonetheless may be levied. (The City's net general fund budget for non-safety departments is the total general fund contribution to their operating budgets excluding expenditures that are offset by fees or other non-tax revenues.) Following any reduction from the minimum level of \$7,635,600 and for the parcel tax to be levied in any subsequent year, the Library must receive increases in its City general fund contribution proportional to the increases in the non-safety departments' net general fund budgets up to at least the minimum level of \$7,635,600.

Section 3.148.060 Voter approval; ten-year term.

The tax imposed by this chapter shall not be collected unless it is approved by two-thirds (2/3) of the voters of the City of Sacramento voting on this tax in an election held on or before March 1, 2007. The tax shall be imposed beginning with the 2007-2008 fiscal year for a period of ten years, ending with fiscal year 2016-2017.

Section 3.148.070 Low-income rebate.

The City Manager shall establish a program to rebate any tax imposed by this chapter that is paid with respect to residential property that is the principal residence of the owner, if the gross household income is 80% or less of the Sacramento County area median income as published annually by the Secretary of Housing and Urban Development Department.

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