

**REPORT TO MAYOR AND COUNCIL**

**TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: January 26, 2010

**SUBJECT: ADOPTION OF RESOLUTION NO. 10-7 IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010**

**Report in Brief**

The City Council directed staff to prepare a Resolution of Support for the proposed Initiative to save local services following a presentation by Eric Figueroa, Public Affairs Manager for the League of California Cities, on January 12, 2010.

Staff is recommending the City Council adopt Resolution No. 10-7 pledging its support of this effort to close loopholes and change the constitution to further prevent State politicians in Sacramento from seizing, diverting, shifting, borrowing, transferring, suspending or otherwise taking or interfering with tax revenues dedicated to funding local government services, including redevelopment, or fund dedicated to transportation improvement projects and mass transit.

**Background**

Over the past several years, the State of California has been raiding the coffers of local government agencies to balance its own budget. Cities have been fighting desperately to retain the funding sources necessary to maintain services and infrastructure to ensure healthy, safe and prosperous communities for its residents. This year's raids, and those from previous years which appear to be on-going, are jeopardizing the services our citizens need the most:

- Police, fire and emergency 911 services
- Healthcare for children, seniors, and the disabled
- Road repair and maintenance, congestion relief and safety improvements
- Public transportation
- Services critical to quality of life, such as parks and libraries
- Vital economic development and job creation projects

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**Discussion**

The League of California Cities supports, and has asked each California City to support, a November 2010 Ballot Initiative to prohibit the State from taking, borrowing or redirecting local taxpayer funds dedicated to public safety, emergency response and other vital local government services; to protect vital, dedicated transportation and public transit funds from future state raids; and to protect local taxpayers by keeping more of our local tax dollars local where there is more accountability to voters, and by ensuring once and for all that our gas taxes go to fund road improvements.

Following a January 12, 2010 presentation by Eric Figueroa, Public Affairs Manager for the League of California Cities, the Council directed staff to prepare a Resolution of Support for Council adoption. Resolution No. 10-7 attached has been drafted for that purpose.

**Recommendation for Action**

Staff recommends the City Council adopt Resolution No. 10-7, supporting the Local Taxpayer, Public Safety and Transportation Protection Act of 2010, and authorizing the listing of the City of Concord as a supporter.



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Daniel E. Keen

City Manager

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**BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD  
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

**A Resolution Supporting the Local Taxpayer,  
Public Safety and Transportation Protection  
Act of 2010**

**Resolution No. 10-7**

**WHEREAS**, California voters have repeatedly and overwhelmingly passed separate ballot measures to stop State raids of local government funds, and to dedicate the taxes on gasoline to fund local and state transportation improvement projects; and

**WHEREAS**, these local government funds are critical to provide the police and fire, emergency response, parks, libraries, and other vital local services that residents rely upon every day, and gas tax funds are vital to maintain and improve local streets and roads, to make road safety improvements, relieve traffic congestion, and provide mass transit; and

**WHEREAS**, despite the fact that voters have repeatedly passed measures to prevent the State from taking these revenues dedicated to funding local government services and transportation improvement projects, the State Legislature has seized and borrowed billions of dollars in local government and transportation funds in the past few years; and

**WHEREAS**, this year's borrowing and raids of local government, redevelopment and transit funds, as well as previous, ongoing raids of local government and transportation funds have lead to severe consequences, such as layoffs of police, fire and paramedic first responders, fire station closures, stalled economic development, healthcare cutbacks, delays in road safety improvements, public transit fare increases and cutbacks in public transit services; and

**WHEREAS**, State politicians in Sacramento have continued to ignore the will of the voters, and current law provides no penalties when state politicians take or borrow these locally-dedicated funds; and

**WHEREAS**, a coalition of local government, transportation and transit advocates recently filed a constitutional amendment with the California Attorney General, called the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010, for potential placement on California's November 2010 statewide ballot; and

1           **WHEREAS**, approval of this ballot initiative would close loopholes and change the  
2 constitution to further prevent State politicians in Sacramento from seizing, diverting, shifting,  
3 borrowing, transferring, suspending or otherwise taking or interfering with tax revenues dedicated to  
4 funding local government services, including redevelopment, or dedicated to transportation  
5 improvement projects and mass transit .

6           **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES**  
7 **RESOLVE AS FOLLOWS:**

8           **Section 1.** The City Council of the City of Concord formally endorses the Local Taxpayer,  
9 Public Safety and Transportation Protection Act of 2010, a proposed constitutional amendment.

10           **Section 2.** The City Council authorizes the listing of the City of Concord as a supporter of the  
11 Local Taxpayer, Public Safety and Transportation Protection Act of 2010 and instructs staff to fax a  
12 copy of this resolution to campaign offices at 916.442.3510.

13           **Section 3.** This resolution shall become effective immediately upon its passage and adoption.

14           **PASSED AND ADOPTED** by the City Council of the City of Concord on January 26, 2010  
15 by the following vote:

16 **AYES:**           Councilmembers -

17 **NOES:**           Councilmembers -

18 **ABSTAIN:**       Councilmembers -

19 **ABSENT:**        Councilmembers -

20           **I HEREBY CERTIFY** that the foregoing Resolution No. 10-7 was duly and regularly  
21 adopted at a regular joint meeting of the City Council and the Redevelopment Agency of the City of  
22 Concord on January 26, 2010.

24 \_\_\_\_\_  
Mary Rae Lehman, CMC  
City Clerk

25 **APPROVED AS TO FORM:**

27 \_\_\_\_\_  
28 Craig Labadie  
City Attorney