

Pursuant to Elections Code Section 9203(a), I have prepared the enclosed Ballot Title and Summary for the proposed initiative measure that you transmitted to me on June 6, 2018. As required by Elections Code Section 9203(a), I am hereby returning this Ballot Title and Summary to you as the City's Elections Official. Pursuant to Elections Code Section 9203(b), please furnish a copy of this Ballot Title and Summary to the person filing the proposed measure. I have enclosed a sample letter for your use.

Please feel free to call me with any questions.

Harriet Steiner  
City Attorney

#### BALLOT TITLE:

Initiative to adopt a City of Davis Parcel Tax to Provide Revenue to Davis Joint Unified School District and the City of Davis for School and School Safety Funding


#### BALLOT SUMMARY

This Initiative, if approved, would impose a parcel tax on all taxable property within the City of Davis to provide additional funding to the Davis Joint Unified School District ("DJUSD") for school funding and to the City for school safety. The initial tax would be \$365 per assessor's parcel per year. The annual tax per parcel would be adjusted annually commencing in 2019-20 by the increase in the Consumer Price Index. The Initiative includes exemptions under which no tax would be levied on a parcel including: (1) parcels exempt from *ad valorem* property tax; (2) parcels owned and occupied as a principal residence by a person(s) over the age of 65; (3) parcels owned and occupied as a principal residence by a person(s) receiving Supplemental Social Security Income for disability or Social Security Disability Insurance benefits ("SSDI"), regardless of age. SSDI recipients would only qualify for the exemption if their yearly income does not exceed 250% of the 2012 federal poverty guidelines. If State law creates additional exemption(s), these may be added through future City action. Except for tax exempt parcels, an application must be made by the person(s) claiming the exemption and approved by the City.

The Initiative governs the use of the tax proceeds. 75% of the annualized tax proceeds must be allocated to raising pay and increasing compensation for DJUSD teachers and certain school employees. Annually, 10% of this 75% must be deposited in a DJUSD Budget Stabilization Account ("BSA"). Funds may be withdrawn from the BSA for a budget emergency(ies) declared by the Governor or if the BSA exceeds the DJUSD total General Fund balance. 25% of the annualized proceeds must be used by the City for hiring an additional school resource peace officer and increasing emergency first responders consistent with Chapter 13 of the City's Municipal Code. The Initiative prohibits use of these funds to pay top level contracted administrators and prohibits redirection of these tax funds by the State of California. The Initiative includes "Maintenance of Effort" requirements including, but not limited to, requiring continuing support and funding for reduced elementary class size, counselors, nurses and

librarians. The Initiative provides for an independent Citizen's Oversight Committee appointed by DJUSD and the City to ensure that the proceeds of the tax are spent in accordance with the Initiative.

The Initiative provides that a majority vote is required for passage of the tax pursuant to *California Cannabis Coalition v. City of Upland* (2017) 3 Cal.5th 924. The Initiative would require the City to defend this Initiative against a court challenge if it is approved by the voters or pay for defense of the Initiative should the City decide not to defend it. If approved by the voters, the parcel tax has no expiration date and would continue unless the voters took action to amend or repeal the tax.

By:   
Harriet A. Steiner  
City Attorney

Dear Mr. \_\_\_\_\_:

This letter is in response to the letter received by the City Clerk of the City of Davis on \_\_\_\_\_, 2018 regarding a notice of intention to circulate a petition for this measure. The letter contained a request for a ballot title and summary to be prepared by the City Attorney as outlined in Elections Code Section 9203. Enclosed is the title and summary prepared by the City Attorney.

The following initial steps are required before you can begin circulation of the petition:

(1) The notice of intention and the title and summary of the proposed measure shall be published in accordance with Elections Code section 9205.

(2) Within ten days after the date of publication of the notice of intention and title and summary, the proponents shall file with the City Clerk a copy of the notice and title and summary as published, along with proof of publication, in the manner prescribed by Elections Code section 9206.

If you have any questions, please feel free to contact me.

Sincerely,

cc: Mayor and Council  
City Manager  
City Attorney