

CITY OF DAVIS

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE H

Measure H, if approved by two-thirds of the voters voting on the measure, will renew the Park Maintenance Tax, a special tax adopted by the Davis voters in 1998 and renewed in 2002, 2006 and 2012. Unless renewed by the voters, the existing Park Maintenance Tax will expire on June 30, 2018. If Measure H is adopted, it will renew the Park Maintenance Tax beginning July 1, 2018 continuing through June 30, 2038. This measure was placed on the ballot by the City Council.

Measure H, the Park Maintenance Tax, as set forth in Ordinance No. 2521, will continue funding for the maintenance and operation of community parks, greenbelts, open space, street lighting, swimming pools, and related public facilities. As a special tax, the tax revenue must be placed in a special fund and can only be used for these purposes and incidental expenses related to these purposes. The City Council is required to designate one or more city commissions to annually review expenditures of Park Maintenance Tax funds and proposed expenditures for the next fiscal year. Each designated commission will make recommendations to the City Council for use of the tax revenues by the City, within the allowable Park Maintenance Tax purposes.

If approved by the voters, the Park Maintenance Tax will continue to be imposed on parcels of property within the City based on the use of the property. For fiscal year 2018-2019, the maximum annual (July 1 – June 30) tax rates will be:

Single-family residential	\$49.00 per unit
Multi-family residential	\$49.00 per unit
Group Living	\$20.00 per resident
Commercial	\$40.00 per 1,000 square feet of Improved Building Space up to a maximum of 10,000 square feet
Industrial	\$12.80 per employee up to a maximum of 30 employees
Commercial Day Care Facilities	\$14.30 per 1,000 square feet of Improved Building Space up to a maximum of 10,000 square feet
Vacant Land	\$49.00 per Assessor's Parcel

Starting for fiscal year 2019-20 and each fiscal year thereafter, the maximum tax rates will be increased on July 1 by two percent (2%). For each fiscal year the City Council will set the actual tax rate, which may be lower than the maximum tax rate. The tax rate in any year cannot exceed that year's maximum tax rate.

Measure H contains several exemptions to the tax including an exemption for public property and the requirement to continue the existing low income refund program.

The Park Maintenance Tax would continue to be collected with the *ad valorem* property taxes for each parcel, unless the City later decided to collect the tax with other City taxes and charges.

Measure H would sunset and be repealed on June 30, 2038, and could not be collected after that time unless two-thirds of the voters voting in an election approved an extension or re-authorization of the tax.

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Harriet A. Steiner
Davis City Attorney