



City College of San Francisco

50 PHELAN AVENUE • SAN FRANCISCO, CA 94112 • (415) 239-3000

AMENDED 5/30/2012

DATE: May 31, 2012
TO: Board of Trustees
FROM: Dr. Pamela Fisher, Interim Chancellor
**SUBJECT: SPECIAL
Resolution Proposing a Parcel Tax and Order of Election
(Resolution No. 120531-S1)**

S1

DEPARTMENT OF ELECTIONS

2012 JUN 18 PM 2:01

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BACKGROUND:

WHEREAS: the State of California has cut funding to California Community Colleges by over half a billion dollars in the past several years; and

WHEREAS: in fiscal year 2011-2012, the State cut funding to the District in the amount of approximately \$17 million, on top of \$25 million in cuts during the previous several years; and

WHEREAS: the State is proposing more large cuts in funding that will produce an estimated \$14 million to \$25 million gap between anticipated revenues and expenditures for the District in fiscal year 2012-2013, and

WHEREAS: the Board of Trustees has determined that the present revenues of the District are inadequate to fund the cost of education within the District, and

WHEREAS: Section 4 of Article XIII A of the California Constitution and California Government Code Sections 50075 *et seq.* (collectively, the "Law") authorize a community college district, upon approval by two-thirds of the votes cast by voters voting upon the proposition, to levy a special tax for specified purposes following notice and a public hearing; and

WHEREAS: the Board of Trustees believes that such a parcel tax is necessary to help fund essential District functions; and

WHEREAS: the Board has on May 24, 2012 held a public hearing, which was duly noticed, where all interested persons were heard on the matter of holding an election in the District on the matter of levying a special tax on parcels in the District; and

WHEREAS: the Board of Trustees desires at this time to order an election to be held in the City and County of San Francisco on November 6, 2012, for the purpose of submitting to the voters the matter of levying a special tax on parcels in the City and County for educational purposes and to designate the specifications thereof, under California Education Code Sections 5320 *et seq.*;

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RECOMMENDATION:

NOW THEREFORE BE IT RESOLVED AND ORDERED THAT:

1. The Board finds and determines that the foregoing recitals are true and correct.
2. The Board of Trustees hereby orders an election and submits to the electors of the District the question of whether a special tax shall be levied and collected in the District for the purposes as set forth more fully in the ballot proposition approved below. This Resolution constitutes the order of the District to call such election pursuant to Education Code Section 5320 et seq. and shall constitute the "specifications of the election order" under Education Code Section 5322.
3. The date of the election shall be November 6, 2012, and the election shall be held solely within the boundaries of the District.
4. The purpose of the election shall be for the voters in the District to vote on a proposition, a full copy of which is attached hereto as Appendix A, containing the following question:

To provide City College of San Francisco with funds the State cannot take away; offset budget cuts; prevent layoffs; provide an affordable, quality education for students; maintain essential courses, including but not limited to writing, math, science, and other general education; prepare students for four-year universities; provide workforce training including, but not limited to nursing, engineering, technology, and business; and keep college libraries, student support services, and other instructional support open and up-to-date; shall the San Francisco Community College District levy 79 dollars per parcel annually for eight years requiring independent audits and citizen oversight?

As required by California Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto as Appendix B. The Chancellor or her designee is hereby authorized and directed to make any changes to the text of the proposition as required to conform to any requirements of the Law or the Registrar of Voters.

5. The authority for ordering the election is contained in Section 4 of Article XIII A of the California Constitution and California Government Code Section 50075 et seq. The authority for the specification of this election order is contained in Section 5322 of the Education Code.
6. The annual special tax shall be \$79 per parcel for 8 years assessed against each parcel of taxable land in the City and County of San Francisco. A parcel shall be defined as any unit of land in the City and County that receives a separate tax bill from the San Francisco Assessor-Recorder's Office. All property that would otherwise be exempt from property taxes will also be exempt from the special tax.

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The special tax shall be collected in the same manner as ordinary property taxes are collected, i.e., on the secured property tax roll of the City and County of San Francisco.

7. The members of the Board, the Chancellor and officers of the District are hereby requested and directed, individually and collectively, to provide accountability measures for the special tax that meet the accountability requirements set forth in California Government Code Section 50075.1, including the following: (a) a statement indicating the specific purposes of the special tax, (b) a requirement that the proceeds be applied only to the specific purposes identified, (c) the creation of an account into which the proceeds shall be deposited, and (d) an annual report under California Government Code Section 50075.3 as provided in Section 8. Such accountability measures shall be set forth on the ballot in the form of Appendix A attached hereto and incorporated herein by reference. In addition, the Board will appoint a Citizens' Oversight Committee with responsibility to review the expenditures of the District from the special tax to ensure the special tax is expended for authorized purposes, and to prepare an annual report to the District and the public concerning the expenditure of the special tax proceeds.
8. Under California Government Code Section 50075.3, the Board directs the chief fiscal officer of the District to file a report with the Board no later than January 1 of each year containing (a) the amount of funds collected and expended during the preceding fiscal year and (b) the status of any project required or authorized to be funded as identified in Section 7(a) hereof.
9. The Chancellor is hereby directed to send a copy of this Resolution to the Registrar of Voters for the City and County of San Francisco (the "County Registrar") and the Clerk of the San Francisco Board of Supervisors.
10. The County Registrar and the Clerk of the San Francisco Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 6, 2012, within the City and County.
11. The County Registrar is hereby requested to prepare a formal Notice of Special Tax Election in time, form and manner as required by law. The suggested form of notice of the election is as follows:

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT SPECIAL ELECTION NOTICE

NOTICE IS HEREBY GIVEN to the qualified electors of the San Francisco Community College District (the "District"), that in accordance with law, an election will be held on Tuesday, November 6, 2012, at which election there will be submitted the question of levying \$79 per parcel annually for eight years, with citizens' oversight and annual audits.

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12. The San Francisco Community College District agrees and hereby directs appropriate District staff members to reimburse the County Registrar for services performed when work is completed on the election upon presentation of a bill.
13. In all particulars not recited in this Resolution, said election shall be held and conducted as provided by law for holding community college district elections.
14. The Chancellor shall certify to the passage and adoption of this resolution and shall make minutes of the passage and adoption therefor in the records of the proceedings of the Board of Trustees of the District, in the minutes of the meeting at which the resolution is passed and adopted.

SHARED GOVERNANCE REVIEW:

This resolution does not require review by the Shared Governance System.

This resolution requires review by the Shared Governance System **for recommendation by the Chancellor.**
The following Shared Governance body(ies) reviewed this resolution and took action on it on the date indicated:

	Date	Approved	Not Approved	Reviewed Only
Academic Senate				
CAC				
CPBC				
Curriculum Committee				

Only _____ is/are required to sign off on this resolution.

Originators

John Rizzo
Anita Grier

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PASSED AND ADOPTED this 31st day of May, 2012, by the following vote:

AYES: Rizzo, Grier, Berg, Jackson, Ngo

NOES:

ABSENT: Marks, Wong

ABSTAIN:



President of the Board of Trustees of
San Francisco Community College District
San Francisco, California

ATTEST:



Chancellor of the San Francisco Community
College District, San Francisco, California

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APPENDIX B ABBREVIATED FORM OF BALLOT MEASURE

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