



**Council Meeting: May 8, 2012**

**SUBJECT: Discussion and Possible Action on Ballot Measures Scheduled for June 5, 2012 Election**

**BACKGROUND**

The June 5, 2012 election will include two state ballot measures and three local ballot measures for consideration by voters in the City of Sunnyvale. The local measures include one Santa Clara County measure, one community college district measure, and one local school district measure.

Consistent with Council Policy 7.2.13, *Support for Councilmembers; Staff-Council Communications* staff provides analysis and a position recommendation only for those ballot measures that directly impact City business; none of the scheduled measures is deemed City business but all are presented to Council for possible action at Council's discretion. Because none of the measures is deemed City business, staff makes no recommendation.

**EXISTING POLICY**

***Council Policy 7.3.13 Support for Councilmembers; Staff-Council Communications, Section II.C.4, Ballot Measure Positions:*** As soon as possible following the release of the Secretary of State's *Official Voter Information Guide* or the *Santa Clara County Registrar of Voter's Voter Information Pamphlet*, staff will present to Council a report reviewing proposed ballot measures... Staff shall provide analysis and a position recommendation of only those ballot measures that directly impact City business.

***Council Policy 7.3.2, Legislative Advocacy Positions:*** *City business* is defined as all matters directly related to service delivery, or otherwise contributing to the City's operational success. All measures deemed not *City business* will be presented via the same report for potential Council Action, however, will not include staff analysis.

**DISCUSSION**

As noted in the Background section above, none of the June 8 election measures is deemed City business, but all are presented to Council for possible action at Council's discretion. State ballot measures will appear on all Sunnyvale resident ballots. School district and community college district measures will only appear on the ballots of Sunnyvale residents located within the specified district. The statewide ballot measures are approved by a majority vote. Percentage approval needed for local measures is noted for each measure.

### **Statewide Ballot Measures**

More information on state ballot measures is available at the California Secretary of State's web site at [www.sos.ca.gov](http://www.sos.ca.gov). A summary of the measures follows.

#### ***Proposition 28, Initiative Constitutional Amendment*** **Limits on Legislators' Terms in Office**

Reduces the total amount of time a person may serve in the state legislature from 14 years to 12 years. Allows a person to serve a total of 12 years either in the Assembly, the Senate, or a combination of both. Applies only to legislators first elected after the measure is passed. Provides that legislators elected before the measure is passed continue to be subject to existing term limits. No direct fiscal effect on state or local governments.

#### ***Proposition 29, Initiative Statute*** **Imposes Additional Tax on Cigarettes for Cancer Research**

Imposes additional five cent excise tax on each cigarette distributed (\$1.00 per pack) and an equivalent tax increase on other tobacco products, to fund cancer research and other specified purposes. Requires tax revenues to be deposited into a special fund to finance research and research facilities focused on detecting, preventing, treating, and curing cancer, heart disease, emphysema, and other tobacco-related diseases, and to finance prevention programs. Creates nine-member committee charged with administering the fund.

Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Net increase in cigarette excise tax revenues of about \$735 million annually by 2013-14 for research into cancer and tobacco-related disease, and for tobacco prevention and cessation programs. These revenues would decline slightly each year thereafter. Increase in excise tax revenues on other tobacco products of about \$50 million annually, going mainly to existing health and tobacco prevention and cessation programs. Net increase in state and local sales tax revenues of about \$10 million to \$20 million. Unknown net impact on other long-term state and local government health care costs.

### **Local Ballot Measures**

More information on local ballot measures is available at the Santa Clara County Registrar of Voters web site at [www.sccgov.org/sites/rov/Pages/Registrar-of-Voters.aspx](http://www.sccgov.org/sites/rov/Pages/Registrar-of-Voters.aspx). A summary of the measures follows.

**County of Santa Clara  
Majority Vote**

**Measure A** To provide the Board of Supervisors with flexibility in operating the County jails to ensure continued cost-savings and improvement of efficiencies, shall the Board of Supervisors have the discretion to determine whether the Sheriff, Department of Correction, or any other department or agency, or any combination of them jointly operate the jails?

**West Valley-Mission Community College District  
55% Vote**

**Measure C** To provide affordable education at West Valley and Mission Colleges by updating academic facilities and technology to prepare students for 21st century jobs/transfer to universities, upgrading healthcare, public safety and job-training facilities, and aging buildings for earthquake safety, and acquiring, constructing, repairing and equipping sites, buildings, classrooms and facilities, shall West Valley-Mission Community College District issue \$350,000,000 of bonds, at legal rates with citizens' oversight, no money for Sacramento, administrators' salaries or employee pensions?

**Cupertino Union School District  
55% Vote**

**Measure H** To continue providing high quality education for local students by fixing leaky school roofs, upgrading earthquake/fire safety, removing potentially hazardous materials from old structures, keeping schools clean and well-maintained, updating science labs/education technology, providing classrooms for student enrollment growth, and renovating, acquiring, constructing, equipping classrooms/sites/facilities, shall Cupertino Union School District issue \$220,000,000 in bonds at legal rates with citizen oversight, annual audits, no funds for administrators' salaries, all funds staying in local schools?

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center, and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

**ALTERNATIVES**

1. Take positions on Measures as noted by Council.
2. Do not take positions on Measures.

**RECOMMENDATION**

In accordance with the existing Council policy cited above, staff makes no recommendation (measures do not meet the definition of *City business*).

Reviewed by:

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Prepared by: Coryn Campbell, Assistant to the City Manager

Approved by:

Gary M. Luebbers  
City Manager