



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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### REPORT TO COUNCIL

#### SUBJECT

Positions on State and Local Ballot Measures for the June 7, 2016 Election

#### BACKGROUND

This report provides an opportunity for the Sunnyvale City Council to take positions on state and local measures on the June 7, 2016 Ballot. The report summarizes each measure, provides the City's adopted policy on the measure (if any), and a staff recommendation when appropriate. Per Council Policy 7.4.16 *Ballot Measure Positions*, staff shall provide analysis and a position recommendation of only those ballot measures that directly impact *City business*. *City business* is defined as all matters directly related to service delivery, or otherwise contributing to the City's operational success (Per Council Policy 7.4.14 *Legislative Advocacy Positions*). The City Council may legally establish a position on ballot measures and the City has not and will not expend any public funds to campaign for or against these measures.

Staff's recommendations are generally based on existing City policies from documents such as the General Plan, Legislative Advocacy Positions, and impact on City services and/or operations. Staff has deemed the following measures as *City business* and is recommending the following positions:

#### EXISTING POLICY

**Council Policy 7.4.16 *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.

#### ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" with the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378 (a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

#### DISCUSSION

A brief analysis of each measure follows including measure language and, for statewide measures only, the California Legislative Analyst's estimate of state and local government fiscal impact; for those measures deemed *City business*, City staff analysis by the appropriate department, existing City policy citation (if any), and, as appropriate, a staff recommendation are also identified.

Staff recommendation options are: Support, Oppose, No Staff Recommendation, or Take No Position. While the meaning of Support and Oppose recommendations are clear, "No Staff Recommendation" and "Take No Position" are clarified as follows:

*No Staff Recommendation* - Consistent with City policy, staff does not provide analysis or make recommendations on measures that do not impact *City business* as defined in Council Policy 7.4.14, *Legislative Advocacy Positions*.

*Take No Position* - Despite a measure's ability to impact *City business*, Staff may recommend that Council abstain from taking a position. This recommendation to remain neutral on an issue may be made for a variety of reasons (e.g., ballot language is not clear; the pros and cons of the business impact cancel each other out; etc.). The reason for recommending this position will be explained as part of the staff analysis.

## MEASURES DEEMED CITY BUSINESS

### **Measure AA - San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Program. San Francisco Bay Restoration Authority - 2/3 Vote**

**Measure Language:** To protect San Francisco Bay for future generations by reducing trash, pollution and harmful toxins, improving water quality, restoring habitat for fish, birds and wildlife, protecting communities from floods, and increasing shoreline public access, shall the San Francisco Bay Restoration Authority authorize a parcel tax of \$12 per year, raising approximately \$25 million annually for twenty years with independent citizen oversight, audits, and all funds staying local?

**Staff Analysis:** Measure AA would authorize a parcel tax to fund programs to reduce trash, pollution and harmful toxins; improve water quality; restore habitat for fish, birds, and wildlife; protect communities from floods; and increase shoreline access for public enjoyment and recreation. Approximately \$60 million of parcel tax receipts over 20 years will be pre-dedicated to projects the Santa Clara County. Generally, Measure AA program objectives are aligned with the City's General Plan goals EM-8 (Protection of Creeks and Bay) and EM-10 (Reduced Runoff and Pollutant Discharge) and the City's 2016 Legislative Advocacy Position Priority Issues (item 3 Environmental Regulatory and Conservation Issues). Other uses of Measure AA funds include supporting shoreline trash cleanups, such as Coastal Cleanup Day sites. Sunnyvale annually hosts sites as part of these volunteer cleanup events.

Additionally, Sunnyvale has many economy-driving businesses and critical infrastructure located in areas at risk due to projected sea level rise. Measure AA proceeds will fund a variety of shoreline protection and restoration measures that will also improve the ability of Bay wetlands to serve vital, natural functions including protection from sea level rise. Examples of projects anticipated to be eligible for grants available through Measure AA funding include the South Bay Salt Pond Restoration Project and the South San Francisco Bay Shoreline Project. These projects and efforts to improve regional resiliency are aligned with the adaptation strategies identified in the City's adopted Climate Action Plan.

The City would benefit from the Bay restoration projects to be funded through this Measure, and possibly compete for the Measure's grant funding for local programs and projects.

These funds could improve the areas of the Bay Trail which are within the City boundaries and the wetlands area at Baylands Park. In addition, these tax funds could be used for the burrowing owl habitat efforts at multiple sites in the City.

## **Existing City Policy:**

### **General Plan, Environmental Management**

**Goal EM-8: Protection of Creeks and Bay** - Assure the reasonable protection of beneficial uses of creeks and San Francisco Bay, established in the Regional Board's Basin Plan, and protect environmentally sensitive areas.

**Policy EM-8.2** - Continue to support the identification and development of approaches to stormwater treatment and best management practices to control sources of pollutants through participation in local, regional, statewide and national associations and agencies (e.g. Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVRRP), Bay Area Stormwater Management Agencies Association, Stormwater Quality Association, and American Public Works Association and similar organizations)

**EM-10: Reduce Runoff and Pollutant Discharge** - Minimize the quantity of runoff and discharge of pollutants to the maximum extent practicable by integrating surface runoff controls into new development and redevelopment land use decisions.

## **Climate Action Plan Adaptation Strategies**

**2016 Council Adopted Priority Issue #3, *Environmental Regulatory and Conservation*, specific items of interest include: water and Sunnyvale Salt Ponds.**

### **General Plan, Land Use and Transportation**

**Goal LT-8 - Adequate and Balanced Open Space** - Provide and maintain adequate and balanced open space and recreation facilities for the benefit of maintaining a healthy community based on community needs and the ability of the City to finance, construct, maintain and operate these facilities now and in the future.

**Goal LT-9 - Regional Approach to Open Space** - A regional approach to providing and preserving open space and providing open space and recreational services, facilities and amenities for the broader community.

**Council Policy Manual 3.2.1 *Solid Waste Management - Goals and Policies*** - Manage the closed Sunnyvale Landfill in a manner that protects the public health and safety and the environment, promotes enjoyable public use of the site, and assists in the achievement of other goals of the Environmental Management Solid Waste section.

## **Staff Recommendation: SUPPORT**

### **Measure A - *Extend Santa Clara County Park Charter Fund* County of Santa Clara - Majority Vote**

**Measure Language:** To continue protecting and preserving local parks; improving access to natural areas, open space, trails and recreational opportunities; keeping restrooms and facilities clean and safe; and maintaining, operating, acquiring and improving local parks, shall the Santa Clara County Park Charter Fund, established in 1972, be extended by an annual general fund transfer estimated to equal 1.5 cents per \$100 of assessed valuation of all property for 15 years, without increasing taxes and all funds benefitting Santa Clara County parks?

**Staff Analysis:** This measure extends the current funding allocation of an annual general fund transfer estimated to equal 1.5 cents per \$100 of assessed valuation of all property for 15 years, without increasing taxes. The funds used will only benefit Santa Clara County parks and continue protecting and preserving local parks; improving access to natural areas, open space, trails and recreational opportunities; keeping restrooms and facilities clean and safe; and maintaining, operating, acquiring and improving local parks. The current Park Charter, which was established in 1972, allocates at least 5% of funding to support park development and rehabilitation and 15% supports acquisition. The upcoming June measure would adjust the dedication of funds so that 10% supports park improvement and 10% supports park land acquisition.

While this measure is only meant to support Santa Clara County Parks, a portion of this funding could go to Baylands Park in Sunnyvale - which is County owned and City maintained.

### **Existing City Policy:**

#### **General Plan, Land Use and Transportation**

**Goal LT-8 - Adequate and Balanced Open Space** - Provide and maintain adequate and balanced open space and recreation facilities for the benefit of maintaining a healthy community based on community needs and the ability of the City to finance, construct, maintain and operate these facilities now and in the future.

**Goal LT-9 - Regional Approach to Open Space** - A regional approach to providing and preserving open space and providing open space and recreational services, facilities and amenities for the broader community.

### **Staff Recommendation: SUPPORT**

### **MEASURES DEEMED NOT CITY BUSINESS**

All measures deemed not *City business* are presented for potential Council action; however, pursuant to Council Policy 7.4.16 no staff analysis or recommendation is provided.

### **Proposition 50 - Suspension of Legislators. Legislative Constitutional Amendment.**

**Measure Language:** Authorizes each house of Legislature to suspend one of its Members by two-thirds vote, and to require Member to forfeit salary and benefits while suspended. Prohibits suspended Member from exercising rights, privileges, duties, or powers of office, or using any legislative resources. Provides suspension may end on specified date, or upon two-thirds vote of Member's house.

### **FISCAL IMPACT**

There is no fiscal impact to this report.

### **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 website.

### **ALTERNATIVES**

1. Adopt the following positions on the ballot measures: a) **Support Local Ballot measure AA,**

*San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Program; and b) **Support Local Ballot Measure A, Extend Santa Clara County Park Charter Fund.***

2. Adopt alternative positions on the ballot measures.
3. Take no action at this time.

### **STAFF RECOMMENDATION**

Alternative 1: Adopt the following positions on the ballot measures: a) **Support Local Ballot measure AA**, San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Program; and b) **Support Local Ballot Measure A**, Extend Santa Clara County Park Charter Fund.

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