



Office of the City Manager

CONSENT CALENDAR
June 14, 2022

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Mark Numainville, City Clerk
Subject: Placing a Measure on the November 8, 2022 Ballot Related to Housing for Persons of Low-Income

RECOMMENDATION

1. Adopt a Resolution submitting a measure related to housing for persons of low-income to a vote of the electors at the November 8, 2022 General Municipal Election.
2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal impacts related to the recommended action. Election services have seen a steep increase since 2018, with the City's first million-dollar election in 2020. It is uncertain at this time how recent state mandates and the pandemic will affect election costs in an ongoing basis. In addition, the number of measures placed on the ballot, and the length of the measures, are the primary driving factors in the fluctuation of election costs.

CURRENT SITUATION AND ITS EFFECTS

Article XXXIV of the California Constitution requires that citizens authorize any federal, state or local public entity to develop, construct or acquire additional units of low-rent housing for persons of low income. This measure meets that requirement.

BACKGROUND

This measure does not approve specific housing projects or commit City funds to any housing project. This measure is advisory in nature to meet the requirement under Article XXXIV of the state Constitution.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

Placing a Measure on the November 8, 2022 Ballot
Related to Housing for Persons of Low-Income

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RATIONALE FOR RECOMMENDATION

The City Clerk is presenting this action in accordance with the requirements of the state Constitution.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1: Resolution

Exhibit A: Text of Measure

RESOLUTION NO. -N.S.

SUBMITTING TO THE BERKELEY ELECTORATE A MEASURE TO AUTHORIZE ANY FEDERAL, STATE OR LOCAL PUBLIC ENTITY TO DEVELOP, CONSTRUCT OR ACQUIRE ADDITIONAL UNITS OF LOW-RENT HOUSING FOR PERSONS OF LOW INCOME ON THE NOVEMBER 8, 2022 BALLOT

WHEREAS, the Berkeley City Council has elected to submit to the voters at the November 8, 2022 General Municipal Election, a measure to authorize any federal, state or local public entity to develop, construct or acquire additional units of low-rent housing for persons of low income; and

WHEREAS, in accordance with the provisions of Section 10002 and 10403 of the Elections Code of the State of California, the Alameda County Board of Supervisors is requested to consolidate the City of Berkeley General Municipal Election with the Statewide General Election to be held November 8, 2022; and

WHEREAS, the City of Berkeley hereby requests that the Alameda County Board of Supervisors permit the Registrar of Voters of Alameda County to perform services in connection with said election at the request of the City Clerk. These services to include all necessary services related to official ballot creation, sample ballot and voter information pamphlet preparation, vote-by-mail, polling places, poll workers, voter registration, voting machines, canvass operations, and any and all other services necessary for the conduct of the consolidated election; and

WHEREAS, the Council desires to submit this measure to be placed upon the ballot at said consolidated election.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Board of Supervisors of Alameda County is hereby requested to include on the ballots and sample ballots the measure enumerated above to be voted on by the voters of the qualified electors of the City of Berkeley.

BE IT FURTHER RESOLVED that the full text of the measure shall be printed in the Voter Information Pamphlet mailed to all voters in the City of Berkeley.

BE IT FURTHER RESOLVED that the above enumerated measure requires a majority vote threshold for passage.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Charter of the City of Berkeley, the Government Code and the Elections Code of the State of California.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to obtain printing, supplies and services as required.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to enter into any contracts necessary for election consulting services, temporary employment services, printing services, and any such other supplies and services as may be required by the statutes of the State of California and the Charter of the City of Berkeley for the conduct of the November General Municipal Election.

BE IT FURTHER RESOLVED that Pursuant to Elections Code Section 9285 (b), the City Council hereby adopts the provisions of Elections Code Section 9285 (a) providing for the filing of rebuttal arguments for city ballot measures.

BE IT FURTHER RESOLVED that the City will reimburse the Registrar of Voters for the costs associated with placing the measure on the ballot.

BE IT FURTHER RESOLVED that said proposed measure shall appear and be printed upon the ballots to be used at said election as follows:

CITY OF BERKELEY BALLOT MEASURE	
Shall any federal, state or local public entity be empowered to develop, construct or acquire an additional 3,000 units of low-rent housing in the City of Berkeley for persons of low income?	YES
<u>Financial Implications:</u> Uncertain, dependent on means of financing used.	NO

BE IT FURTHER RESOLVED that the text of the measure be shown as Exhibit A, attached hereto and made a part hereof.

- Exhibits
A: Text of Measure

Text of Measure

RESOLUTION NO. -N.S.

AUTHORIZING PUBLIC ENTITIES TO DEVELOP, CONSTRUCT, OR ACQUIRE NO MORE THAN 3,000 UNITS OF LOW RENT HOUSING IN THE CITY OF BERKELEY

WHEREAS, Article XXXIV of the Constitution of California requires that a majority of qualified voters of the City of Berkeley determine whether or not any public entity should be empowered to develop, construct, or acquire low rent housing projects in the City of Berkeley.

NOW THEREFORE, BE IT RESOLVED by the People of the City of Berkeley that any public entity shall be empowered to develop, construct or acquire up to 3,000 additional units of low-rent housing for persons of low income in the City of Berkeley.

BE IT FURTHER RESOLVED that the terms of the authorization contained in this measure shall be construed in the same manner as Article XXXIV of the Constitution of California and any laws or cases interpreting that section.

