



® **Government Finance & Administration Policy Committee Meeting**  
**Monday, July 29, 2024 • 11:00 am – 12:00 pm**  
Via Zoom – [Register Here](#)

**Supervisor Mani Grewal, Stanislaus County, Chair**  
**Supervisor Ryan Campbell, Tuolumne County, Vice Chair**  
**Supervisor Nathan Magsig, Fresno County, Vice Chair**

### **Agenda**

- 11:00 am**    **I.    Welcome and Introductions**  
*Supervisor Mani Grewal, Stanislaus County, Chair*  
*Supervisor Ryan Campbell, Tuolumne County, Vice Chair*  
*Supervisor Nathan Magsig, Fresno County, Vice Chair*
- 11:10 am**    **II.    Proposition 5: “Local Government Financing” (ACA 1 and ACA 10) – ACTION ITEM**  
*Supervisor Mani Grewal, Stanislaus County, Chair*  
*Eric Lawyer, Legislative Advocate, CSAC*
- 11:30 am**    **III.    Questions and Discussion**
- 12:00 pm**    **IV.    Closing Comments and Adjournment**  
*Supervisor Mani Grewal, Stanislaus County, Chair*  
*Supervisor Ryan Campbell, Tuolumne County, Vice Chair*  
*Supervisor Nathan Magsig, Fresno County, Vice Chair*



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Graham Knaus

July 29, 2024

To: CSAC Government Finance and Administration (GFA) Policy Committee

From: Eric Lawyer, Legislative Advocate  
Stancia Boatner, Legislative Analyst

**Re: Proposition 5: “Local Government Financing” (ACA 1 and ACA 10) – ACTION ITEM**

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**Recommendation**

CSAC staff recommend the Government Finance and Administration (GFA) policy committee forward a recommendation of a support position on [Proposition 5](#), initially moved as Assembly Constitutional Amendment (ACA) 1 and amended through passage of ACA 10.

**Measure Status and Title – A Note for Clarity**

The Legislature passed [ACA 1](#) (Chapter 173, Statutes of 2023) on September 14, 2023. The Legislature passed [ACA 10](#) (Chapter 134, Statutes of 2024) on June 27, 2024, to remove the provisions of ACA 1 that would apply the reduced vote requirements to special taxes. On July 3, 2024, Secretary of State Shirley Weber formally set ACA 1 on the ballot and [designated](#) it as Proposition 5.

For the sake of consistency and clarity due to the familiarity with the title “ACA 1,” we will use that term to refer to the measure throughout this memo.

**Measure Summary**

This constitutional amendment would reduce the voter approval threshold from two-thirds to 55% for general obligation bonds that fund public infrastructure, affordable housing projects, and permanent supportive housing for persons at risk of chronic homelessness—and any associated ad valorem taxes needed to pay the interest and redemption charges on bonded indebtedness.

**Background**

The changes proposed in this measure are not without precedent. Assembly Member Aguiar-Curry introduced similar constitutional amendments in 2017 ([ACA 4](#)), 2019 ([ACA 1](#)), and 2021 ([ACA 1](#)). These measures were substantially similar and would have lowered the voter-approval threshold to 55% for local governments to both incur bonded indebtedness or impose specified special taxes to fund projects for housing or public infrastructure.

CSAC’s past advocacy regarding these measures includes:

- ACA 4, 2017: [Support, in coalition with other local government advocacy groups.](#)
- ACA 1, 2019: [Support](#)
- ACA 1, 2021: The measure was referred to the Assembly Local Government Committee but was ultimately never heard. Therefore, CSAC did not have the opportunity to file a notice of support.

- ACA 1, 2023: [Support](#) via CSAC staff and formal [support](#) of the measure adopted by the CSAC Board of Directors on April 19, 2024

## Staff Comments

### Amendments to ACA 1

ACA 1 was passed by the Legislature in 2023 and set for the November 2024 ballot. Since then, the measure has been amended through two separate legislative vehicles, with one vehicle needed to make constitutional amendments, ACA 10, and another to make statutory changes, AB 2813.

ACA 10 significantly amended ACA 1 by removing its application of a reduced 55% vote requirement to special taxes used to support affordable housing, permanent supportive housing, and public infrastructure, as defined. Instead, due to the passage of ACA 10, ACA 1 would only reduce vote requirements *only* for general obligation bonds used to support affordable housing, permanent supportive housing, and public infrastructure—and any associated ad valorem taxes needed to pay the interest and redemption charges on bonded indebtedness.

AB 2813 made a series of technical amendments to the statutory provisions of ACA 1, including specifying accountability requirements for ACA 1 bonded indebtedness, clarifying the role of the State Auditor in reviewing ACA 1 audits, clarifying the roles and responsibilities of citizens' oversight committees on ACA 1 projects, and providing some restrictions on the uses of ACA 1 projects. Notably, those restrictions would clarify that ACA 1 funds cannot be used to acquire or lease real property with one to four dwelling units or to finance the reconstruction or rehabilitation of a sports arena. AB 2813 was passed by the Legislature on July 3, 2024.

### Potential ACA 1 Projects

Broadly, ACA 1 would apply its reduced vote requirements to three categories: affordable housing, permanent supportive housing, and public infrastructure. While the measure is written in a way to apply somewhat broadly to projects meeting those definitions, the collective ACA 1 laws include both explicit prohibitions and authorizations on specific categories of projects that are qualified under ACA 1.

### *Affordable Housing*

The definition of affordable housing under ACA 1, includes the purchase or lease of real property for rental housing, ownership housing, and interim housing. Affordable housing is also defined to include financial programs including downpayment assistance, first-time homebuyer programs, and owner-occupied affordable housing rehabilitation programs.

Affordability is defined as housing for households earning up to 150% of countywide median income or housing developments that include portions available to extremely low<sup>1</sup>, very low<sup>2</sup>, low<sup>-3</sup>, or moderate-income households<sup>4</sup>, as defined in state law.

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<sup>1</sup> [Health and Safety Code § 50106](#)

<sup>2</sup> [Health and Safety Code § 50105](#)

<sup>3</sup> [Health and Safety Code § 50079.5](#)

<sup>4</sup> [Health and Safety Code § 50093](#)

Late amendments to AB 2813 narrowed the use of affordable housing projects to multifamily housing projects, excluding real property with one to four dwelling units.

#### *Permanent Supportive Housing*

Permanent Supportive Housing is designed to apply to housing projects for persons at risk of chronic homelessness and those with mental illnesses. The projects are defined to include services aimed at helping residents retain housing, improve their health, and enhance their ability to live and work within their community.

Administrative costs for permanent supportive housing, and any other use of ACA 1 revenue, are limited to 5% of the proceeds of ACA 1 general obligation bonds.

#### *Public Infrastructure*

The definition of public infrastructure is broad, applying to facilities or infrastructure needed for the delivery of public services. Those can include police, fire protection, parks, recreation, emergency medical, public health, libraries, broadband, home hardening, flood protection, streets and roads, public transit, railroad, airports, and seaports. Public safety infrastructure can include equipment used exclusively by fire, emergency response, police, and sheriff personnel.

Public infrastructure projects can also include utility projects, including energy, communications, water, and wastewater infrastructure, as well as projects that provide protection of property from sea level rise.

ACA 1 proceeds cannot be used to pay for the construction, reconstruction, or rehabilitation of a sports stadium used predominantly for private ticketed events.

Aside from public safety equipment, public infrastructure projects must have a useful life of at least 15 years. Public safety equipment, on the other hand, must have a useful life of at least five years.

#### Oversight and Accountability

ACA 1 requires citizens oversight committees to ensure that ACA 1 general obligation bonds and projects comply with state laws and the local initiatives that implement them. The committees are modeled on those established for Proposition 39 for school district bonds. ACA 1 oversight committees must be established within 90 days of certifying an election that includes an ACA 1 general obligation bond. The committees would be empowered to review copies of independent performance and financial audits of ACA 1 projects, inspect infrastructure and housing projects funded with ACA 1 revenue, and governing boards are required to provide the committees with any necessary technical assistance and resources needed to operate, without using ACA 1 proceeds to fund them.

Counties implementing ACA 1 general obligation bonds are required to conduct annual independent performance and financial audits of ACA 1 projects and submit them to the California State Auditor for review.

#### Parity with school districts

The California Constitution currently requires a two-thirds vote at the local level for general obligation bonds for cities, counties, and special districts. However, due to the passage of Proposition 39 in 2000,

local school districts can receive approval for bonded indebtedness with only a 55% vote threshold for the construction, reconstruction, rehabilitation, or replacement of schools.

The changes included in ACA 1 will create parity for cities, counties, and special districts for voter approval thresholds already granted to school districts. In November 2022, California voters statewide [approved 72% of all local school bond measures](#) on local ballots (71 of 99 total measures), which only require a 55% voter approval threshold. In comparison, in November 2022 voters statewide approved 40 percent of all county general obligation bonds on local ballots, which require approval by two-thirds of voters.

### **Recorded Support and Opposition**

Entities and individuals that filed a notice of support or opposition to ACA 1 as the measure moved through the legislative process are included in Attachment 1. Attachment 2 includes the list of registered support or opposition to ACA 10 and AB 2813. CSAC did not take a position on ACA 10 because the measure amended the version of ACA 1 already approved by the CSAC Board of Directors.

### **Policy Considerations**

The California [County Platform](#), CSAC's adopted statement of the basic policies of concern and interest to California's counties, states, in part, that:

*Local Authority: Counties should be granted enhanced local revenue-generating authority to respond to unique circumstances in each county to provide needed infrastructure and county services. Any revenue raising actions that require approval by the electorate should require a simple majority vote.*

Local revenue-generating authority is a means of local control and remains a chief advocacy principle for California counties. CSAC's County Platform has long maintained that when communities have control over their services and revenues, they can choose the level of services they want from their government and the right level of revenue to provide those services, which is why lowering the two-thirds vote threshold continues to be a staple of the CSAC's advocacy efforts. Requiring a 55% supermajority would still require overwhelming support from local votes, giving them control over how their tax dollars are spent.

**Staff Contacts:** Please contact Eric Lawyer at [elawyer@counties.org](mailto:elawyer@counties.org) or Stanicia Boatner at [sboatner@counties.org](mailto:sboatner@counties.org).

### **Materials and Resources for Further Reading**

- Attachment 1: [ACA 1 Recorded Support and Opposition as of September 12, 2023](#)
- Attachment 2: [ACA 10 and AB 2813 Recorded Support and Opposition](#)
- Attachment 3: [Full Text of ACA 1](#) (As Chaptered September 20, 2023)
- Attachment 4: [Full Text of ACA 10](#) (As Chaptered June 27, 2024)
- Attachment 5: [Full Text of AB 2813](#) (As Enrolled July 8, 2024)
- Attachment 6: [CSAC ACA 1 Support Letter](#) (Submitted September 11, 2023)
- Attachment 7: Michael Coleman, California Local Government Finance Almanac: [Local Revenue Measure Results, November 2022](#)



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July 29, 2024

To: CSAC Government Finance and Administration (GFA) Policy Committee

From: Eric Lawyer, Legislative Advocate  
Stanicia Boatner, Legislative Analyst

Re: **Proposition 5: “Local Government Financing” (ACA 1 and ACA 10) – Action Item**

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**Recorded Support and Opposition to Proposition 5**

**Support**

Habitat for Humanity  
League of Women Voters of California  
California Professional Firefighters  
AARP  
Housing California  
California Federation of Teachers  
California Alliance for Jobs  
American Society of Civil Engineers

Hundreds of other organizations representing seniors, veterans, working families, small businesses, housing advocates, and more.

**Opposition**

California Consumer Advocates for Affordability and Safety  
California Hispanic Chambers of Commerce  
California Senior Alliance  
California Taxpayers Association  
Howard Jarvis Taxpayers Association  
Women Veterans Alliance

**Recorded Support and Opposition to ACA 1 (Aguiar-Curry) Legislation**

**Support**

California Professional Firefighters (co-sponsor)  
California State Building and Construction Trades Council (co-sponsor)  
AARP California  
Abode Communities  
Abundant Housing LA  
Affirmed Housing  
AIDS Healthcare Foundation  
All Home  
Alta Housing  
American Council of Engineering Companies, California  
American Federation of State, County and Municipal Employees, AFL-CIO

**Support (continued)**

American Planning Association  
American Society of Civil Engineers  
Associated General Contractors, California Chapter  
Association of Bay Area Governments – Metropolitan Transportation Commission  
Brilliant Corners  
California Alliance for Jobs  
California Asphalt Pavement Association  
California Association of Local Housing Finance Agencies  
California Association of Recreation and Park Districts  
California Association of Resource Conservation Districts  
California Conference of Carpenters  
California Construction and Industrial Materials Assoc.  
California Democratic Party  
California Fire Chiefs Association  
California Housing Consortium  
California Housing Partnership  
California IATSE Council  
California Labor Federation  
California Library Association  
California School Employees Association  
California Special Districts Association  
California State Association of Counties  
California State Association of Electrical Workers  
California State Council of Laborers  
California Stormwater Quality Association  
California Transit Association  
California YIMBY  
Canal Alliance  
Circulate San Diego  
City and County of San Francisco  
City of Alameda  
City of Belmont  
City of Emeryville  
City of Fremont  
City of Glendale  
City of Half Moon Bay  
City of Hayward  
City of Kingsburg  
City of Long Beach  
City of Oakland  
City of Palo Alto  
City of Petaluma  
City of Redwood City  
City of San Diego  
City of San Luis Obispo



**Support (continued)**

City of Santa Monica  
City of Santa Rosa  
City of Soledad  
City of Tulare  
City of Walnut Creek  
City of West Hollywood  
City of West Sacramento  
City of Winters  
CivicWell  
College Democrats of Sacramento State University  
Council of Community Housing Organizations  
County of Marin  
County of Mono  
County of Santa Clara  
County of Yolo  
Desert Recreation District  
Destination: Home  
Devine & Gong, Inc.  
District Hospital Leadership Forum  
EAH Housing  
East Bay for Everyone  
East Bay Housing Associations  
East Bay Municipal Utility District  
East Bay YIMBY  
Eden Housing  
Enterprise  
Evolve California  
Fire Districts Association of California  
Generation Housing  
Grow the Richmond  
Habitat for Humanity California  
Housing Crisis Action  
Housing Leadership Council of San Mateo County  
Housing Trust Silicon Valley  
How To ADU  
International Union of Operating Engineers, Cal-Nevada Conference  
League of California Cities  
League of Women Voters of California  
Local Initiatives Support Corporation Bay Area  
Mercy Housing California  
Metropolitan Transportation Commission  
MidPen Housing Corporation  
Midpeninsula Regional Open Space District  
Mission Housing Development Corporation  
Monterey Bay Economic Partnership



**Support (continued)**

Mountain View YIMBY  
Move LA  
Mutual Housing California  
Napa-Solano for Everyone  
Non-Profit Housing Association of Northern California  
Nor Cal Carpenters Union  
North Bay Leadership Council  
Northern Neighbors  
Old Valley Homes and Loans  
PATH  
Peninsula Corridor Joint Powers Board  
Peninsula for Everyone  
People for Housing Orange County  
Professional Engineers in California Government  
Progress Noe Valley  
Public Policy Advocates  
Rebuild SoCal Partnership  
Regional Asthma Management and Prevention  
Resources for Community Development  
Rural County Representatives of California  
San Francisco Bay Area Planning and Urban Research Association  
San Francisco Foundation  
San Francisco Housing Accelerator Fund  
San Francisco Housing Development Corporation  
San Francisco YIMBY  
San Joaquin Valley Housing Collaborative  
San Luis Obispo YIMBY  
San Mateo County Transit District  
San Ramon Valley Fire Protection District  
Santa Clara Valley Water District  
Santa Cruz YIMBY  
Santa Rosa YIMBY  
Save the Bay  
Seifel Consulting, Inc.  
Sierra Business Council  
SLO Co YIMBY  
Solano Transportation Authority  
Sonoma County Area Agency on Aging  
South Bay YIMBY  
South Side Forward  
Southern California Contractors Association  
St. Mary's Center

**Support (continued)**

State Building and Construction Trades Council of California  
Streets for People  
SV@HomeActionFund  
Tenderloin Neighborhood Development Corp.  
Transportation California  
Tri-Valley Cities of Dublin, Livermore, Pleasanton, San Ramon, and the Town of Danville  
United Contractors  
United Way Bay Area  
Urban Counties of California  
Urban Environmentalists  
Valley Water  
Ventura County YIMBY  
Washington Hospital Healthcare System  
Western Center on Law and Poverty  
Western Regional Association for Pavement Preservation  
YIMBY Action

**Opposition**

Affordable Housing Management Association – Pacific Southwest  
Alameda County Taxpayers Association  
Apartment Association of Greater Los Angeles  
Apartment Association of Orange County  
Apartment Owners Association of America, California  
Building Owners and Managers Association  
California Association of Realtors  
California Attractions and Parks Association  
California Business Properties Association  
California Cattlemen’s Association  
California Chamber of Commerce  
California Independent Petroleum Association  
California Land Title Association  
California Manufacturers and Technology Association  
California Railroads  
California Rental Housing Association  
California Retailers Association  
California Self Storage Association  
California Taxpayer Association  
California Taxpayer Protection Committee  
Catalysts for Local Control  
Central Coast Taxpayers Association  
Central Valley Taxpayers Association  
Coalition of Labor, Agriculture, and Business, Santa Barbara County  
Coalition of Sensible Taxpayers  
Contra Costa Taxpayers Association  
East Bay Rental Housing Association

**Opposition (*continued*)**

Escrow Institute of California  
Family Business Association of California  
Glendora Chamber of Commerce  
Greater San Fernando Valley Chamber of Commerce  
Howard Jarvis Taxpayers Association  
Kern County Taxpayers Association  
Laguna Niguel Chamber of Commerce  
NAIOP: Commercial Real Estate Development Association  
National Federation of Independent Businesses  
Orange County Business Council  
Orange County Taxpayers Association  
Placer County Taxpayers Association  
San Diego Tax Fighters  
San Gabriel Valley Economic Partnership  
Silicon Valley Leadership Group  
Silicon Valley Taxpayers Association  
Solano County Taxpayers Association  
Southern California Rental Housing Association  
Sutter County Taxpayers Association  
United Hospital Association  
Valley Industry and Commerce Association  
Ventura County Taxpayers Association  
Western Manufactured Housing Communities Association



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July 29, 2024

To: CSAC Government Finance and Administration (GFA) Policy Committee

From: Eric Lawyer, Legislative Advocate  
Stanica Boatner, Legislative Analyst

Re: **ACTION ITEM: Proposition 5: “Local Government Financing” (ACA 1 and ACA 10)**

**Recorded Support and Opposition to ACA 10 (Aguiar-Curry) as of June 2024**

**Support:**

Beach Cities Health District  
California Professional Firefighters  
California School Employees Association  
Eden Housing

**Opposition:**

California Stormwater Quality Association (CASQA)  
City of Salinas

**Recorded Support and Opposition to AB 2813 (Aguiar-Curry) as of June 2024**

**Support:**

California Professional Firefighters  
California School Employees Association  
California State Association of Counties<sup>1</sup>  
City of Emeryville  
Habitat for Humanity California  
Powerca Action

**Opposition:**

Howard Jarvis Taxpayers Association

<sup>1</sup> CSAC ceased submitting support letters after learning about the amendments to ACA 1.



**ACA-1 Local government financing: affordable housing and public infrastructure: voter approval.** (2023-2

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## Assembly Constitutional Amendment No. 1

### CHAPTER 173

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 1 and 4 of Article XIII A thereof, by amending Section 2 of, and by adding Section 2.5 to, Article XIII C thereof, by amending Section 3 of Article XIII D thereof, and by amending Section 18 of Article XVI thereof, relating to local finance.

[ Filed with Secretary of State September 20, 2023. ]

### LEGISLATIVE COUNSEL'S DIGEST

ACA 1, Aguiar-Curry. Local government financing: affordable housing and public infrastructure: voter approval.

(1) The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions.

This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, including downpayment assistance, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, city and county, or special district, as applicable, and the proposition includes specified accountability requirements. The measure would prohibit a city, county, city and county, or special district from placing a proposition on the ballot pursuant to these provisions if the voters have previously approved a proposition pursuant to these provisions or the below special tax provisions until all funds from the previous proposition are committed to programs and projects listed in the specific local program or ordinance, as described. The measure, subject to certain vote thresholds, would authorize the Legislature to enact laws establishing additional accountability measures and laws for the downpayment assistance programs authorized by the measure, as specified. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure.

(2) The California Constitution conditions the imposition of a special tax by a local government upon the approval of  $\frac{2}{3}$  of the voters of the local government voting on that tax.

This measure would authorize a local government to impose, extend, or increase a sales and use tax or transactions and use tax imposed in accordance with specified law or a parcel tax for the purposes of funding the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, including downpayment assistance, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by a majority vote of the membership of the governing board of the local government and by 55% of its voters voting on the proposition and the proposition includes specified accountability requirements. The measure would prohibit a local government from placing a proposition on the ballot pursuant to these provisions if the voters have previously approved a proposition pursuant to these provisions or the above ad valorem tax provisions until all funds from the previous proposition are committed to programs and projects listed in the specific local program or ordinance, as described. The measure, subject to certain vote thresholds, would authorize the Legislature to enact laws establishing additional accountability measures and laws for the downpayment assistance programs authorized by the measure, as specified. This measure would also make conforming changes to related provisions. The measure would specify that these provisions apply to any local measure imposing, extending, or increasing a sales and use tax, transactions and use tax, or parcel tax for these purposes that is submitted at the same election as this measure.

(3) The California Constitution prohibits specified local government agencies from incurring any indebtedness exceeding in any year the income and revenue provided in that year, without the assent of  $\frac{2}{3}$  of the voters and subject to other conditions. In the case of a school district, community college district, or county office of education, the California Constitution permits a proposition for the incurrence of indebtedness in the form of general obligation bonds for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, to be adopted upon the approval of 55% of the voters of the district or county, as appropriate, voting on the proposition at an election.

This measure would expressly prohibit a special district, other than a board of education or school district, from incurring any indebtedness or liability exceeding any applicable statutory limit, as prescribed by the statutes governing the special district. The measure would also similarly require the approval of 55% of the voters of the city, county, city and county, or special district, as applicable, to incur bonded indebtedness, exceeding in any year the income and revenue provided in that year, that is in the form of general obligation bonds issued to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing projects, if the proposition proposing that bond includes specified accountability requirements. The measure would specify that this 55% threshold applies to any proposition for the incurrence of indebtedness by a city, county, city and county, or special district for these purposes that is submitted at the same election as this measure.

(4) This measure would deem another measure on the same statewide election ballot relating to state or local requirements for the imposition, adoption, creation, or establishment of taxes, charges, and other revenue measures in conflict with it and would make the other measure null and void if this measure receives more affirmative votes.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 2023–24 Regular Session commencing on the fifth day of December 2022, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California, that the Constitution of the State be amended as follows:

**First—** That Section 1 of Article XIII A thereof is amended to read:

**SECTION 1.** (a) The maximum amount of any ad valorem tax on real property shall not exceed 1 percent of the full cash value of that property. The 1 percent tax shall be collected by the counties and apportioned according to law to the districts within the counties.

(b) The limitation provided for in subdivision (a) shall not apply to ad valorem taxes or special assessments to pay the interest and redemption charges on any of the following:

(1) Indebtedness approved by the voters before July 1, 1978.

(2) Bonded indebtedness to fund the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by the voters voting on the proposition.

(3) Bonded indebtedness incurred by a school district, community college district, or county office of education for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, approved by 55 percent of the voters of the district or county, as appropriate, voting on the proposition on or after November 8, 2000. This paragraph shall apply only if the proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:

(A) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in this paragraph, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

(B) A list of the specific school facilities projects to be funded and certification that the school district board, community college board, or county office of education has evaluated safety, class size reduction, and information technology needs in developing that list.

(C) A requirement that the school district board, community college board, or county office of education conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed.

(D) A requirement that the school district board, community college board, or county office of education conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects.

(4) (A) Bonded indebtedness incurred by a city, county, city and county, or special district for the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing for persons at risk of chronic homelessness, including persons with mental illness, or the acquisition or lease of real property for public infrastructure, affordable housing, or permanent supportive housing for persons at risk of chronic homelessness, including persons with mental illness, approved by 55 percent of the voters of the city, county, city and county, or special district, as appropriate, voting on the proposition on or after the effective date of the measure adding this paragraph. This paragraph shall apply only if the proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:

(i) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in this paragraph, and not for any other purpose, including city, county, city and county, or special district employee salaries and other operating expenses. The administrative cost of the city, county, city and county, or special district executing the projects and programs of the proposition shall not exceed 5 percent of the proceeds from the sale of the bonds.

(ii) A requirement that the proceeds from the sale of the bonds only be spent on projects and programs that serve the jurisdiction of the city, county, city and county, or special district.

(iii) The specific local program or ordinance through which projects will be funded and a certification that the city, county, city and county, or special district has evaluated alternative funding sources.

(iv) A requirement that the city, county, city and county, or special district conduct an annual, independent performance audit to ensure that the funds have been expended pursuant to the local program or ordinance specified in clause (iii).

(v) A requirement that the city, county, city and county, or special district conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the public infrastructure or affordable housing projects, as applicable.

(vi) A requirement that the city, county, city and county, or special district post the audits required by clauses (iv) and (v) in a manner that is easily accessible to the public.

(vii) A requirement that the audits required by clauses (iv) and (v) will be submitted to the California State Auditor for review.

(viii) (I) A requirement that the city, county, city and county, or special district appoint a citizens' oversight committee to ensure that bond proceeds are expended only for the purposes described in the measure approved by the voters.

(II) Members appointed to an oversight committee established pursuant to subclause (I) shall receive educational training about bonds and fiscal oversight.

(ix) A requirement that an entity owned or controlled by a local official that votes on whether to put a proposition on the ballot pursuant to this section will be prohibited from bidding on any work funded by the proposition.

(B) Notwithstanding any other law, if the voters of the local government have previously approved a proposition pursuant to this paragraph or Section 2.5 of Article XIII C, the local government shall not place a proposition on the ballot pursuant to this section until all funds from the previous proposition are committed to programs and projects listed in the proposition's specific local program or ordinance described in clause (iii) of subparagraph (A) or subparagraph (C) of paragraph (2) of subdivision (a) of Section 2.5 of Article XIII C, as applicable.

(C) The Legislature may, by two-thirds vote, enact laws establishing accountability measures in addition to those listed in subparagraph (A), provided such laws are consistent with the purposes and intent of this paragraph.

(D) The Legislature may, by majority vote, enact laws for the downpayment assistance programs established pursuant to this paragraph, provided that those laws further the purposes of this paragraph.

(E) For purposes of this paragraph:

(i) (I) "Affordable housing" shall include housing developments, or portions of housing developments, that provide workforce housing affordable to households earning up to 150 percent of countywide median income, and housing developments, or portions of housing developments, that provide housing affordable to extremely low, very low, low-, or moderate-income households, as those terms are defined in state law. Affordable housing may include capitalized operating reserves, as the term is defined in state law.

(II) "Affordable housing" shall also include downpayment assistance programs.

(ii) "At risk of chronic homelessness" includes, but is not limited to, persons who are at high risk of long-term or intermittent homelessness, including persons with mental illness exiting institutionalized settings, including, but not limited to, jail and mental health facilities, who were homeless prior to admission, transition age youth experiencing homelessness or with significant barriers to housing stability, and others, as defined in program guidelines.

(iii) "Permanent supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist residents in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. "Permanent supportive housing" includes associated facilities, if those facilities are used to provide services to housing residents.

(iv) "Public infrastructure" shall include, but is not limited to, projects that provide any of the following:

(I) Water or protection of water quality.

(II) Sanitary sewer.

(III) Treatment of wastewater or reduction of pollution from stormwater runoff.

(IV) Protection of property from impacts of sea level rise.



(V) Parks and recreation facilities.

(VI) Open space.

(VII) Improvements to transit and streets and highways.

(VIII) Flood control.

(IX) Broadband internet access service expansion in underserved areas.

(X) Local hospital construction.

(XI) Public safety buildings or facilities, equipment related to fire suppression, emergency response equipment, or interoperable communications equipment for direct and exclusive use by fire, emergency response, police, or sheriff personnel.

(XII) Public library facilities.

(v) "Special district" has the same meaning as provided in subdivision (c) of Section 1 of Article XIII C and specifically includes a transit district, a regional transportation commission, and an association of governments, except that "special district" does not include a school district, redevelopment agency, or successor agency to a dissolved redevelopment agency.

(F) This paragraph shall apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for those purposes described in this paragraph that is submitted at the same election as the measure adding this paragraph.

(c) (1) Notwithstanding any other provisions of law or of this Constitution, a school district, community college district, or county office of education may levy a 55-percent vote ad valorem tax pursuant to paragraph (3) of subdivision (b).

(2) Notwithstanding any other provisions of law or this Constitution, a city, county, city and county, or special district may levy a 55-percent vote ad valorem tax pursuant to paragraph (4) of subdivision (b).

**Second—** That Section 4 of Article XIII A thereof is amended to read:

**SEC. 4.** Except as provided by Section 2.5 of Article XIII C, a city, county, or special district, by a two-thirds vote of its voters voting on the proposition, may impose a special tax within that city, county, or special district, except an ad valorem tax on real property or a transactions tax or sales tax on the sale of real property within that city, county, or special district.

**Third—** That Section 2 of Article XIII C thereof is amended to read:

**SEC. 2.** Notwithstanding any other provision of this Constitution:

(a) Any tax imposed by a local government is either a general tax or a special tax. A special district or agency, including a school district, has no authority to levy a general tax.

(b) A local government may not impose, extend, or increase any general tax unless and until that tax is submitted to the electorate and approved by a majority vote. A general tax is not deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved. The election required by this subdivision shall be consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body.

(c) Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and before the effective date of this article, may continue to be imposed only if that general tax is approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held no later than November 6, 1996, and in compliance with subdivision (b).

(d) Except as provided by Section 2.5, a local government may not impose, extend, or increase any special tax unless and until that tax is submitted to the electorate and approved by a two-thirds vote. A special tax is not deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved.

**Fourth—** That Section 2.5 is added to Article XIII C thereof, to read:

**SEC. 2.5.** (a) The imposition, extension, or increase of a sales and use tax imposed in accordance with the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code) or a successor law, a transactions and use tax imposed in accordance with the Transactions and Use Tax Law (Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code) or a successor law, or a parcel tax imposed by a local government for the purpose of funding the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing for persons at risk of chronic homelessness, including persons with mental illness, or the acquisition or lease of real property for public infrastructure, affordable housing, or permanent supportive housing for persons at risk of chronic homelessness, including persons with mental illness, is subject to approval by 55 percent of the voters in the local government voting on the proposition, if both of the following conditions are met:

(1) The proposition is approved by a majority vote of the membership of the governing board of the local government.

(2) The proposition contains all of the following accountability requirements:

(A) A requirement that the proceeds of the tax only be used for the purposes specified in the proposition, and not for any other purpose, including general employee salaries and other operating expenses of the local government. The administrative cost of the local government executing the projects and programs funded by the proposition shall not exceed 5 percent of the proceeds of the tax.

(B) A requirement that the proceeds of the tax only be spent on projects and programs that serve the jurisdiction of the local government.

(C) The specific local program or ordinance through which projects will be funded and a certification that the local government has evaluated alternative funding sources.

(D) A requirement that the local government conduct an annual, independent performance audit to ensure that the proceeds of the special tax have been expended pursuant to the local program or ordinance specified in subparagraph (C).

(E) A requirement that the local government conduct an annual, independent financial audit of the proceeds from the tax during the lifetime of that tax.

(F) A requirement that the audits required by subparagraphs (D) and (E) will be submitted to the California State Auditor for review.

(G) A requirement that the local government post the audits required by subparagraphs (D) and (E) in a manner that is easily accessible to the public.

(H) (i) A requirement that the local government appoint a citizens' oversight committee to ensure the proceeds of the special tax are expended only for the purposes described in the measure approved by the voters.

(ii) (I) A requirement that members appointed to an oversight committee established pursuant to clause (i) receive educational training about local taxation and fiscal oversight.

(II) A requirement that an entity owned or controlled by a local official that votes on whether to put a proposition on the ballot pursuant to this section will be prohibited from bidding on any work funded by the proposition.

(3) The Legislature may, by two-thirds vote, enact laws establishing accountability measures in addition to those listed in paragraph (2), provided such laws are consistent with the purposes and intent of this section.

(b) Notwithstanding any other law, if the voters of the local government have previously approved a proposition pursuant to this section or paragraph (4) of subdivision (b) of Section 1 of Article XIII A, the local government shall not place a proposition on the ballot pursuant to this section until all funds from the previous proposition are committed to programs and projects listed in the specific local program or ordinance described in subparagraph (C) of paragraph (2) of subdivision (a) of this section or clause (iii) of subparagraph (A) of paragraph (4) of subdivision (b) of Section 1 of Article XIII A.

(c) The Legislature may, by majority vote, enact laws for the downpayment assistance programs established pursuant to this section, provided that those laws further the purposes of this section.

(d) For purposes of this section, the following terms have the following meanings:

(1) (A) "Affordable housing" shall include housing developments, or portions of housing developments, that provide workforce housing affordable to households earning up to 150 percent of countywide median income, and housing developments, or portions of housing developments, that provide housing affordable to extremely low, very low, low-, or moderate-income households, as those terms are defined in state law. Affordable housing may include capitalized operating reserves, as the term is defined in state law.

(B) "Affordable housing" shall also include downpayment assistance programs.

(2) "At risk of chronic homelessness" includes, but is not limited to, persons who are at high risk of long-term or intermittent homelessness, including persons with mental illness exiting institutionalized settings, including, but not limited to, jail and mental health facilities, who were homeless prior to admission, transition age youth experiencing homelessness or with significant barriers to housing stability, and others, as defined in program guidelines.

(3) "Permanent supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist residents in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. "Permanent supportive housing" includes associated facilities, if those facilities are used to provide services to housing residents.

(4) "Local government" has the same meaning as provided in subdivision (b) of Section 1 of this article and specifically includes a transit district, a regional transportation commission, and an association of governments.

(5) "Public infrastructure" shall include, but is not limited to, the projects that provide any of the following:

(A) Water or protection of water quality.

- (B) Sanitary sewer.
- (C) Treatment of wastewater or reduction of pollution from stormwater runoff.
- (D) Protection of property from impacts of sea level rise.
- (E) Parks and recreation facilities.
- (F) Open space.
- (G) Improvements to transit and streets and highways.
- (H) Flood control.
- (I) Broadband internet access service expansion in underserved areas.
- (J) Local hospital construction.
- (K) Public safety buildings or facilities, equipment related to fire suppression, emergency response equipment, or interoperable communications equipment for direct and exclusive use by fire, emergency response, police, or sheriff personnel.
- (L) Public library facilities.

(e) This section shall apply to any local measure imposing, extending, or increasing a sales and use tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law, a transactions and use tax imposed in accordance with the Transactions and Use Tax Law, or a parcel tax imposed by a local government for those purposes described in subdivision (a) that is submitted at the same election as the measure adding this section.

**Fifth—** That Section 3 of Article XIII D thereof is amended to read:

**SEC. 3.** (a) An agency shall not assess a tax, assessment, fee, or charge upon any parcel of property or upon any person as an incident of property ownership except:

- (1) The ad valorem property tax imposed pursuant to Article XIII and Article XIII A.
- (2) Any special tax receiving a two-thirds vote pursuant to Section 4 of Article XIII A or receiving a 55-percent approval pursuant to Section 2.5 of Article XIII C.
- (3) Assessments as provided by this article.
- (4) Fees or charges for property-related services as provided by this article.

(b) For purposes of this article, fees for the provision of electrical or gas service are not deemed charges or fees imposed as an incident of property ownership.

**Sixth—** That Section 18 of Article XVI thereof is amended to read:

**SEC. 18.** (a) A county, city, town, township, board of education, or school district, shall not incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for that year, without the assent of two-thirds of the voters of the public entity voting at an election to be held for that purpose, except that with respect to any such public entity that is authorized to incur indebtedness for public school purposes, any proposition for the incurrence of indebtedness in the form of general obligation bonds for the purpose of repairing, reconstructing, or replacing public school buildings determined, in the manner prescribed by law, to be structurally unsafe for school use, shall be adopted upon the approval of a majority of the voters of the public entity voting on the proposition at the election; nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and to provide for a sinking fund for the payment of the principal thereof, on or before maturity, which shall not exceed 40 years from the time of contracting the indebtedness. A special district, other than a board of education or school district, shall not incur any indebtedness or liability exceeding any applicable statutory limit, as prescribed by the statutes governing the special district as they currently read or may thereafter be amended by the Legislature.

(b) (1) Notwithstanding subdivision (a), any proposition for the incurrence of indebtedness in the form of general obligation bonds for the purposes described in paragraph (3) or (4) of subdivision (b) of Section 1 of Article XIII A shall be adopted upon the approval of 55 percent of the voters of the school district, community college district, county office of education, city, county, city and county, or other special district, as appropriate, voting on the proposition at an election. This subdivision shall apply to a proposition for the incurrence of indebtedness in the form of general obligation bonds for the purposes specified in this subdivision only if the proposition meets all of the accountability requirements of paragraph (3) or (4) of subdivision (b), as appropriate, of Section 1 of Article XIII A.

- (2) The amendments made to this subdivision by the measure adding this paragraph shall apply to any proposition for the incurrence of indebtedness in the form of general obligation bonds pursuant to this subdivision for the purposes described in paragraph (4) of subdivision (b) of Section 1 of Article XIII A that is submitted at the same election as the measure adding this paragraph.

(c) When two or more propositions for incurring any indebtedness or liability are submitted at the same election, the votes cast for and against each proposition shall be counted separately, and if two-thirds or a majority or 55 percent of the voters, as the case may be, voting on any one of those propositions, vote in favor thereof, the proposition shall be deemed adopted.

**Seventh—** In the event that this measure and another measure or measures relating to state or local requirements for the imposition, adoption, creation, or establishment of taxes, charges, and other revenue measures shall appear on the same statewide election ballot, the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure or measures shall be null and void.



## ACA-10 Local government financing: affordable housing and public infrastructure: voter approval. (2023-

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### Assembly Constitutional Amendment No. 10

#### CHAPTER 134

A resolution directing the Secretary of State to make amendments in Assembly Constitutional Amendment No. 1 (Resolution Chapter 173 of the Statutes of 2023) relating to local government finance.

[ Filed with Secretary of State June 27, 2024. ]

#### LEGISLATIVE COUNSEL'S DIGEST

ACA 10, Aguiar-Curry. Local government financing: affordable housing and public infrastructure: voter approval.

Assembly Constitutional Amendment No. 1 of the 2023–24 Regular Session (ACA 1) would, if adopted by the people, amend Section 4 of Article XIII A, Section 2 of Article XIII C, and Section 3 of Article XIII D of, and would add Section 2.5 of Article XIII C to, the California Constitution, relative to local finance. Under these provisions, ACA 1 would condition the imposition, extension, or increase of a sales and use tax or transactions and use tax imposed in accordance with specified law or a parcel tax by a local government for the purposes of funding the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, including downpayment assistance, or permanent supportive housing, or the acquisition or lease of real property for those purposes, on the proposition proposing that tax being approved by a majority vote of the membership of the governing board of the local government and by 55% of its voters voting on the proposition and the proposition includes specified accountability requirements. ACA 1 would also make conforming changes.

This measure would remove the above-described provisions of ACA 1 relating to special taxes and make conforming changes in other provisions of ACA 1. The measure would direct the Secretary of State to make those amendments in ACA 1.

ACA 1 would create an additional exception to the 1% ad valorem property tax rate limit for an ad valorem tax or special assessment to pay the interest and redemption charges on bonded indebtedness incurred by a city, county, or special district, as defined, to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, including downpayment assistance, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, city and county, or special district, as applicable, voting on the proposition on or after the effective date of ACA 1 and on the proposition including specified accountability requirements. ACA 1 would provide that this exception applies to an ad valorem tax for these purposes that is submitted at the same election as ACA 1.

This measure would specify that the proposition proposing bonded indebtedness for which an ad valorem tax may be imposed under ACA 1, and any measure imposing an ad valorem tax for these purposes, may be voted on at the same election as ACA 1 or at a later election held after the effective date of ACA 1. The measure would also modify the definition of affordable housing for these purposes to include housing developments, or portions of housing developments, that are affordable to individuals, families, seniors, people with disabilities, veterans, or first-time homebuyers, who are lower income households or middle-income households earning up to 150% of countywide median income, capitalized operating reserves, downpayment assistance programs, first-time homebuyer programs, permanent supportive housing, as defined, and associated facilities, if used to serve residents of affordable housing. The measure would also modify the definition of public infrastructure for these purposes to include, among other things, facilities or infrastructure for the delivery of public services, including education, police, fire protection, parks, recreation, open space, emergency medical, public health, libraries, flood protection, streets or highways, public transit, railroad, airports, and seaports. The measure would make conforming changes and direct the Secretary of State to make those amendments in ACA 1.

ACA 1 would authorize the Legislature, subject to a  $\frac{2}{3}$  vote, to enact laws establishing additional accountability measures consistent with the purposes and intent of the bonded indebtedness provisions of ACA 1.

This measure would additionally authorize the Legislature, subject to a  $\frac{2}{3}$  vote, to enact laws imposing additional conditions or restrictions on the acquisition or lease of real property for purposes described in the bonded indebtedness provisions of ACA 1. The measure would also require that any repeal of those conditions or restrictions be subject to a  $\frac{2}{3}$  vote.

ACA 1 would require the approval of 55% of the voters of the city, county, city and county, or special district, as applicable, to incur bonded indebtedness, exceeding in any year the income and revenue provided in that year, that is in the form of general obligation bonds issued to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing projects, if the proposition proposing that bond includes specified accountability requirements. ACA 1 would specify that this 55% threshold applies to any proposition for the incurrence of indebtedness by a city, county, city and county, or special district for these purposes that is submitted at the same election as ACA 1.

This measure would specify that this 55% threshold applies to any proposition for the incurrence of indebtedness by a city, county, city and county, or special district for these purposes that is submitted at the same election as ACA 1 or at a later election held after the effective date of ACA 1. The measure would direct the Secretary of State to make those amendments in ACA 1.

Vote:  $\frac{2}{3}$  Appropriation: no Fiscal Committee: yes Local Program: no

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 2023–24 Regular Session commencing on the fifth day of December 2022, two-thirds of the membership of each house concurring, hereby directs the Secretary of State to make amendments in Assembly Constitutional Amendment No. 1 of the 2023–24 Regular Session (Resolution Chapter 173 of the Statutes of 2023) by removing Section 4 of Article XIII A of, Section 2 of Article XIII C of, and Section 3 of Article XIII D of, the Constitution, as proposed to be amended by that measure, and by removing Section 2.5 of Article XIII C of the Constitution, as proposed to be added by that measure; and be it further

Resolved, That the Legislature hereby directs the Secretary of State to make amendments in Assembly Constitutional Amendment No. 1 of the 2023–24 Regular Session (Resolution Chapter 173 of the Statutes of 2023) by removing Section 1 of Article XIII A, and Section 18 of Article XVI, of the Constitution, as proposed to be amended by that measure, and replacing those sections with the following Section 1 and Section 18, respectively:

**That Section 1 of Article XIII A thereof is amended to read:**

**SECTION 1.** (a) The maximum amount of any ad valorem tax on real property shall not exceed 1 percent of the full cash value of that property. The 1 percent tax shall be collected by the counties and apportioned according to law to the districts within the counties.

(b) The limitation provided for in subdivision (a) shall not apply to ad valorem taxes or special assessments to pay the interest and redemption charges on any of the following:

(1) Indebtedness approved by the voters before July 1, 1978.

(2) Bonded indebtedness to fund the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by the voters voting on the proposition.

(3) Bonded indebtedness incurred by a school district, community college district, or county office of education for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, approved by 55 percent of the voters of the district or county, as appropriate, voting on the proposition on or after November 8, 2000. This paragraph shall apply only if the proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:

(A) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in this paragraph and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

(B) A list of the specific school facilities projects to be funded and certification that the school district board, community college board, or county office of education has evaluated safety, class size reduction, and information technology needs in developing that list.

(C) A requirement that the school district board, community college board, or county office of education conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed.

(D) A requirement that the school district board, community college board, or county office of education conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects.

(4) (A) Bonded indebtedness incurred by a city, county, city and county, or special district for the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, or the acquisition or lease of real property for public infrastructure or affordable housing, approved by 55 percent of the voters of the city, county, city and county, or special district, as appropriate, voting on the proposition submitted at the same election as the measure adding this paragraph or at a later election held after the effective date of the measure adding this paragraph. This paragraph shall apply only if the

proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:

(i) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in this paragraph, and not for any other purpose, including city, county, city and county, or special district employee salaries and other operating expenses. The administrative cost of the city, county, city and county, or special district executing the projects and programs of the proposition shall not exceed 5 percent of the proceeds from the sale of the bonds.

(ii) A requirement that the proceeds from the sale of the bonds only be spent on projects and programs that serve the jurisdiction of the city, county, city and county, or special district.

(iii) The specific local program or ordinance through which projects will be funded and a certification that the city, county, city and county, or special district has evaluated alternative funding sources.

(iv) A requirement that the city, county, city and county, or special district conduct an annual, independent performance audit to ensure that the funds have been expended pursuant to the local program or ordinance specified in clause (iii).

(v) A requirement that the city, county, city and county, or special district conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the public infrastructure or affordable housing projects, as applicable.

(vi) A requirement that the city, county, city and county, or special district post the audits required by clauses (iv) and (v) in a manner that is easily accessible to the public.

(vii) A requirement that the audits required by clauses (iv) and (v) will be submitted to the California State Auditor for review.

(viii) (I) A requirement that the city, county, city and county, or special district appoint a citizens' oversight committee to ensure that bond proceeds are expended only for the purposes described in the measure approved by the voters.

(II) Members appointed to an oversight committee established pursuant to subclause (I) shall receive educational training about bonds and fiscal oversight.

(ix) A requirement that an entity owned or controlled by a local official that votes on whether to put a proposition on the ballot pursuant to this paragraph will be prohibited from bidding on any work funded by the proposition.

(B) Notwithstanding any other law, if the voters of the city, county, city and county, or special district have previously approved a proposition pursuant to this paragraph, the city, county, city and county, or special district shall not place a proposition on the ballot pursuant to this paragraph until all funds from the previous proposition are committed to programs and projects listed in the proposition's specific local program or ordinance described in clause (iii) of subparagraph (A).

(C) (i) The Legislature may, by two-thirds vote, enact laws establishing accountability measures in addition to those listed in subparagraph (A), provided such laws are consistent with the purposes and intent of this paragraph.

(ii) The Legislature may, by two-thirds vote, enact laws imposing additional conditions or restrictions on the acquisition or lease of real property for the purposes described in this paragraph. Any repeal of conditions or restrictions on the acquisition or lease of real property for the purposes described in this paragraph shall require a two-thirds vote.

(D) The Legislature may, by majority vote, enact laws for the downpayment assistance programs established pursuant to this paragraph, provided that those laws further the purposes of this paragraph.

(E) For purposes of this paragraph:

(i) (I) "Affordable housing" shall include housing developments, or portions of housing developments, that are affordable to individuals, families, seniors, people with disabilities, veterans, or first-time homebuyers, who are lower income households or middle-income households earning up to 150 percent of countywide median income, as those terms are defined in state law. Affordable housing shall include capitalized operating reserves, as the term is defined in state law.

(II) "Affordable housing" shall also include any of the following:

(ia) Downpayment assistance programs.

(ib) First-time homebuyer programs.

(ic) Permanent supportive housing, including, but not limited to, housing for persons at risk of chronic homelessness, including, but not limited to, persons with mental illness.

(id) Associated facilities, if used to serve residents of affordable housing.

(ii) "At risk of chronic homelessness" includes, but is not limited to, persons who are at high risk of long-term or intermittent homelessness, including persons with mental illness exiting institutionalized settings, including, but not limited to, jail and mental health facilities, who were homeless prior to admission, transition age youth experiencing homelessness or with significant barriers to housing stability, and others, as defined in program guidelines.



(iii) "Permanent supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist residents in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.

(iv) "Public infrastructure" shall include any of the following:

(I) Facilities or infrastructure for the delivery of public services, including education, police, fire protection, parks, recreation, open space, emergency medical, public health, libraries, flood protection, streets or highways, public transit, railroad, airports, and seaports.

(II) Utility, common carrier or other similar projects, including energy-related, communication-related, water-related, and wastewater-related facilities or infrastructure.

(III) Projects identified by the State or local government for recovery from natural disasters.

(IV) Equipment related to fire suppression, emergency response equipment, or interoperable communications equipment for direct and exclusive use by fire, emergency response, police, or sheriff personnel.

(V) Projects that provide protection of property from sea level rise.

(VI) Projects that provide public broadband internet access service expansion in underserved areas.

(VII) Private uses incidental to, or necessary for, the public infrastructure.

(VIII) Grants to homeowners for the purposes of structure hardening of homes and structures, as defined in state law.

(v) "Special district" has the same meaning as provided in subdivision (c) of Section 1 of Article XIII C and specifically includes a transit district, a regional transportation commission, and an association of governments, except that "special district" does not include a school district, redevelopment agency, or successor agency to a dissolved redevelopment agency.

(F) This paragraph shall apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for those purposes described in this paragraph that is submitted at the same election as the measure adding this paragraph or at a later election held after the effective date of the measure adding this paragraph.

(c) (1) Notwithstanding any other provisions of law or of this Constitution, a school district, community college district, or county office of education may levy a 55-percent vote ad valorem tax pursuant to paragraph (3) of subdivision (b).

(2) Notwithstanding any other provisions of law or this Constitution, a city, county, city and county, or special district may levy a 55-percent vote ad valorem tax pursuant to paragraph (4) of subdivision (b).

**That Section 18 of Article XVI thereof is amended to read:**

**SEC. 18.** (a) A county, city, town, township, board of education, or school district, shall not incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for that year, without the assent of two-thirds of the voters of the public entity voting at an election to be held for that purpose, except that with respect to any such public entity that is authorized to incur indebtedness for public school purposes, any proposition for the incurrence of indebtedness in the form of general obligation bonds for the purpose of repairing, reconstructing, or replacing public school buildings determined, in the manner prescribed by law, to be structurally unsafe for school use, shall be adopted upon the approval of a majority of the voters of the public entity voting on the proposition at the election; nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and to provide for a sinking fund for the payment of the principal thereof, on or before maturity, which shall not exceed 40 years from the time of contracting the indebtedness. A special district, other than a board of education or school district, shall not incur any indebtedness or liability exceeding any applicable statutory limit, as prescribed by the statutes governing the special district as they currently read or may thereafter be amended by the Legislature.

(b) (1) Notwithstanding subdivision (a), any proposition for the incurrence of indebtedness in the form of general obligation bonds for the purposes described in paragraph (3) or (4) of subdivision (b) of Section 1 of Article XIII A shall be adopted upon the approval of 55 percent of the voters of the school district, community college district, county office of education, city, county, city and county, or other special district, as appropriate, voting on the proposition at an election. This subdivision shall apply to a proposition for the incurrence of indebtedness in the form of general obligation bonds for the purposes specified in this subdivision only if the proposition meets all of the accountability requirements of paragraph (3) or (4) of subdivision (b), as appropriate, of Section 1 of Article XIII A.

(2) The amendments made to this subdivision by the measure adding this paragraph shall apply to any proposition for the incurrence of indebtedness in the form of general obligation bonds pursuant to this subdivision for the purposes described in paragraph (4) of subdivision (b) of Section 1 of Article XIII A that is submitted at the same election as the measure adding this paragraph or at a later election held after the effective date of the measure adding this paragraph.

(c) When two or more propositions for incurring any indebtedness or liability are submitted at the same election, the votes cast for and against each proposition shall be counted separately, and if two-thirds or a majority or 55 percent of the voters, as the case may be, voting on any one of those propositions, vote in favor thereof, the proposition shall be deemed adopted.





## AB-2813 Government Investment Act. (2023-2024)

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ENROLLED JULY 08, 2024

PASSED IN SENATE JULY 01, 2024

PASSED IN ASSEMBLY JULY 03, 2024

AMENDED IN SENATE JUNE 26, 2024

AMENDED IN ASSEMBLY JUNE 21, 2024

AMENDED IN ASSEMBLY JUNE 17, 2024

AMENDED IN ASSEMBLY JUNE 13, 2024

AMENDED IN ASSEMBLY APRIL 29, 2024

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

**ASSEMBLY BILL**

**NO. 2813**

**Introduced by Assembly Member Aguiar-Curry  
(Coauthor: Assembly Member Ward)**

**February 15, 2024**

An act to add Article 4.1 (commencing with Section 53738) to Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, and to amend Section 13928 of the Health and Safety Code, relating to government finance, and declaring the urgency thereof, to take effect immediately.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2813, Aguiar-Curry. Government Investment Act.

(1) Existing law, known as the Proposition 218 Omnibus Implementation Act, defines various terms and prescribes procedures and parameters for local jurisdictions to comply with specified provisions of the California Constitution.

The Legislature adopted Assembly Constitutional Amendment 1 (ACA 1) and Assembly Constitutional Amendment 10 (ACA 10), amending ACA 1, at the 2023–24 Regular Session of the Legislature. If approved by the voters, ACA 1 would amend provisions of the California Constitution to create an additional exception to the 1% limit on the ad valorem tax rate on real property by authorizing a local jurisdiction to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement

of public infrastructure or affordable housing, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction.

Pursuant to the existing law described above, ACA 1 is scheduled to appear on the ballot at the November 5, 2024, statewide general election.

This bill, for purposes of ACA 1, would define "affordable housing" to include rental housing, ownership housing, interim housing, and affordable housing programs such as downpayment assistance, first-time homebuyer programs, and owner-occupied affordable housing rehabilitation programs, that are affordable to households earning up to 150% of countywide median income. The bill would require a local government to ensure that any project that is funded with ACA 1 bonded indebtedness to have an estimated useful life of at least 15 years or 5 years if the funds are for specified public safety facilities, infrastructure, and equipment. The bill would define "public infrastructure" to exclude the construction, reconstruction, rehabilitation, or replacement of a sports stadium or arena where the majority of the use of the facility is for private ticketed activities. The bill would prohibit ACA 1 bonded indebtedness from being used for the acquisition or lease of any real property that has, at the time of acquisition or lease, been improved with one to 4 dwelling units, except as specified. The bill would also prohibit any ACA 1 bonded indebtedness, when added to existing bonded indebtedness of a local government, from exceeding the applicable statutory limit on the maximum amount of bonded indebtedness that a local government is authorized to incur.

ACA 1, as amended by ACA 10, and if approved by the voters, would require a proposition approving ACA 1 bonded indebtedness to include specified accountability requirements, including a requirement that the local government conduct annual independent performance and financial audits, as specified, and a requirement that the local government appoint a citizens' oversight committee to ensure that revenues are expended only for the purposes described in the measure. ACA 1, if approved by the voters, would require a local government to submit the annual independent performance and financial audits to the California State Auditor for review. ACA 1, if approved by the voters, would authorize the Legislature to enact additional accountability measures, provided that the accountability measures are consistent with the purposes and intent of ACA 1.

This bill would require the California State Auditor to review, following specified practices, audits submitted based on the ACA 1 bonded indebtedness provisions.

The bill would establish various requirements regarding the appointment and function of a citizens' oversight committee. In this regard, the bill would require the citizens' oversight committee to consist of at least 7 members who serve for a minimum term of 2 years without compensation. The bill would prohibit an employee or official of the local government and any vendor, contractor, or consultant of the local government from being appointed to the citizens' oversight committee. The bill would state the purpose of a citizens' oversight committee is to inform the public concerning the expenditure of revenues derived from ACA 1 bonded indebtedness. The bill would require a citizens' oversight committee to actively review and report on the proper expenditure of taxpayers' money for the purposes described in ACA 1 and advise the public as to whether a local government is in compliance with the requirements of ACA 1. The bill would require the committee to issue regular reports on the results of its activities and would require the local government to provide the citizens' oversight committee with any necessary technical assistance and administrative assistance in furtherance of its purpose, as specified.

Because the bill would enact additional accountability measures for ACA 1 taxes, the bill may only be adopted by a  $\frac{2}{3}$  vote of the Legislature.

ACA 1, if approved by the voters, would prohibit a local government from placing a proposition on the ballot pursuant to ACA 1 if the voters have previously approved an ACA 1 proposition until all funds from the previous proposition are committed to programs and projects, as described.

This bill would define "committed" for purposes of ACA 1 to mean all of the funds from ACA 1 bonded indebtedness are dedicated to specific projects or programs.

(2) Existing law, the Fire Protection District Law of 1987, requires a fire protection district board of directors to adopt a resolution making determinations and calling an election on a proposition to incur indebtedness and to issue general obligation bonds whenever that district board determines that it is necessary to incur a general obligation bonded indebtedness for the acquisition or construction of any real property or other capital expense or for funding or refunding of any outstanding indebtedness. Existing law also authorizes the district board, if  $\frac{2}{3}$  of voters voting upon the proposition favor incurring the indebtedness and issuing the bonds, to adopt resolutions to issue bonds for all or any part of the amount of the indebtedness.

This bill would create an exception to that provision to authorize the district board, if 55% of voters voting upon the proposition favor incurring the indebtedness and issuing bonds that would fund any or all of the activities described in ACA 1, to adopt resolutions to issue bonds for all or any part of the amount of the indebtedness.

(3) This bill would state that its provisions are severable.

(4) The bill would provide that these provisions would become operative only if Assembly Constitutional Amendment 1 of the 2023–24 Regular Session is approved by the voters.

(5) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Article 4.1 (commencing with Section 53738) is added to Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, to read:

### **Article 4.1. Local Government Investment Act**

**53738.** For purposes of this article:

(a) “ACA 1 bonded indebtedness” means bonded indebtedness incurred by a local government pursuant to paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(b) “Audits” means the annual independent performance audit and the annual independent financial audit conducted by a local government pursuant to clauses (iv) and (v) of subparagraph (A) of paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(c) “Citizens’ oversight committee” means a citizens’ oversight committee appointed to oversee proceeds from ACA 1 bonded indebtedness.

(d) “Local government” means any county, city, city and county, including a charter city or county, any special district, a transit district, a regional transportation commission, or an association of governments, except that “local government” does not include a school district, redevelopment agency, or successor agency to a dissolved redevelopment agency.

**53738.1.** For purposes of paragraph (4) of subdivision (b) of Section 1 of Article XIII A and subdivision (b) of Section 18 of Article XVI of the California Constitution, “affordable housing” includes, but is not limited to, rental housing, ownership housing, interim housing, and affordable housing programs such as downpayment assistance, first-time homebuyer programs, and owner-occupied affordable housing rehabilitation programs, that are affordable to households earning up to 150 percent of countywide median income.

**53738.2.** (a) Notwithstanding Section 53738.1 or any other provision of law, ACA 1 bonded indebtedness shall not be used for the acquisition or lease of any real property that has, at the time of acquisition or lease, been improved with one to four dwelling units.

(b) Subdivision (a) shall not apply to any of the following:

(1) The acquisition or lease of real property for construction of facilities or infrastructure for the delivery of police, fire protection, or emergency medical services listed in subclause (I) of clause (iv) of subparagraph (E) of paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(2) The acquisition or lease of real property that received funds through downpayment assistance or first-time homebuyer programs funded through ACA 1 bonded indebtedness.

(3) The acquisition or lease of real property acquired or leased by an entity that qualifies for the partial welfare exemption as described in paragraph (1) of subdivision (g) of Section 214 of the Revenue and Taxation Code that is organized and operated for the specific and primary purpose of serving any or all of the following: survivors of domestic violence, refugees, or people with developmental disabilities. Those units housing survivors of domestic violence, refugees, or people with developmental disabilities shall be subject to a recorded deed restriction that restricts the use of the unit as follows:

(A) For 55 years for rented units, unless a local ordinance or the terms of a federal, state, or local grant, tax credit, or other project financing requires, as a condition of the development of residential units, that the

development include a certain percentage of units that are affordable to, and occupied by, low-income, lower income, very low income, or extremely low income households for a term that exceeds 55 years for rental housing units.

(B) For 45 years for owner-occupied units.

(4) The acquisition or lease of real property by a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that receive a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties to be sold to low-income families who participate in a below-market interest rate loan program.

**53738.3.** For purposes of paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution, "public infrastructure" shall not include the construction, reconstruction, rehabilitation, or replacement of a sports stadium or arena where the majority of the use of the facility is for private ticketed activities.

**53738.4.** Notwithstanding any other provision of law, any ACA 1 bonded indebtedness, when added to existing bonded indebtedness of a local government, shall not exceed the applicable statutory limit on the maximum amount of bonded indebtedness that a local government may incur.

**53738.5.** (a) Except as provided in subdivision (b), a local government shall ensure that any project that is funded with ACA 1 bonded indebtedness has an estimated useful life of at least 15 years.

(b) Notwithstanding subdivision (a), expenditures made pursuant to subclause (IV) of clause (iv) of subparagraph (E) of paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution shall have an estimated use of life of at least five years.

**53738.6.** The California State Auditor shall review audits submitted based on Section 1 of Article XIII A of the California Constitution pursuant to existing practices utilized for review of publicly available information as referenced in subdivision (b) of Section 8546.10.

**53738.7.** (a) A local government shall appoint a citizens' oversight committee within 90 days of certifying an election that approves ACA 1 bonded indebtedness.

(b) (1) The purpose of the citizens' oversight committee shall be to inform the public concerning the expenditure of revenues derived from ACA 1 bonded indebtedness.

(2) The citizens' oversight committee shall actively review and report on the proper expenditure of taxpayers' money for the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing for persons at risk of chronic homelessness and the acquisition or lease of real property for public infrastructure, affordable housing, or permanent supportive housing for persons at risk of chronic homelessness.

(3) The citizens' oversight committee shall advise the public as to whether a local government is in compliance with the requirements of paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(4) The citizens' oversight committee shall convene to provide oversight for, but not be limited to, all of the following:

(A) Ensuring that revenues derived from ACA 1 bonded indebtedness are expended only for the purposes described in paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(B) Ensuring that funds are not used for employee salaries or other operating expenses, as prohibited by subparagraph (A) of paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(C) Ensuring that the administrative costs of the local government executing the projects and programs do not exceed 5 percent of the proceeds derived from the ACA 1 bonded indebtedness, as prohibited by subparagraph (A) of paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(c) In furtherance of its purpose, the citizens' oversight committee may engage in any of the following activities:

(1) Receiving and reviewing copies of the annual, independent performance audit required by subparagraph (A) of paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(2) Receiving and reviewing copies of the annual, independent financial audit required by subparagraph (A) of paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(3) Inspecting public infrastructure, affordable housing, or permanent supportive housing to ensure that revenues derived from ACA 1 bonded indebtedness are expended in compliance with the requirements of paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

(4) Receiving and reviewing copies of any local program or ordinance through which projects or programs will be funded with revenues derived from ACA 1 bonded indebtedness.

(5) Reviewing efforts by the local government to maximize revenues derived from ACA 1 bonded indebtedness by implementing cost-saving measures, including, but not limited to, all of the following:

(A) Mechanisms designed to reduce the costs of professional fees.

(B) Mechanisms designed to reduce the costs of site preparation.

(C) Mechanisms designed to reduce costs by incorporating efficiencies in public infrastructure, affordable housing, or permanent supportive housing design.

(D) Recommendations regarding the use of cost-effective and efficient reusable public infrastructure, affordable housing, or permanent supportive housing plans.

(d) All citizens' oversight committee proceedings shall be open to the public and notice to the public shall be provided in the same manner as the proceedings of the governing board of the local government. The citizens' oversight committee shall issue regular reports on the results of its activities. A report shall be issued at least once a year. Minutes of the proceedings of the citizens' oversight committee and all documents received and reports issued shall be a matter of public record and be made available on an internet website maintained by the governing board of the local government.

(e) (1) The governing board of the local government shall, without expending proceeds derived from the ACA 1 bonded indebtedness, provide the citizens' oversight committee with any necessary technical assistance and shall provide administrative assistance in furtherance of its purpose and sufficient resources to publicize the conclusions of the citizens' oversight committee. Nothing in this section shall be construed to require the local government to pay for outside consultants for the committee.

(2) The local government shall provide the citizens' oversight committee with responses to any and all findings, recommendations, and concerns addressed in the annual, independent financial and performance audits required by clauses (iv) and (v) of subparagraph (A) of paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution within three months of receiving the audits.

(f) The citizens' oversight committee shall consist of at least seven members who shall serve for a minimum term of two years without compensation and for no more than three consecutive terms.

(g) (1) An employee or official of the local government shall not be appointed to the citizens' oversight committee.

(2) A vendor, contractor, or consultant of the local government shall not be appointed to the citizens' oversight committee.

(3) Members of the citizens' oversight committee shall abide by the prohibitions contained in Article 4 (commencing with Section 1090) and Article 4.7 (commencing with Section 1125) of Chapter 1 of Division 4 of Title 1.

**53738.8.** For purposes of clause (ix) of subparagraph (A) of paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution, members of the legislative body of the local government and members of the citizens' oversight committee shall be subject to Section 1090.

**53738.9.** For purposes of subparagraph (B) of paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution, "committed" means all of the funds from the ACA 1 bonded indebtedness are dedicated to specific projects or programs.



**53738.10.** The provisions of this article are severable. If any provision of this article or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

**SEC. 2.** Section 13928 of the Health and Safety Code is amended to read:

**13928.** (a) Except as provided in subdivision (b), if two-thirds of voters voting upon the proposition favor incurring the indebtedness and issuing the bonds, the district board may adopt resolutions to issue bonds for all or any part of the amount of the indebtedness.

(b) If 55 percent of voters voting upon the proposition favor incurring the indebtedness and issuing bonds that would fund any or all of the activities described in paragraph (4) of subdivision (b) of Section 1 of Article XIII A of the California Constitution, the district board may adopt resolutions to issue bonds for all or any part of the amount of the indebtedness.

**SEC. 3.** Sections 1 and 2 of this act shall become operative only if Assembly Constitutional Amendment 1 of the 2023–24 Regular Session is approved by the voters.

**SEC. 4.** This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for the provisions of Assembly Constitutional Amendment 1 (Resolution Chapter 173 of the Statutes of 2023) to be implemented concurrently, it is necessary for this act to take effect immediately.



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September 11, 2023

The Honorable Anthony Portantino, Chair  
Senate Committee on Appropriations  
State Capitol, Room 412  
Sacramento, CA 95814

**RE: ACA 1 (Aguiar-Curry): Local government financing: affordable housing and public infrastructure: voter approval**  
**As Amended – September 5, 2023 – SUPPORT**  
Set for Hearing – September 12, 2023 – Senate Committee on Appropriations

Dear Senator Portantino:

The California State Association of Counties (CSAC), representing all 58 counties in the state, writes in support of Assembly Constitutional Amendment (ACA) 1, which would empower our local communities to address their critical housing and infrastructure needs. ACA 1 would responsibly empower our local communities by reducing the voter threshold for approval of bond and special tax measures that help fund critical infrastructure, affordable housing projects, and permanent supportive housing for persons at risk of chronic homelessness.

ACA 1 includes important safeguards that prevent excessive administrative overhead, requires local government to appoint a citizen’s oversight committee to ensure special tax revenue are spent on their intended purpose, and requires members of the oversight committee to receive educational training on fiscal oversight. As an additional protection for taxpayers, ACA 1 also prevents local governments from placing a bond or special tax measure on the ballot until all funds from a previous proposition are committed to programs and projects listed in the specific local program or ordinance, as described.

The California Constitution currently requires a two-thirds vote at the local level for both general obligation bonds and special taxes, which serve as vital financial tools for local governments, regardless of the intended use for the funds by cities, counties, or special districts in service of their residents. However, local school districts can seek approval for bonded indebtedness with only a 55 percent vote threshold for the construction, reconstruction, rehabilitation, or replacement of schools. The changes included in ACA 1 will create parity for cities, counties and special districts for voter approval thresholds already granted to school districts.

Markedly, ACA 1 lowers the voter approval threshold for issues that are most pressing to the quality of life and well-being of all Californians, including increased local supplies of affordable housing.

Meeting the challenges of our homelessness crisis requires a comprehensive, holistic strategy that includes increasing our stock of affordable housing and supporting those who are at chronic risk of homelessness. Crucially, our local communities cannot fully address the affordable housing shortage without significant resources.

The goals of ACA 1 are aligned with the goals and policy recommendations found in CSAC's [AT HOME](#) plan, the county comprehensive plan to address homelessness. Developed through a lengthy all-county effort, the AT HOME plan (Accountability, Transparency, Housing, Outreach, Mitigation & Economic Opportunity) outlines clear responsibilities and accountability aligned to authority, resources, and flexibility for all levels of government within a comprehensive homelessness response system. It includes a full slate of policy recommendations to help build more housing, prevent individuals from becoming homeless, and better serve those individuals who are currently experiencing homelessness.

Absent ongoing state funding for local governments to address homelessness and the supply of affordable housing, which is a pillar of our AT HOME Plan, local governments have no choice but to seek funding from local sources to increase and maintain housing units across the spectrum of needs. ACA 1 provides an opportunity for communities to continue to do their fair share to support California's most vulnerable residents.

Increasing local capacity to procure and produce the necessary infrastructure to serve our unhoused neighbors is far from being the singular local benefit of ACA 1. This measure would also allow local voters to elect to increase their community's funding for parks and recreation, libraries, maintenance of streets and highways, protection against sea level rise, and more. The necessity for this measure is illustrated, notably, by the 2021 California Statewide Local Streets and Roads Needs Assessment which reports that 55 out of 58 counties are considered at risk of, or presently have, poor pavements. Further, the Federal Environmental Protection Agency estimates that California communities, collectively, have water infrastructure needs of nearly \$64.7 billion. Now, more than ever, is the appropriate time to empower California residents to choose to fund solutions for their communities.

ACA 1 preserves the need for overwhelming voter support for a bond or special tax in order for it to be approved, thus protecting voters' control over how their tax dollars are spent. ACA 1 also provides specific requirements for voter protection, public notice, and financial accountability. With these protections in place, communities should be able to decide the appropriate level of taxation to meet their local needs.

For these reasons, CSAC is in strong support of ACA 1 and respectfully requests your AYE vote. If you have any questions about our position, please do not hesitate to contact me at [elawyer@counties.org](mailto:elawyer@counties.org).

Sincerely,



Eric Lawyer  
Legislative Advocate

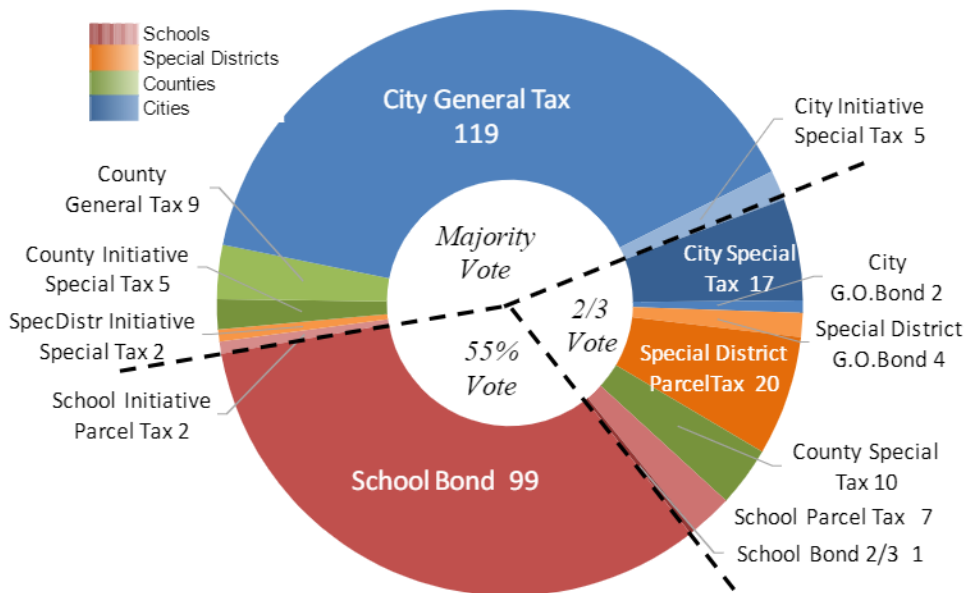
cc: The Honorable Cecilia Aguiar-Curry, 4<sup>th</sup> District  
Members and Staff, Senate Committee on Appropriations  
Cory Botts, Consultant, Republican Senate Caucus

# Local Revenue Measure Results November 2022

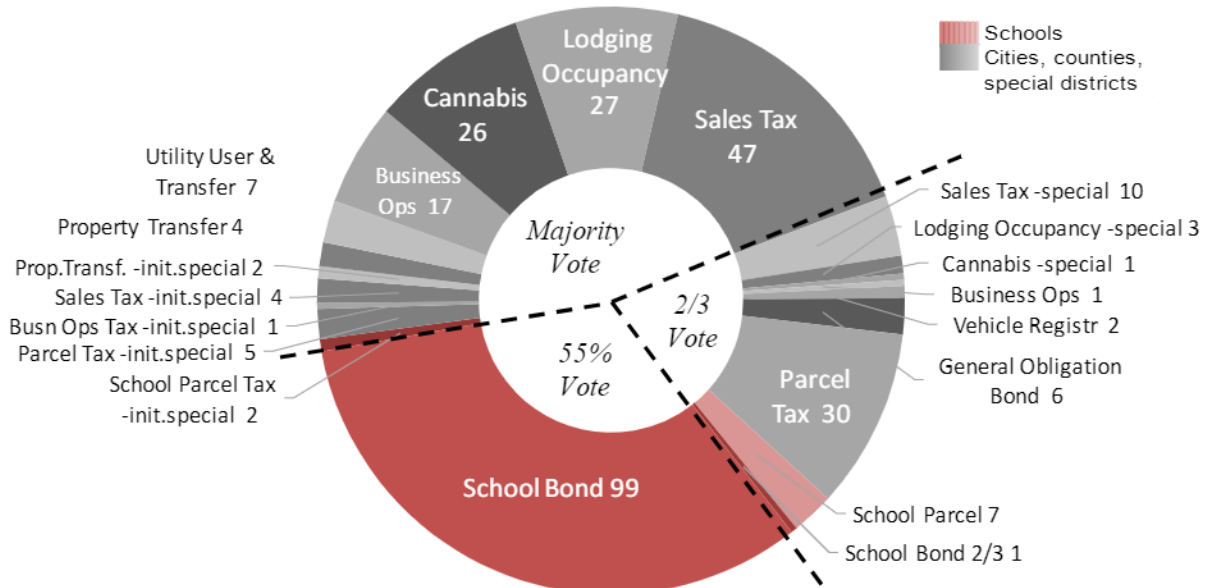
There were over 470 measures on local ballots in California for the November 8, 2022 election including 302 local tax and bond measures.

Nearly half of these measures (143) were proposed by or for cities. There were also 24 county, 26 special district and 109 school tax or bond measures. These include 61 measures to increase local sales taxes, 42 parcel taxes, 30 lodging occupancy tax increases, and 27 taxes on cannabis.

## Proposed Local Revenue Measures November 2022



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There were six city, county and special district general obligation bond measures seeking a total of \$1.6 billion in facility improvements for community infrastructure improvements including hospitals, libraries and parks.

Among the school measures were 100 bond measures seeking a total of \$22.5 billion in school facility improvement funding. There were 9 measures to increase or extend (renew) school parcel taxes.

## Overall Passage Rates

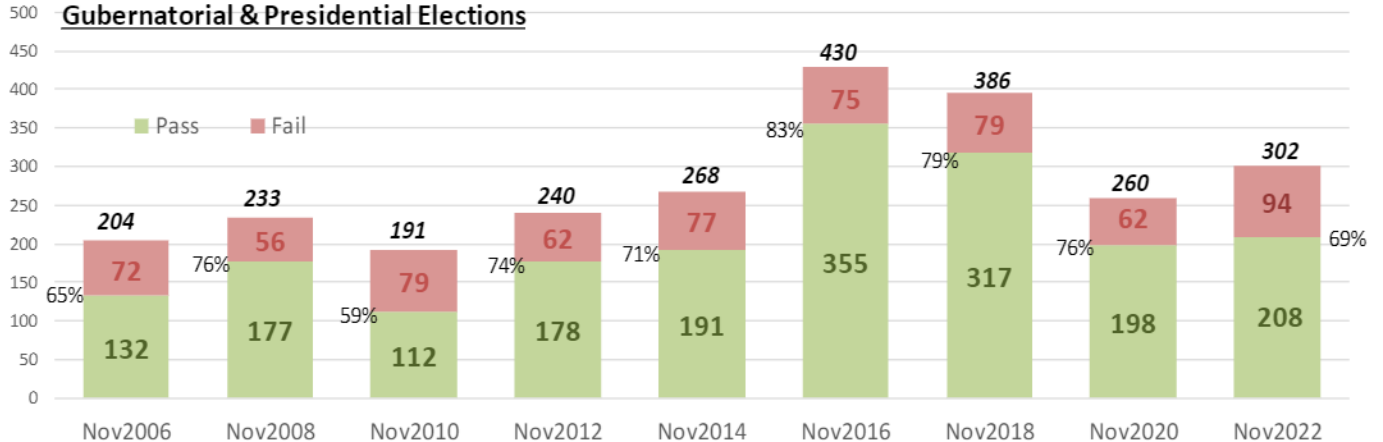
With all votes now tallied, 208 of the 302 tax and bond measures have passed. Local tax measures passed in similar proportions to prior general presidential and gubernatorial elections in California, with the exception that school bonds fared a bit worse (71 percent passing versus 80 percent historical). The overall 69% passage rate is noticeably lower than the last few election cycles.

### Local Revenue Measures November 2022

	Total	Pass	Passing <sup>1</sup>
City General Tax (Majority Vote)	119	98	82%
County General Tax (Majority Vote)	9	4	44%
City Initiative Special Tax -MajorityVote*	5	4	80%
County Init. Special Tax -Majority Vote*	5	2	40%
SpecDistrict Init. Tax -Majority Vote*	2	1	50%
City SpecialTax or G.O.bond (2/3 Vote)	19	10	53%
County Spec.Tax, G.O.bond (2/3 Vote)	10	4	40%
SpecDistrict Tax, G.O.bond (2/3 Vote)	24	9	38%
School ParcelTax (2/3 vote)	7	5	71%
School Init. Parcel Tax -Majority Vote*	2	0	0%
School Bond 2/3 vote	1	0	0%
School Bond 55% vote	99	71	72%
<b>Total</b>	<b>302</b>	<b>208</b>	<b>69%</b>

### California Local Tax and Bond Measures

#### Gubernatorial & Presidential Elections

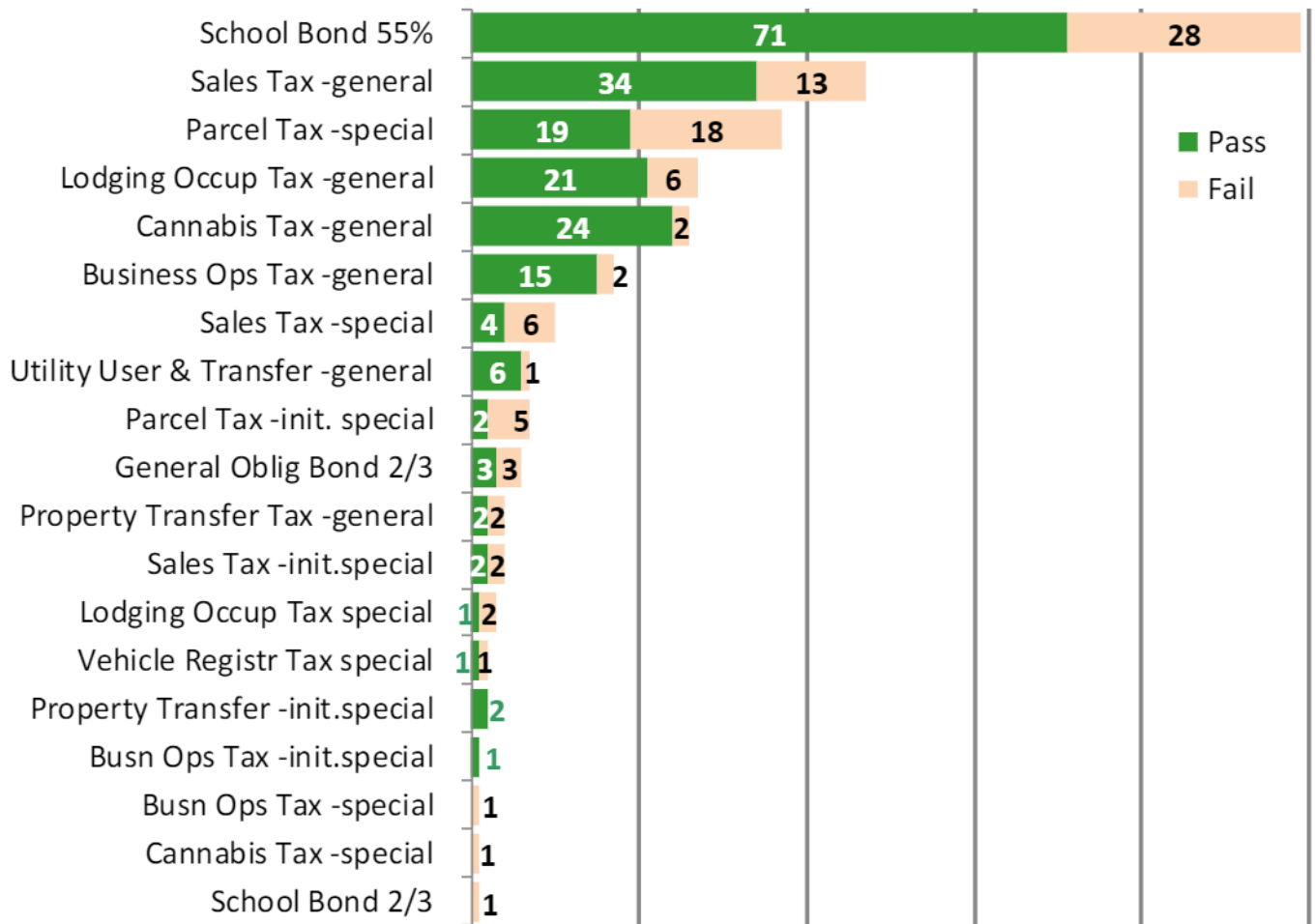


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## Measure Outcome by Category

School bonds are the most common local tax measure in these elections. In this election, a third of the measures were school bonds, each requiring 55 percent voter approval. But there were 127 city or county general purpose majority vote tax measures (sales taxes, business operations taxes, lodging occupancy taxes, etc.) with an overall 80 percent passage rate. Special taxes, requiring two-thirds voter approval, fared worse with just 44 percent passing.

**Passing and Failing Measures by Type November 2022**

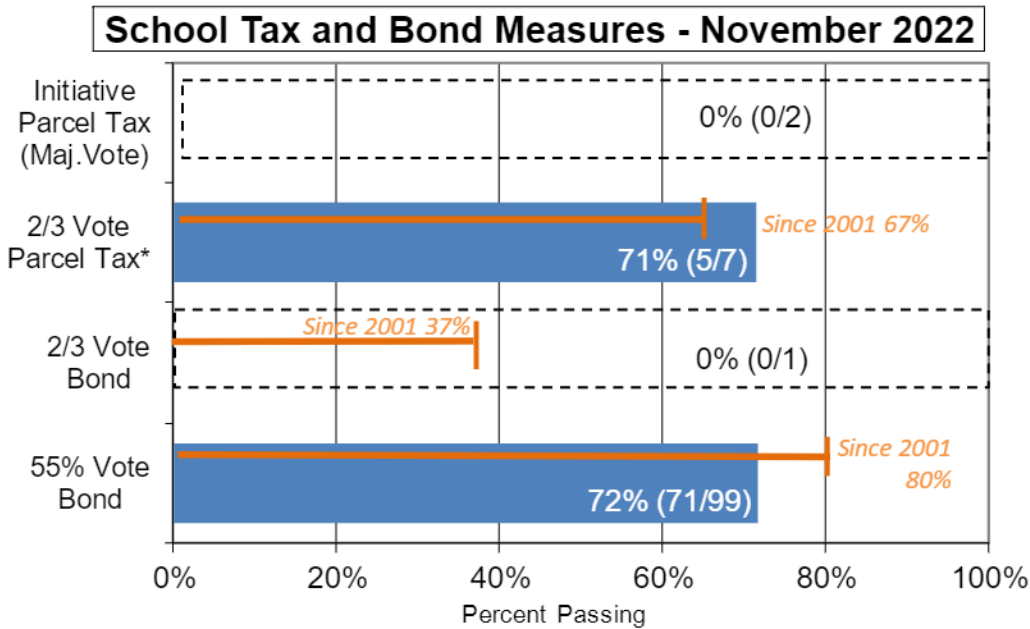


Includes city, county, special district and school measures

A "general tax" requires majority approval, a "special tax" requires 2/3 approval, an "initiative special tax" requires majority approval.

## School Measures

There were 100 school bond measures this election, all but one requiring 55% voter approval. Overall, statewide, school bond measure success appears to be down from recent general elections. Seventy-one measures passed. Of the \$22.4 billion proposed, \$20.5 billion was approved, including \$5.3 billion for Los Angeles Community College District, \$3.2 billion for San Diego Unified School District, and \$1.7 billion for Long Beach Unified School District.



## School Bonds ✓

### School Bond Measures - 55% voter approval

School District	County	Measure	Amount	Tax Rate	YES%	NO%	
Horicon School District	Sonoma	Measure E	\$ 10,400,000	\$30/\$100k	75.2%	24.8%	PASS
Mupu Elementary SD	Ventura	Measure J	\$ 800,000	\$30/\$100k	73.9%	26.1%	PASS
Mupu Elementary SD	Ventura	Measure K	\$ 800,000	\$30/\$100k	72.7%	27.3%	PASS
Alum Rock Union SD	Santa Clara	Measure S	\$ 71,500,000	\$20/\$100k	71.2%	28.8%	PASS
Santa Rosa City Elementary SD	Sonoma	Measure G	\$ 125,000,000	\$30/\$100k	70.9%	29.1%	PASS
Stockton Unified SD	San Joaquin	Measure C	\$ 215,000,000	\$50/\$100k	70.5%	29.5%	PASS
Santa Cruz City Elementary SD	Santa Cruz	Measure L	\$ 122,000,000	\$30/\$100k	70.3%	29.7%	PASS
Compton Unified SD	Los Angeles	Measure N	\$ 350,000,000	\$60/\$100k	70.3%	29.7%	PASS
Pasadena City Community College	Los Angeles	Measure PCC	\$ 565,000,000	\$20/\$100k	70.1%	29.9%	PASS
Guadalupe Union SD	Santa Barbara	Measure V	\$ 8,500,000	\$30/\$100k	70.1%	29.9%	PASS
Orange Center SD	Fresno	Measure D	\$ 6,000,000	\$30/\$100k	69.6%	30.4%	PASS
Lemon Grove SD	San Diego	Measure Q	\$ 27,000,000	\$30/\$100k	69.4%	30.6%	PASS
Rialto Unified SD	San Bernardino	Measure A	\$ 340,000,000	\$60/\$100k	69.2%	30.8%	PASS
Campbell Union SD	Santa Clara	Measure T	\$ 96,000,000	\$30/\$100k	69.1%	30.9%	PASS
Farmersville Unified SD	Tulare	Measure Z	\$ 8,600,000	\$60/\$100k	68.4%	31.6%	PASS
Guadalupe Union SD	Santa Barbara	Measure W	\$ 849,000	\$30/\$100k	68.0%	32.0%	PASS
Planada Elementary SD	Merced	Measure A	\$ 3,100,000	\$30/\$100k	67.0%	33.1%	PASS



**School Bond Measures - 55% voter approval**

<b>School District</b>	<b>County</b>	<b>Measure</b>	<b>Amount</b>	<b>Tax Rate</b>	<b>YES%</b>	<b>NO%</b>	
East Side Union High SD	Santa Clara	Measure N	\$ 572,000,000	\$30/\$100k	<b>66.6%</b>	33.4%	<b>PASS</b>
Kenwood School District	Sonoma	Measure F	\$ 17,000,000	\$30/\$100k	<b>66.6%</b>	33.4%	<b>PASS</b>
Forestville Union SD	Sonoma	Measure D	\$ 6,500,000	\$20/\$100k	<b>66.5%</b>	33.5%	<b>PASS</b>
Santa Cruz City High SD	Santa Cruz	Measure K	\$ 249,000,000	\$30/\$100k	<b>66.1%</b>	33.9%	<b>PASS</b>
Santa Rosa City High SD	Sonoma	Measure C	\$ 398,000,000	\$30/\$100k	<b>66.0%</b>	34.0%	<b>PASS</b>
Napa Valley Unified SD	Napa	Measure A2	\$ 25,000,000	\$20/\$100k	<b>65.7%</b>	34.3%	<b>PASS</b>
San Diego Unified SD	San Diego	Measure U	\$ 3,200,000,000	\$60/\$100k	<b>65.3%</b>	34.7%	<b>PASS</b>
Oak Grove SD	Santa Clara	Measure P	\$ 236,000,000	\$30/\$100k	<b>64.9%</b>	35.1%	<b>PASS</b>
Eastside Union SD	Los Angeles	Measure ES	\$ 23,000,000	\$30/\$100k	<b>63.8%</b>	36.2%	<b>PASS</b>
South San Francisco Unified SD	San Mateo	Measure T	\$ 436,000,000	\$60/\$100k	<b>63.6%</b>	36.4%	<b>PASS</b>
Las Virgenes Unified SD	Los Angeles / Ven	Measure S	\$ 340,000,000	\$36/\$100k	<b>63.3%</b>	36.7%	<b>PASS</b>
Union SD	Santa Clara	Measure R	\$ 128,000,000	\$20/\$100k	<b>63.0%</b>	37.0%	<b>PASS</b>
Fillmore Unified SD	Ventura	Measure G	\$ 41,600,000	\$50/\$100k	<b>63.0%</b>	37.0%	<b>PASS</b>
San Luis Coastal Unified SD	San Luis Obispo	Measure C	\$ 349,000,000	\$49/\$100k	<b>63.0%</b>	37.0%	<b>PASS</b>
Sequoia Union High SD	San Mateo	Measure W	\$ 591,500,000	\$14/\$100k	<b>63.0%</b>	37.1%	<b>PASS</b>
Lahonda-Pescadero Unified SD	San Mateo	Measure R	\$ 15,000,000	\$60/\$100k	<b>62.9%</b>	37.1%	<b>PASS</b>
Walnut Creek SD	Contra Costa	Measure J	\$ 134,000,000	\$22/\$100k	<b>62.6%</b>	37.4%	<b>PASS</b>
Salinas Elementary SD	Monterey	Measure G	\$ 74,500,000	\$30/\$100k	<b>62.5%</b>	37.5%	<b>PASS</b>
Los Angeles Community College Distr	Los Angeles	Measure LA	\$ 5,300,000,000	\$25/\$100k	<b>62.0%</b>	38.0%	<b>PASS</b>
Twin Rivers Unified School District	Sacramento / Place	Measure J	\$ 120,000,000	\$23/\$100k	<b>62.0%</b>	38.0%	<b>PASS</b>
West Hills Community College District	Fresno, San Benito	Measure K	\$ 25,100,000	\$30/\$100k	<b>61.8%</b>	38.2%	<b>PASS</b>
Edison School District	Kern	Measure G	\$ 3,100,000	\$30/\$100k	<b>61.8%</b>	38.2%	<b>PASS</b>
Rio Elementary School District	Ventura	Measure H	\$ 72,000,000	\$21/\$100k	<b>61.5%</b>	38.5%	<b>PASS</b>
Monrovia Unified SD	Los Angeles	Measure MN	\$ 75,000,000	\$30/\$100k	<b>61.4%</b>	38.6%	<b>PASS</b>
Calistoga Joint Unified SD	Napa / Sonoma	Measure B	\$ 41,000,000	\$35/\$100k	<b>61.3%</b>	38.7%	<b>PASS</b>
Salinas Elementary SD	Monterey	Measure H	\$ 75,000,000	\$30/\$100k	<b>61.1%</b>	38.9%	<b>PASS</b>
Buellton Union SD	Santa Barbara	Measure R	\$ 8,800,000	\$30/\$100k	<b>61.0%</b>	39.0%	<b>PASS</b>
Santa Rita Union SD	Monterey	Measure R	\$ 24,900,000	\$30/\$100k	<b>60.7%</b>	39.4%	<b>PASS</b>
Redwood City SD	San Mateo	Measure S	\$ 298,000,000	\$24/\$100k	<b>60.4%</b>	39.6%	<b>PASS</b>
Patterson Joint Unified SD	Stanislaus / Santa	Measure E	\$ 74,000,000	\$57/\$100k	<b>60.3%</b>	39.7%	<b>PASS</b>
Gridley Unified SD	Butte	Measure J	\$ 16,300,000	\$40/\$100k	<b>60.2%</b>	39.8%	<b>PASS</b>
Long Beach Unified SD	Los Angeles	Measure Q	\$ 1,700,000,000	\$60/\$100k	<b>60.0%</b>	40.0%	<b>PASS</b>
Sunol Glen Unified SD	Alameda	Measure J	\$ 10,900,000	\$52/\$100k	<b>59.9%</b>	40.1%	<b>PASS</b>
Ventura Unified School District	Ventura	Measure E	\$ 434,500,000	\$60/\$100k	<b>59.9%</b>	40.1%	<b>PASS</b>
Imperial Community College District	Imperial	Measure B	\$ 130,000,000	\$30/\$100k	<b>59.4%</b>	40.7%	<b>PASS</b>
Panama Buena Vista SD	Kern	Measure I	\$ 4,000,000	\$30/\$100k	<b>58.2%</b>	41.8%	<b>PASS</b>
El Centro Elementary SD	Imperial	Measure C	\$ 17,505,000	\$25/\$100k	<b>57.8%</b>	42.2%	<b>PASS</b>
El Centro Elementary SD	Imperial	Measure E	\$ 17,495,000	\$25/\$100k	<b>57.7%</b>	42.3%	<b>PASS</b>
Downey Unified SD	Los Angeles	Measure K	\$ 504,000,000	\$50/\$100k	<b>57.6%</b>	42.4%	<b>PASS</b>
Palmdale SD	Los Angeles	Measure PRM	\$ 120,000,000	\$30/\$100k	<b>57.5%</b>	42.5%	<b>PASS</b>
Santa Monica Community College	Los Angeles	Measure SM1	\$ 375,000,000	\$25/\$100k	<b>57.4%</b>	42.6%	<b>PASS</b>
Cerritos Community College	Los Angeles	Measure CC	\$ 425,000,000	\$25/\$100k	<b>57.2%</b>	42.8%	<b>PASS</b>
Twin Rivers Unified School District	Sacramento	Measure K	\$ 150,000,000	\$37/\$100k	<b>56.7%</b>	43.3%	<b>PASS</b>



**School Bond Measures - 55% voter approval**

<b>School District</b>	<b>County</b>	<b>Measure</b>	<b>Amount</b>	<b>Tax Rate</b>	<b>YES%</b>	<b>NO%</b>	
Selma Unified SD	Fresno	Measure L	\$ 36,000,000	\$60/\$100k	56.6%	43.4%	PASS
Pleasanton Unified SD	Alameda	Measure I	\$ 395,000,000	\$49/\$100k	56.6%	43.4%	PASS
Oxnard School District	Ventura	Measure I	\$ 215,000,000	\$30/\$100k	56.6%	43.4%	PASS
Wheatland Union High SD SFID1	Yuba	Measure P	\$ 16,000,000	\$30/\$100k	56.5%	43.5%	PASS
Wisburn Unified SD	Los Angeles	Measure EE	\$ 98,000,000	\$30/\$100k	56.4%	43.6%	PASS
Alvord Unified SD	Riverside	Measure J	\$ 248,000,000	\$60/\$100k	56.3%	43.7%	PASS
Modesto City SD	Stanislaus	Measure L	\$ 198,000,000	\$29/\$100k	56.2%	43.8%	PASS
College of the Sequoias	Tulare	Measure C	\$ 95,000,000	\$13/\$100k	55.8%	44.2%	PASS
Kern High School District	Kern	Measure E	\$ 160,000,000	\$19/\$100k	55.8%	44.2%	PASS
Fairfield/Suisun Unified SD	Solano / Napa	Measure S	\$ 249,600,000	\$40/\$100k	55.0%	45.0%	PASS
Coalinga-Huron Unified SD	Fresno	Measure X	\$ 39,200,000	\$46/\$100k	55.2%	44.8%	PASS
Napa Valley Unified SD	Napa	Measure A1	\$ 200,000,000	\$20/\$100k	54.4%	45.6%	FAIL
Washington Union SD	Monterey	Measure K	\$ 13,500,000	\$18/\$100k	54.3%	45.7%	FAIL
Lake Tahoe Unified SD	El Dorado	Measure K	\$ 107,000,000	\$35/\$100k	54.3%	45.7%	FAIL
Waterford Unified SD	Stanislaus	Measure J	\$ 5,570,000	\$30/\$100k	54.0%	46.0%	FAIL
Lompoc Union SD	Santa Barbara	Measure A	\$ 125,000,000	\$30/\$100k	53.7%	46.3%	FAIL
Mark Twain Union Elementary SD	Calaveras	Measure E	\$ 9,300,000	19.50/\$100k	53.6%	46.4%	FAIL
Capistrano Unified SD SFID#3	Orange	Measure G	\$ 114,000,000	\$40/\$100k	53.4%	46.6%	FAIL
Martinez Unified SD	Contra Costa	Measure K	\$ 9,000,000	\$39/\$100k	52.6%	47.4%	FAIL
Imperial Unified School District	Imperial	Measure D	\$ 50,000,000	\$49/\$100k	52.6%	47.4%	FAIL
College School District	Santa Barbara	Measure Y	\$ 23,000,000	\$30/\$100k	52.0%	48.0%	FAIL
Esparto Unified SD	Yolo	Measure L	\$ 19,900,000	\$60/\$100k	51.8%	48.2%	FAIL
Red Bluff Union Elementary SD	Tehama	Measure F	\$ 14,100,000	\$23/\$100k	51.0%	49.0%	FAIL
Elverta Joint Elementary SD	Sacramento / Placer	Measure P	\$ 4,000,000	\$30/\$100k	50.8%	49.2%	FAIL
Fruitvale SD	Kern	Measure H	\$ 23,000,000	\$30/\$100k	50.8%	49.2%	FAIL
Ferndale Unified School District	Humboldt	Measure Q	\$ 7,700,000	\$60/\$100k	50.6%	49.4%	FAIL
Black Oak Mine Unified SD	El Dorado	Measure Q	\$ 28,900,000	\$39/\$100k	50.6%	49.4%	FAIL
Livermore Valley Joint Unified SD	Alameda / Contra Costa	Measure G	\$ 450,000,000	\$60/\$100k	50.3%	49.7%	FAIL
Travis Unified SD	Solano	Measure M	\$ 64,000,000	\$60/\$100k	50.0%	50.0%	FAIL
Calaveras Unified SD	Calaveras	Measure B	\$ 39,300,000	\$50/\$100k	49.6%	50.4%	FAIL
West Hills Community College District	Fresno, Kings, Sar	Measure J	\$ 8,600,000	\$10/\$100k	47.9%	52.1%	FAIL
Wheatland Union High SD SFID2	Yuba	Measure Q	\$ 8,700,000	\$30/\$100k	47.2%	52.8%	FAIL
Sundale Union Elementary School	Tulare	Measure W	\$ 3,800,000	\$30/\$100k	46.4%	53.6%	FAIL
Auburn Union SD	Placer	Measure E	\$ 45,000,000	\$28/\$100k	44.3%	55.7%	FAIL
Sundale Union Elementary School	Tulare	Measure X	\$ 4,000,000	\$30/\$100k	43.7%	56.3%	FAIL
Vacaville Unified SD	Solano	Measure Q	\$ 229,500,000	\$45/\$100k	43.5%	56.5%	FAIL
Amador County Unified SD	Amador	Measure H	\$ 64,000,000	\$50/\$100k	43.5%	56.5%	FAIL
Western Placer Unified SD	Placer	Measure G	\$ 185,000,000	\$54/\$100k	42.1%	58.0%	FAIL
Kings River-Hardwick Elementary SD	Kings	Measure K	\$ 4,000,000	\$30/\$100k	41.3%	58.7%	FAIL

**School Bond Measures - Two-Thirds Vote**

<b>Agency Name</b>	<b>County</b>	<b>Measure</b>	<b>Amount</b>	<b>Tax Rate</b>	<b>YES%</b>	<b>NO%</b>	
Plumas Lake Elementary SD	Yuba	Measure R	\$ 45,000,000	\$60/\$100k	56.2%	43.8%	FAIL

The passage rates this election may reflect somewhat of a darker mood among the electorate. This doesn't obviously appear in the results for majority vote tax measures but is more apparent among school bonds and special taxes with higher thresholds for passage. Still, \$21.5 billion of general obligation bond approvals (\$20.6 billion school, \$924,000 other) is the biggest since the November 2016 election.

### School Bonds in California - Presidential and Gubernatorial

	Nov 2012	Nov 2014	Nov 2016	Nov 2018	Nov 2020	Nov 2022
Approved	\$ 13.279	\$ 9.782	\$ 23.236	\$ 15.047	\$ 12.168	\$ 20.505
Requested	\$ 14.429	\$ 11.775	\$ 25.314	\$ 15.704	\$ 13.383	\$ 22.404

### School Parcel Taxes ✓

There were just nine school parcel tax measures. Typically, parcel taxes require two-thirds voter approval. But recent court decisions allow for parcel taxes and other special (earmarked) taxes to be approved by majority vote if the measure is placed on the ballot through a citizen initiative. Two of the parcel taxes were citizen initiatives but neither achieved majority approval. Among the nine conventional two-thirds vote school parcel tax measures, seven were extensions of existing taxes. Those all passed. The two new school parcel taxes failed.

#### School Parcel Taxes - 2/3 voter approval

Agency Name	County	Measure	Rate		Sunset	YES%	NO%	
Oakland Unified SD	Alameda	Measure H	\$120+/parcel	extend	14yrs	80.9%	19.1%	PASS
Ross Elementary SD	Marin	Measure C	\$1550+/parcel	extend	10yrs	78.6%	21.4%	PASS
Hope School District	Santa Barbara	Measure S	\$79/parcel	extend	5yrs	76.2%	23.8%	PASS
Campbell Union High SD	Santa Clara	Measure O	\$85/parcel	extend	10yrs	75.9%	24.1%	PASS
Bayshore Elementary SD	San Mateo	Measure M	\$96+/parcel	extend	8yrs	69.7%	30.3%	PASS
Loma Prieta Joint Union SD	Santa Clara / Santa Cruz	Measure M	\$348/parcel	new	8yrs	66.0%	34.0%	FAIL
Cutler-Orosi Joint Unified SD	Fresno / Tulare	Measure V	\$48+/sfu	new	none	50.4%	49.6%	FAIL

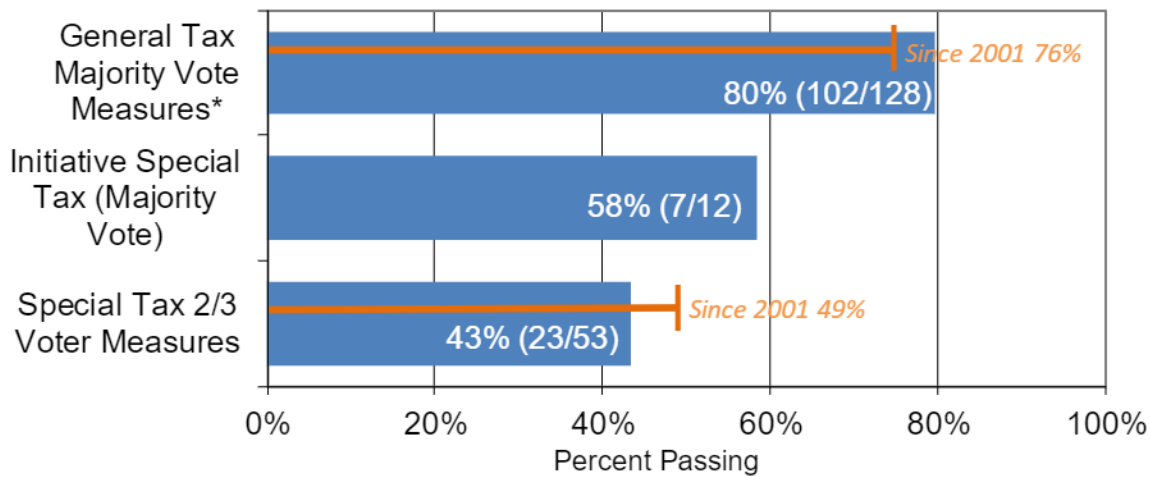
#### School Initiative Parcel Taxes- majority voter approval

Agency Name	County	Measure	Rate		Sunset	YES%	NO%	
South San Francisco (for Schools)	San Mateo	Measure DD	\$2.50/sf	.	none	47.2%	52.8%	FAIL
San Francisco City College	San Francisco	Measure O	\$150/sfu	.	10yrs	36.7%	63.3%	FAIL

## City, County and Special District Measures

Most non-school majority vote general tax measures passed, meeting or surpassing the success of these sorts of measures compared to prior general elections. Of the 128 majority vote tax measures, 102 (80 percent) passed. Among the two-thirds vote city, county and special district special tax and bond measures, less than half passed, a bit lower than historic patterns.

### City, County, Special District Tax and Bond Measures – November 2022



### Local Add-On Sales Taxes (Transaction and Use Taxes) ✓

Voters in 42 cities and four counties considered general purpose majority vote add-on sales tax rates ranging from 0.25 percent to 1.25 percent. Thirty-two are passing with a couple too close to call.

#### Transactions and Use Tax (Add-on Sales Tax) - General Tax - Majority Approval

City	County	Measure	Rate	Sunset	YES%	NO%	Result
San Anselmo	Marin	Measure J	same 1 cent	9yrs	74.6%	25.5%	PASS
Union City	Alameda	Measure Z	same 1/2 cent	9yrs	74.2%	25.8%	PASS
Avenal	Kings	Measure A	1 cent	none	72.5%	27.5%	PASS
Westminster	Orange	Measure Y	same 1 cent	20yrs	70.1%	29.9%	PASS
Sausalito	Marin	Measure L	by 1/2cent to 1cent	none	69.1%	30.9%	PASS
Sand City	Monterey	Measure L	by 1/2cent to 1.5cents	none	68.7%	31.3%	PASS
Colton	San Bernardino	Measure S	1 cent	none	66.8%	33.3%	PASS
Solana Beach	San Diego	Measure S	1 cent	none	66.7%	33.3%	PASS
Walnut Creek	Contra Costa	Measure O	1/2 cent	10yrs	65.0%	35.0%	PASS
Goleta	Santa Barbara	Measure B	1 cent	none	64.7%	35.3%	PASS
Watsonville	Santa Cruz	Measure R	1/2 cent	none	64.4%	35.6%	PASS
Brisbane	San Mateo	Measure U	1/2 cent	none	63.9%	36.1%	PASS
Solvang	Santa Barbara	Measure U	1 cent	none	63.1%	36.9%	PASS

**Transactions and Use Tax (Add-on Sales Tax) - General Tax - Majority Approval**

<u>City</u>	<u>County</u>	<u>Measure</u>	<u>Rate</u>	<u>incr/ex</u>	<u>Sunset</u>	<u>YES%</u>	<u>NO%</u>	
Modesto	Stanislaus	Measure H	1 cent		none	62.8%	37.2%	PASS
McFarland	Kern	Measure M	1 cent		none	62.2%	37.8%	PASS
Larkspur	Marin	Measure G	1/4 cent		none	59.4%	40.6%	PASS
Pacifica	San Mateo	Measure Y	1/2 cent		9yrs	59.3%	40.7%	PASS
Monterey Park	Los Angeles	Measure MP	3/4 cent		none	58.5%	41.5%	PASS
Sonora	Tuolumne	Measure Y	1 cent		20yrs	58.3%	41.7%	PASS
Baldwin Park	Los Angeles	Measure BP	3/4 cent		none	58.1%	41.9%	PASS
Hemet	Riverside	Measure H	same 1 cent		none	58.0%	42.0%	PASS
Mendota	Fresno	Measure H	1.25 cent		none	57.2%	42.8%	PASS
Tehachapi	Kern	Measure S	1 cent		none	57.2%	42.8%	PASS
Blue Lake	Humboldt	Measure R	1 cent		none	55.4%	44.6%	PASS
County of Mendocino	(countywide)	Measure P	1/4 cent		10 yrs	55.3%	44.7%	PASS
Vallejo	Solano	Measure P	7/8 cent		none	54.7%	45.3%	PASS
Elk Grove	Sacramento	Measure E	1 cent		none	54.1%	45.9%	PASS
Ridgecrest	Kern	Measure P	1 cent		9yrs	54.1%	46.0%	PASS
Rio Dell	Humboldt	Measure O	3/4cent (was 1cent)		none	53.3%	46.7%	PASS
Ontario	San Bernardino	Measure Q	1 cent		none	53.2%	46.8%	PASS
Malibu	Los Angeles	Measure MC	1/2 cent		none	52.6%	47.4%	PASS
Chico	Butte	Measure H	1 cent		none	52.4%	47.6%	PASS
Galt	Sacramento	Measure Q	1 cent		none	52.4%	47.6%	PASS
County of Kern unincorporated areas		Measure K	1 cent		none	50.8%	49.2%	PASS
Escondido	San Diego	Measure E	3/4 cent		15yrs	49.4%	50.6%	FAIL
Benicia	Solano	Measure R	3/4 cent		none	48.9%	51.1%	FAIL
County of Nevada	Nevada	Measure V	1/2 cent		10yrs	48.6%	51.4%	FAIL
County of Sutter	Sutter	Measure A	1 cent		9yrs	48.3%	51.7%	FAIL
Williams	Colusa	Measure C	1/2 cent		none	47.7%	52.4%	FAIL
Arroyo Grande	San Luis Obispo	Measure D	1 cent		none	47.4%	52.6%	FAIL
King City	Monterey	Measure I	by 1/2cent to 1.5cents		10yrs	47.2%	52.8%	FAIL
County of Solano	Solano	Measure E	1/8 cent		none	45.9%	54.1%	FAIL
Gonzales	Monterey	Measure P	same 1 cent		20yrs to 2064	45.3%	54.7%	FAIL
Hermosa Beach	Los Angeles	Measure B	3/4 cent		none	44.6%	55.4%	FAIL
Upland	San Bernardino	Measure L	1 cent		none	44.5%	55.5%	FAIL
Dixon	Solano	Measure D	1 cent		none	44.0%	56.1%	FAIL
El Cajon	San Diego	Measure P	by 1/2cent to 1cent		none	39.3%	60.7%	FAIL

There were ten add-on sales tax measures earmarked for specific purposes including five extensions of previously approved rates. Three of these extensions were countywide measures for transportation improvements. Six measures, all in more rural locations, could not achieve the two-thirds vote threshold required for special tax increases.

**Transactions and Use Tax (Add-on Sales Tax) - Special Tax - Two-Thirds Approval**

<u>Agency</u>	<u>County</u>	<u>Measure</u>	<u>Rate</u>	<u>Sunset</u>	<u>Use</u>	<u>YES%</u>	<u>NO%</u>	
Atwater	Merced	Measure B	same 1 cent	none	police/fire	73.7%	26.3%	PASS
Santa Rosa	Sonoma	Measure H	same 1/4 cent	20yrs	police / fire	72.8%	27.2%	PASS
San Francisco	San Francisco	Proposition L	same 1/2 cent	30yrs	transportation	71.8%	28.2%	PASS
County of Colusa		Measure A	1/2 cent	none	EMS	69.4%	30.6%	PASS
Ferndale	Humboldt	Measure N	3/4 cent	to Mar 31, 2031	police/fire	60.4%	39.6%	FAIL
Fresno	Fresno	Measure M	1/8 cent	20yrs	veterans	59.2%	40.8%	FAIL
County of Fresno		Measure C	same 1/2 cent	10yrs	transportation	58.0%	42.0%	FAIL
County of Madera		Measure T	same 1/2 cent	none	transportation	52.3%	47.7%	FAIL
Colusa	Colusa	Measure B	1 cent	4rs	police/fire/ems, streets	52.3%	47.7%	FAIL
County of Tuolumne		Measure X	1 cent	10yrs	sheriff, fire, roads	48.0%	52.0%	FAIL



There were also four special sales tax measures qualified through citizen initiative. Under recent court rulings, these measures only required majority voter approval for passage. Mendocino County’s library tax and Sacramento County’s transportation renewal passed, but measures in Calaveras and Fresno failed.

**Transactions and Use Tax (Add-on Sales Tax) - Initiative Special Tax - Majority Approval**

<u>Agency</u>		<u>Rate</u>	<u>Sunset</u>	<u>Use</u>	<u>YES%</u>	<u>NO%</u>	
County of Mendocino	Measure O	1/8 cent then 1/4 cent in 2027	none	library	60.8%	39.2%	<b>PASS</b>
County of Sacramento	Measure A	same 1/2 cent	40yrs	transportation	55.3%	44.7%	<b>PASS</b>
County of Calaveras	Measure A	1 cent	none	fire	49.4%	50.6%	<b>FAIL</b>
County of Fresno (for CSU)	Measure E	1/5 cent, 1/40 cent (Reedley)	20yrs	Calif State Univ	46.9%	53.1%	<b>FAIL</b>

**Transient (Lodging) Occupancy Taxes ✓**

There were 22 measures to increase Transient Occupancy (Lodging) Taxes (TOT), including 20 for general purposes (majority approval) and two two-thirds vote special taxes. The small central valley towns of Farmersville and Tulelake, among the few cities in California not to have a TOT, failed in their proposals for new taxes.

**Transient Occupancy Tax Tax Measures: Majority Vote General Use**

<u>Agency</u>	<u>County</u>		<u>Rate</u>	<u>Sunset</u>	<u>YES%</u>	<u>NO%</u>	
Santa Cruz	Santa Cruz	Measure P	by 1% to 12%, by 3%	none	80.3%	19.7%	<b>PASS</b>
Belmont	San Mateo	Measure K	by 2% to 14%	none	79.3%	20.7%	<b>PASS</b>
Trinidad	Humboldt	Measure P	by 4% to 12%	none	77.6%	22.5%	<b>PASS</b>
Millbrae	San Mateo	Measure N	by 2% to 14%	none	75.8%	24.3%	<b>PASS</b>
Santa Monica	Los Angeles	Measure CS	by 1%, 3% home	none	73.7%	26.3%	<b>PASS</b>
Colfax	Placer	Measure B	by 2% to 10%	none	73.5%	26.5%	<b>PASS</b>
Roseville	Placer	Measure C	by 4% to 10%	none	73.0%	27.1%	<b>PASS</b>
Yucca Valley	San Bernardino	Measure K	by 5% to 12%	none	71.9%	28.1%	<b>PASS</b>
La Palma	Orange	Measure P	by 4% to 12%	none	71.1%	28.9%	<b>PASS</b>
Clovis	Fresno	Measure B	by 2% to 12%	none	69.7%	30.3%	<b>PASS</b>
Imperial Beach	San Diego	Measure R	by 4% to 14%	none	67.4%	32.6%	<b>PASS</b>
Needles	San Bernardino	Measure N	to short term rentals	none	65.1%	34.9%	<b>PASS</b>
Kerman	Fresno	Measure G	10%	none	62.3%	37.7%	<b>PASS</b>
El Paso de Robles	San Luis Obispo	Measure F	by 1% to 11%	none	61.2%	38.8%	<b>PASS</b>
Rocklin	Placer	Measure F	by 2% to 10%	none	59.8%	40.2%	<b>PASS</b>
Anaheim	Orange	Measure J	to cover online travel	none	59.2%	40.8%	<b>PASS</b>
Alameda	Alameda	Measure F	by 4% to 14%	none	59.2%	40.8%	<b>PASS</b>
Imperial	Imperial	Measure G	by 4% to 12%	none	56.2%	43.8%	<b>PASS</b>
Big Bear Lake	San Bernardino	Measure P	by 2% to 10%	none	54.4%	45.6%	<b>PASS</b>
Arcadia	Los Angeles	Measure HT	by 2% to 12%	none	54.1%	45.9%	<b>PASS</b>
Grand Terrace	San Bernardino	Measure M	new 10%	none	51.9%	48.1%	<b>PASS</b>
El Monte	Los Angeles	Measure OT	by 4% to 14%	none	49.7%	50.3%	<b>FAIL</b>
Farmersville	Tulare	Measure A	10%	none	49.3%	50.7%	<b>FAIL</b>
Guadalupe	Santa Barbara	Measure Z	by 4% to 10%	none	48.2%	51.9%	<b>FAIL</b>
County of Inyo - Unincorporated		Measure Q	to short term rentals	none	46.5%	53.5%	<b>FAIL</b>
County of Trinity	Trinity	Measure	by 5% to 10%	none	44.9%	55.1%	<b>FAIL</b>
Downey	Los Angeles	Measure D	by 4% to 13%	none	35.6%	64.4%	<b>FAIL</b>

There were also three special tax transient occupancy measures in which the proceeds were earmarked for specific purposes and two-thirds voter approval is required for passage. A TOT for the “east slope” area near Lake Tahoe in El Dorado County passed easily, while a lesser increase on the “west slope” area failed. A 1 percent TOT rate proposal in Lompoc likely would have passed easily as a general tax, but by earmarking the tax for police-fire services it failed with 62 percent yes votes.

**Transient Occupancy Tax Tax Measures: Two-thirds Vote Special Purpose**

<u>City</u>	<u>County</u>	<u>Measure</u>	<u>Rate</u>	<u>Use</u>	<u>YES%</u>	<u>NO%</u>	
County of El Dorado - East Slope Tah		Measure S	by 4% to 14%	streets	<b>81.8%</b>	18.2%	<b>PASS</b>
Lompoc	Santa Barbara	Measure X	by 1% to 11%	police/fire	62.0%	<b>38.0%</b>	<b>FAIL</b>
County of El Dorado - West Slope		Measure R	by 2% to 12%	streets	45.8%	<b>54.2%</b>	<b>FAIL</b>

**Utility User Taxes ✓**

Voters in four cities approved measures to continue existing utility user taxes for general purposes. A new tax in Banning failed.

**Utility User Taxes**

<u>City</u>	<u>County</u>		<u>Rate</u>		<u>Sunset</u>	<u>YES%</u>	<u>NO%</u>	
Sebastopol	Sonoma	Measure N	3.75% (same)	extend	none	<b>83.5%</b>	16.5%	<b>PASS</b>
Carson	Los Angeles	Measure UUT	2% electr, gas	extend	none	<b>78.4%</b>	21.6%	<b>PASS</b>
Hercules	Contra Costa	Measure N	8%	extend	none	<b>69.3%</b>	30.8%	<b>PASS</b>
Arcata	Humboldt	Measure L	3% (same)	extend	14yrs	<b>65.6%</b>	34.4%	<b>PASS</b>
Banning	Riverside	Measure I	\$0.015/kwh	.	none	30.0%	<b>70.0%</b>	<b>FAIL</b>

**Utility Transfer Taxes ✓**

Voters in Santa Clara and Palo Alto authorized the continued transfer of annual revenue from their utilities to support general fund services such as police, fire, paramedics and parks.

**Utility Transfer Taxes**

<u>City</u>	<u>County</u>		<u>Rate</u>			<u>YES%</u>	<u>NO%</u>	
Santa Clara	Santa Clara	Measure G	5 %	extend	none	<b>84.2%</b>	15.8%	<b>PASS</b>
Palo Alto	Santa Clara	Measure L	18% gas	extend	none	<b>77.7%</b>	22.3%	<b>PASS</b>

**Business Operations Taxes ✓**

Ten cities proposed general revisions and updates of their business operations taxes. All passed.

**Business Operations Tax Measures- General Revisions  
Majority Vote General Use**

<u>Agency</u>	<u>County</u>		<u>YES%</u>	<u>NO%</u>	
Pico Rivera	Los Angeles	Measure AB	75.5%	24.5%	PASS
Burlingame	San Mateo	Measure X	75.1%	24.9%	PASS
Tracy	San Joaquin	Measure B	72.6%	27.4%	PASS
Oakland	Alameda	Measure T	71.4%	28.6%	PASS
Palo Alto	Santa Clara	Measure K	67.0%	33.0%	PASS
Santa Ana	Orange	Measure W	64.8%	35.2%	PASS
Culver City	Los Angeles	Measure BL	60.5%	39.5%	PASS
Santa Clara	Santa Clara	Measure H	59.5%	40.5%	PASS
Los Gatos	Santa Clara	Measure J	53.4%	46.7%	PASS
El Segundo	Los Angeles	Measure BT	51.2%	48.8%	PASS

Six other cities had business operation tax proposals targeted to certain types of business activity. These include four measures to tax vacant property. One of these four was San Marino’s special tax, earmarked for police, fire and school services. Had the city made it a general tax, it likely would have passed. But as a special tax, it failed with 56 percent yes vote. A citizen initiative special tax on vacant property in San Francisco got the majority voter approval needed. The proceeds of Proposition M are required to go to affordable housing programs.

**Business Operations Tax Measures (other than on cannabis) - Majority Vote General Purpose**

<u>Agency</u>	<u>County</u>		<u>Rate</u>	<u>Focus</u>	<u>YES%</u>	<u>NO%</u>	
East Palo Alto	San Mateo	Measure L	2.5% grossRpts Resid Rentals	resid rental property	69.9%	30.1%	PASS
Brisbane	San Mateo	Measure O	\$2.50/rm/day	hotels/overnight	69.2%	30.8%	PASS
Berkeley	Alameda	Measure M	\$3k/vacant unit	vacant property	64.0%	36.0%	PASS
Arcadia	Los Angeles	Measure SW	5% grossRpts	sports betting	63.9%	36.1%	PASS
South Gate	Los Angeles	Measure PD	\$500 plus \$1.94 per ton+	solid waste processing	46.5%	53.5%	FAIL
Santa Cruz	Santa Cruz	Measure N	\$6k/vacant SFU	vacant property	44.2%	55.8%	FAIL

**Business Operations Taxes - Two-Thirds Vote Special Purpose**

<u>Agency Name</u>	<u>County</u>		<u>Rate</u>	<u>Use</u>	<u>YES%</u>	<u>NO%</u>	
San Marino		Measure Z	\$10,000+ on vacant	vacant property	55.7%	44.3%	FAIL

**Business Operations Taxes - Initiative Special**

<u>Agency Name</u>	<u>County</u>		<u>Rate</u>	<u>Use</u>	<u>YES%</u>	<u>NO%</u>	
San Francisco		Proposition M	\$2500-\$5000/ vacant resid unit	vacant property	54.5%	45.5%	PASS

## Cannabis – Local Excise Taxes ✓

There were 27 measures taxing cannabis, all majority general purpose except in Sacramento County (for the unincorporated area) where the proceeds were earmarked for homeless services. That measure failed, despite getting 54 percent yes votes. Among the general taxes, all passed except two citizen initiative measures that proposed to legalize certain cannabis business activity: Measure X in South El Monte and Measure K in Sausalito.

### **Cannabis Taxes - Majority Vote General Purpose**

<u>Agency</u>	<u>County</u>		<u>Rate</u>	<u>Sunset</u>	<u>YES%</u>	<u>NO%</u>	
El Segundo	Los Angeles	Measure Y	10% Gross Rcpt, \$20/sf cultiv	none	72.8%	27.2%	PASS
Healdsburg	Sonoma	Measure M	8% gross Rcpt	none	72.7%	27.3%	PASS
Pacific Grove	Monterey	Measure N	6% gross Rcpt	none	70.8%	29.2%	PASS
Montclair	San Bernardino	Measure R	7% gross Rcpts	none	70.3%	29.7%	PASS
Hermosa Beach	Los Angeles	Measure T	10% Gross Rcpt, \$20/sf cultiv	none	67.6%	32.4%	PASS
Exeter	Tulare	Measure B	10% retail and other, \$10/sf	none	66.5%	33.5%	PASS
Santa Monica	Los Angeles	Measure HMP	10% gross Rcpts	none	66.4%	33.6%	PASS
Lynwood	Los Angeles	Measure TR	5%to10%	none	66.4%	33.7%	PASS
Woodland	Yolo	Measure K	10% gross Rcpts	none	66.2%	33.9%	PASS
Monterey	Monterey	Measure J	6% gross Rcpt	none	65.2%	34.8%	PASS
Tulare	Tulare	Measure Y	10% retail and other, \$10/sf	none	65.2%	34.8%	PASS
Encinitas	San Diego	Measure L	4% to 7% of gross receipts	none	65.1%	34.9%	PASS
McFarland	Kern	Measure O	\$10.00 per square foot for	none	63.5%	36.5%	PASS
South Lake Tahoe	El Dorado	Measure G	6% retail, manufacturing,	none	62.9%	37.1%	PASS
Avenal	Kings	Measure C	\$25+/sf or 15% gr rcpts	none	61.8%	38.2%	PASS
Corona	Riverside	Measure G	9% of gross receipts for retail	none	61.6%	38.5%	PASS
Claremont	Los Angeles	Measure CT	4%-7% gr rcpts, \$1-\$10/sf	none	61.1%	38.9%	PASS
Laguna Woods	Orange	Measure T	4%-10% of gross receipts or	none	61.1%	38.9%	PASS
County of Los Angeles Uninc		Measure C	4% gross receipts retail, 3%	none	60.1%	39.9%	PASS
County of San Diego Uninc		Measure A	6% retail, 3% distribution, 2%	none	57.4%	42.6%	PASS
Huntington Beach	Orange	Measure O	6% retail, 1% other	none	54.7%	45.4%	PASS
Cudahy	Los Angeles	Measure BA	15% gross Rcpts	none	54.0%	46.0%	PASS
South El Monte	Los Angeles	Measure CM	6% special excise tax on retail	none	53.7%	46.3%	PASS
Baldwin Park	Los Angeles	Measure CB	4% gross Rcpts	none	51.3%	48.7%	PASS
South El Monte	Los Angeles	Measure X	8% of noncultivation	none	46.2%	53.9%	FAIL
Sausalito	Marin	Measure K	greater of 7.5% net profits or	xxx	26.2%	73.8%	FAIL

### **Cannabis Taxes - Two-Thirds Vote Special Purpose**

<u>Agency</u>	<u>County</u>		<u>Rate</u>	<u>Sunset</u>	<u>YES%</u>	<u>NO%</u>	
County of Sacramento Uninc		Measure B	6% retail, 4% manuf, 3% distrib, 2% testing, 3% or \$10/sf cultivation	none	53.8%	46.2%	FAIL



### Vehicle Registration Taxes ✓

Two counties had measures to extend their existing \$1 per vehicle registration taxes, \$2 on commercial vehicles. State law requires the proceeds from such a tax to be used for abandoned vehicle abatement. As an earmarked, special tax, two-thirds approval is required.

#### **Abandoned Vehicle Abatement Tax (Fees prior to Prop26 of 2010) - 2/3 voter approval**

<u>City</u>	<u>Measure Name</u>	<u>Rate</u>	<u>Sunset</u>	<u>YES%</u>	<u>NO%</u>	
County of Butte	Measure K	\$1/veh	10yrs	71.3%	28.7%	<b>PASS</b>
County of Amador	Measure J	\$1/veh	10yrs	56.1%	43.9%	<b>FAIL</b>

### Property Transfer Taxes ✓

Voters in five charter cities considered increasing their taxes on transfers of real estate. Sanat Monica voters faced competing measures: a general tax proposed on the ballot by the city council and a citizen initiative special tax earmarking the tax proceeds for “homelessness prevention, affordable housing, and schools.” The citizen initiative passed. The city council measure failed.

Measure D in the small wealthy enclave of Belvedere would have made that city a charter city and also approved a new property transfer tax. It failed.

#### **Property Transfer Taxes - general purpose - majority vote**

<u>City</u>	<u>County</u>	<u>Measure N:</u>	<u>Rate</u>	<u>Sunset</u>	<u>YES%</u>	<u>NO%</u>	
San Mateo	San Mateo	Measure CC	by 1% to 1.5% if >\$10m	none	71.8%	28.3%	<b>PASS</b>
Emeryville	Alameda	Measure O	\$15/\$1000 if \$1m-\$2m, \$25/\$1000 if >\$2m	none	71.6%	28.4%	<b>PASS</b>
Belvedere	Marin	Measure D	\$8/\$1k	30yrs	43.8%	56.2%	<b>FAIL</b>
Santa Monica	Los Angeles	Measure DT	\$25/\$1000 of value >\$8m	Feb 2023	34.3%	65.7%	<b>FAIL</b>

#### **Property Transfer Tax - Initiative Special - majority vote**

<u>City</u>	<u>County</u>	<u>Measure N:</u>	<u>Rate</u>	<u>Sunset</u>	<u>YES%</u>	<u>NO%</u>	
Los Angeles	Los Angeles	Measure UL	4% if >\$5m, 5.5% if >\$10m	none	57.3%	42.8%	<b>PASS</b>
Santa Monica	Los Angeles	Measure GS	\$56/\$1000 if >\$8m	none	53.3%	46.7%	<b>PASS</b>

## General Obligation Bonds ✓

There were six non-school general obligation bond measures totaling \$1.6 billion. Three passed, including Oakland’s \$850,000 measure. Next door, in Berkeley, the \$650,000 bond measure failed. In all, \$1.6 billion in local non-school general obligation bonds were approved.

### City, County and Special District General Obligation Bond Measures (2/3 vote)

<u>Agency Name</u>	<u>County</u>		<u>Bond Amount</u>	<u>Use</u>	<u>Tax Rate</u>	<u>YES%</u>	<u>NO%</u>	
Seneca Healthcare District	Plumas	Measure B	\$ 42,000,000	hospital	\$80/\$100k	79.5%	20.5%	<b>PASS</b>
Oakland	Alameda	Measure U	\$ 850,000,000	general	\$71/\$100k	74.5%	25.5%	<b>PASS</b>
Carmichael Recreation and Park District	Sacramento	Measure G	\$ 31,900,000	park, recr	\$19/\$100k	67.7%	32.3%	<b>PASS</b>
Cambria Community Health Care District	San Luis Obispo	Measure G	\$ 8,500,000	hospital	\$10/\$100k	61.6%	38.4%	<b>FAIL</b>
Berkeley	Alameda	Measure L	\$ 650,000,000	general	\$41/\$100k	58.0%	42.0%	<b>FAIL</b>
Beaumont Library District	Riverside	Measure M	\$ 24,000,000	library	\$10/\$100k	50.2%	49.8%	<b>FAIL</b>

## Parcel Taxes – Non-School ✓

There were 29 parcel tax measures for a variety of public services. Fourteen passed.

### City, County and Special District Parcel Taxes (2/3 vote)

<u>Agency Name</u>	<u>County</u>		<u>Amount</u>	<u>Purpose</u>	<u>sunset</u>	<u>YES%</u>	<u>NO%</u>	
Highlands Village Lighting Zone of Benefit	El Dorado	Measure L	\$140+/parcel	streets	none	86.3%	13.7%	<b>PASS</b>
South Pasadena	Los Angeles	Measure LL	xxx	library	extend	none	86.2%	13.8%
San Anselmo	Marin	Measure H	\$70/parcel	library	extend	9yrs	84.8%	15.2%
Pasadena	Los Angeles	Measure L	\$41+/sfu	library	extend	15yrs	84.2%	15.8%
Fairfax	Marin	Measure F	\$94.50*/sfu	EMS	extend	4yrs	81.8%	18.2%
Corte Madera	Marin	Measure E	\$78+/sfu	EMS	extend	4yrs	81.4%	18.6%
Ross Valley Paramedic Authority (CSA #27)	Marin	Measure N		EMS	extend	4yrs	80.9%	19.1%
Tiburon Open Space CFD#2022-1	Marin	Measure M	\$335+/parcel	open space		30yrs*	78.8%	21.2%
Cameron Park Airport District	El Dorado	Measure J	by \$600 to \$900/parcel	airport/streets		none	78.2%	21.8%
County of Marin	Marin	Measure B	\$98/parcel	library		9yrs	76.4%	23.6%
Albany	Alameda	Measure K	\$0.074+/sf	fire/EMS	extend	none	76.0%	24.0%
Knolls Property Owners CSD	El Dorado	Measure P	by \$300+ to \$600+/parcel	streets		none	75.5%	24.5%
Schell-Vista Fire Protection District	Sonoma	Measure O	\$200/sfu	fire/EMS	extend	4yrs	74.4%	25.6%
Circle XX Community Services District	Calaveras	Measure C	\$500/sfu	streets		10yrs	70.8%	29.2%

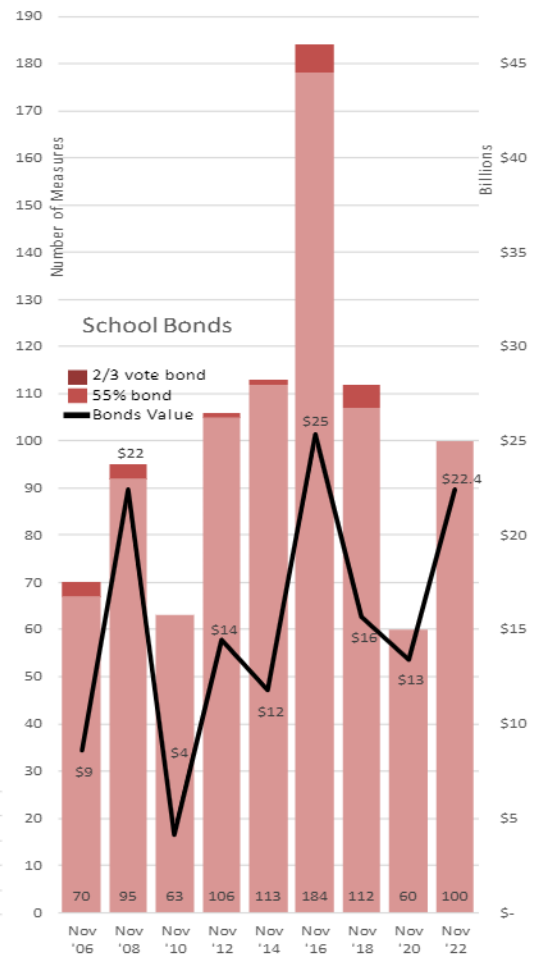
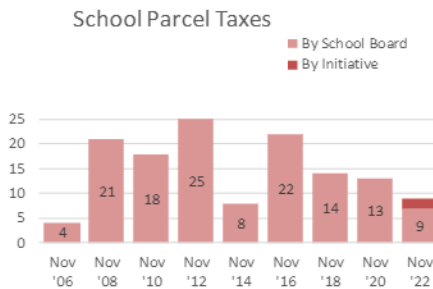
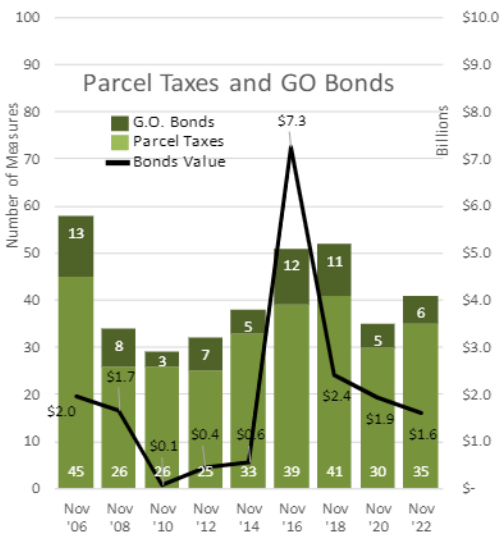
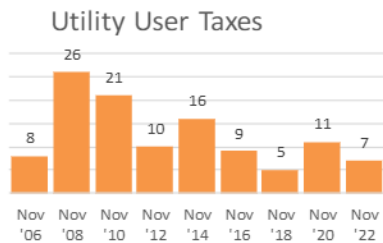
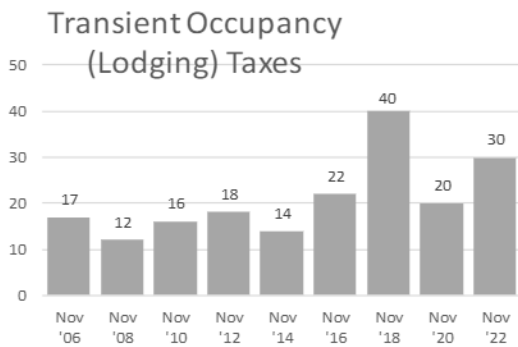
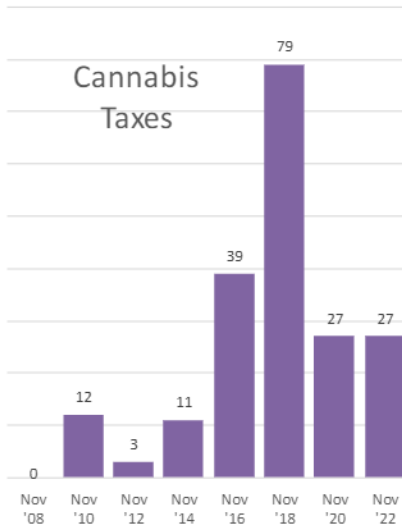
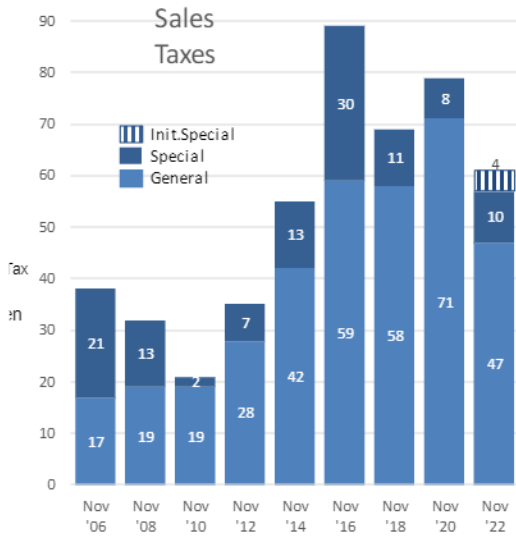
**City, County and Special District Parcel Taxes (2/3 vote)**

<u>Agency Name</u>	<u>County</u>	<u>Amount</u>	<u>Purpose</u>	<u>sunse</u>	<u>YES%</u>	<u>NO%</u>	
Lynx Trail Road Zone of Benefit	El Dorado	Measure M by \$150 to \$450/parcel	streets	.	none	62.7%	<b>37.3% FAIL</b>
Hickok Road CSD	El Dorado	Measure N by \$200 to \$400/parcel	streets	.		62.5%	<b>37.5% FAIL</b>
Burney Fire Protection District	Shasta	Measure B \$75/sfu	fire	.	none	62.4%	<b>37.6% FAIL</b>
Middle River Community Services District	Calaveras	Measure D by \$100 to \$200/sfu	streets	.	none	58.3%	<b>41.7% FAIL</b>
Boulder Creek Recreation and Park	Santa Cruz	Measure T \$36/sfu	parks/recre	.	30yrs	57.2%	<b>42.8% FAIL</b>
Hopland Fire Protection District	Mendocino	Measure N \$85/parcel	fire	increase	none	56.7%	<b>43.3% FAIL</b>
Pomona	Los Angeles	Measure PS \$0.15/sf commercial	streets	.	none	55.8%	<b>44.2% FAIL</b>
Cathedral City	Riverside	Measure K 15¢/sf resid	parks/recre	.	none	54.4%	<b>45.6% FAIL</b>
Desert Recreation District	Riverside	Measure L 7 cents/sf sfu	parks/recre	.	none	54.2%	<b>45.8% FAIL</b>
Exeter Public Cemetery	Tulare	Measure U \$35+/parcel	cemetery	.		53.0%	<b>47.0% FAIL</b>
Westside Community Healthcare District	Merced / Stan	Measure D \$69+/parcel	EMS	.	none	52.2%	<b>47.8% FAIL</b>
Bear Valley Community Services District	Kern	Measure V \$185+/parcel	entry gate	.	none	45.6%	<b>54.4% FAIL</b>
Rancho Murieta Community Services	Sacramento	Measure R \$316+/sfu	police	.	none	45.0%	<b>55.0% FAIL</b>
Antelope Fire Protection District	Mono	Measure H \$120+/parcel	fire	.	none	44.3%	<b>55.7% FAIL</b>
Bear Valley Community Services District	Kern	Measure W \$500+/parcel	police	.	none	42.4%	<b>57.6% FAIL</b>
Los Angeles	Los Angeles	Measure SP \$0.08414/sf	parks/recre	.	30yrs	35.3%	<b>64.8% FAIL</b>

There were also five citizen initiative non-school parcel tax measures. Three did not receive the majority vote required.

**City, County and Special District Initiative Parcel Taxes (majority vote)**

<u>Agency Name</u>	<u>County</u>	<u>Amount</u>	<u>Purpose</u>	<u>sunse</u>	<u>YES%</u>	<u>NO%</u>	
Crockett Community Services District	Contra Costa	Measure L \$50/parcel	parks/recre		none	<b>62.8%</b>	<b>37.2% PASS</b>
Oakland	Alameda	Measure Y \$68/parcel	zoo	20yrs	<b>62.5%</b>	37.5%	<b>PASS</b>
County of Monterey	Monterey	Measure Q \$49/parcel	childcare	10yrs	41.1%	<b>58.9%</b>	<b>FAIL</b>
Morro Bay	San Luis Obispo	Measure B \$120+/parcel	harbor		none	36.0%	<b>64.0% FAIL</b>
Inverness Public Utility District	Marin	Measure O \$0.20/sf, \$150/vacant	fire		none	27.0%	<b>73.0% FAIL</b>



### Other measures of Note

- Measures to impose term limits passed easily in most communities. Sixteen passed. Only one failed, a measure in Milpitas that would have reformed existing limits..
- There were 15 measures to convert elected city clerk or treasurer positions to appointed (by city council or manager). Ten passed.
- The City of Port Hueneme will not change its name to Hueneme Beach.
- Hawthorne and Belvedere will not become charter cities.
- Sales tax increases previously approved by voters in Crescent City and Del Norte County will remain but parcel taxes in Knightsen Community Services District in Contra Costa and El Dorado Hills Community Services District in El Dorado County have been repealed.

<b>Term limits</b>			<b>YES%</b>	<b>NO%</b>	
<b>Agency Name</b>	<b>County</b>				
Santa Ana Unified SD	Orange	Measure H	87.3%	12.7%	PASS
Bell Gardens	Los Angeles	Measure AA	85.7%	14.4%	PASS
Pico Rivera	Los Angeles	Measure F	85.6%	14.5%	PASS
Aliso Viejo	Orange	Measure I	84.8%	15.2%	PASS
San Bruno	San Mateo	Measure BB	84.4%	15.6%	PASS
Escondido	San Diego	Measure F	82.7%	17.3%	PASS
Baldwin Park	Los Angeles	Measure TL	80.7%	19.3%	PASS
Oakland	Alameda	Measure X	79.8%	20.2%	PASS
County of San Benito		Measure P	77.4%	22.6%	PASS
Saratoga	Santa Clara	Measure C	76.7%	23.3%	PASS
Pomona	Los Angeles	Measure PT	75.3%	24.7%	PASS
Paramount Unified SD	Los Angeles	Measure P	74.7%	25.3%	PASS
Hollister	San Benito	Measure S	71.1%	28.9%	PASS
County of Kern		Measure J	69.7%	30.3%	PASS
County of San Bernardino		Measure D	58.2%	41.8%	PASS
Oxnard	Ventura	Measure C	56.1%	43.9%	PASS
Milpitas	Santa Clara	Measure F	37.1%	62.9%	FAIL

<b>City Name Change</b>			<b>YES%</b>	<b>NO%</b>	
<b>City</b>	<b>County</b>				
Port Hueneme	Ventura	Measure D	31.1%	68.9%	FAIL

<b>Charter City</b>			<b>YES%</b>	<b>NO%</b>	
<b>City</b>	<b>County</b>				
Hawthorne	Los Angeles	Measure I	39.8%	60.2%	FAIL
Belvedere	Marin	Measure D	43.8%	56.2%	FAIL

**Appointed City Clerk / City Treasurer / etc.**

<u>City</u>	<u>County</u>			<u>YES%</u>	<u>NO%</u>	
San Juan Bautista	San Benito	Measure W	appoint city clerk	<b>57.8%</b>	42.3%	<b>PASS</b>
Pleasant Hill	Contra Costa	Measure M	appoint treasurer	<b>56.6%</b>	43.4%	<b>PASS</b>
San Juan Bautista	San Benito	Measure V	appoint city treasurer	<b>56.0%</b>	44.0%	<b>PASS</b>
National City	San Diego	Measure M	appoint City Clerk	<b>55.0%</b>	45.0%	<b>PASS</b>
Taft	Kern	Measure Q	appoint clerk	<b>54.0%</b>	46.0%	<b>PASS</b>
San Clemente	Orange	Measure U	appoint city clerk	<b>53.1%</b>	46.9%	<b>PASS</b>
Wasco	Kern	Measure T	appoint clerk	<b>52.7%</b>	47.3%	<b>PASS</b>
National City	San Diego	Measure N	appoint City Treasurer	<b>52.5%</b>	47.5%	<b>PASS</b>
Wasco	Kern	Measure U	appoint treasurer	<b>51.4%</b>	48.6%	<b>PASS</b>
San Clemente	Orange	Measure V	appoint city treasurer	<b>50.8%</b>	49.2%	<b>PASS</b>
Yreka	Siskiyou	Measure Q	appoint treasurer	48.6%	<b>51.4%</b>	<b>FAIL</b>
Plymouth	Amador	Measure E	appoint city clerk	39.2%	<b>60.9%</b>	<b>FAIL</b>
Redding	Shasta	Measure A	appoint clerk, treasurer	38.4%	<b>61.6%</b>	<b>FAIL</b>
Plymouth	Amador	Measure G	appoint city treasurer	37.2%	<b>62.8%</b>	<b>FAIL</b>
Yuba City	Sutter	Measure Z	appoint clerk /	34.0%	<b>66.0%</b>	<b>FAIL</b>

**Tax and Fee Initiative to Repeal or Revise**

<u>Agency Name</u>	<u>County</u>		<u>Rate</u>	<u>YES%</u>	<u>NO%</u>	
Crescent City	Del Norte	Measure T	Repeal TrUT	23.3%	<b>76.7%</b>	<b>FAIL</b>
County of Del Norte	Del Norte	Measure U	Repeal TrUT	32.3%	<b>67.7%</b>	<b>FAIL</b>
Knightsen Town Communit	Contra Costa	Measure R	Repeal special tax	<b>59.1%</b>	40.9%	<b>PASS</b>
El Dorado Hills CSD	El Dorado	Measure H	Repeal special tax	<b>90.9%</b>	9.2%	<b>PASS</b>

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