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**Planning
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STAFF REPORT

Item # 3C

To: Lemoore City Council
From: Holly Smyth, Planning Director
Date: March 12, 2012
Subject: Support of Assembly Constitutional Amendment 23 (ACA 23), an amendment to the California Constitution lowering the voter threshold to 55% for local transportation sales tax measures

Background:

Mayor Rodarmel asked that a resolution of support for Assembly Constitutional Amendment 23 (ACA 23), lowering the pass threshold of transportation tax measures from 66.6% to 55%, be considered by Council. California Consulting has been working with the Kern COG and Assembly Constitutional Amendment (ACA 23) author Assemblyman Henry T. Perea to draft and submit legislation to lower the threshold to pass transportation initiatives (see attachment). In the past, local Counties have tried to pass legislation to increase transportation sales tax within their jurisdiction to keep pace with the inadequate roadways and have narrowly failed to reach the current 66.6% pass threshold. To address this issue in a similar manner as the schools did a few years back for bond measure passage, ACA 23 proposes to lower the threshold for passing sales tax legislation for transportation to 55%.

Kings County has never put a transportation sales tax measure on the ballot to increase sales tax on fuel for transportation projects, however years ago adjacent Fresno County did pass Measure C which has funded many of their regional freeway improvements including the Route 180 extension. In other areas, small counties have won majority votes for local transportation improvement sales taxes, but were unable to make the two-thirds requirement. Supporting legislation ACA 23, gives counties majorities to establish their own measures to address transportation needs that are best understood at the local level. Now is an important time to help county majorities be able to establish their own measures to fund badly needed transportation improvements as their individual jurisdiction choose to put measure on their ballots, given the economic uncertainty of the State's finances.

Budget Impact:

None.

Recommendation:

That the Lemoore City Council consider adopting, by motion, Resolution #2012-10 supporting ACA 23 which lowers the pass threshold for transportation sales tax measures to 55%.

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