

CITY OF BERKELEY CLEAN STORMWATER FEE AND STREET LIGHTING ASSESSMENT MEASURES

BALLOTING Q&A FOR WEBSITE

TABLE OF CONTENTS

TIMELINE.....	3
GENERAL QUESTIONS	4
1) Why did I receive a ballot?	4
2) Why is this being decided by mailed ballot?	4
3) What is the City of Berkeley Clean Stormwater Fee Measure?	4
4) What is the City of Berkeley Street Lighting Assessment Measure?	4
5) Will any of this money go to the County or State to be used for other purposes?	4
6) Where can I get a copy of the Clean Stormwater Fee Report or the Street Lighting Engineer's Report?	4
7) Why are these new funding measures needed?	4
8) Are there any exemptions from the Clean Stormwater Fee or Street Lighting Assessment?	5
9) How would the funds be spent?	5
10) What are the public accountability and fiscal controls?	5
11) When will results of the ballot proceeding be known?	5
12) Why did I get a notice in the mail about the Clean Stormwater Fee before the balloting, but I didn't get one at the same time about the Street Lighting Assessment?	6
13) Why was there a public hearing for the Clean Stormwater Fee before the balloting, but there wasn't one at the same time about the Street Lighting Assessment?	6
14) Why will there a public hearing for the Street Lighting Assessment at the end of the balloting period, but there won't be one at the same time for the Clean Stormwater Fee?	6
COMPLETING AND RETURNING BALLOT QUESTIONS & ISSUES.....	7
15) Overview of how to complete and return your ballot.	7
16) How do I complete my ballot?	7
17) How can I return my ballot?	7
18) What is the deadline for returning my ballot?	7
19) If my ballot has a May 29 postmark, will it be counted?	7
20) Can I hand-deliver my ballot before May 29?	8
21) Why must I sign the ballot?	8
22) Who can sign the ballot?	8
23) I am not registered to vote. Am I still allowed to vote on this?	8
24) I own several properties. Why did I receive only one ballot?	8
25) Why did I receive more than one ballot?	8
26) Are returned ballots a public record? What will be done to protect confidentiality?	8
REQUESTS FOR BALLOT REPLACEMENTS & OTHER BALLOT ISSUES	9
27) Replacement ballots	9
28) Corrected ballots	9
29) Address change.....	9
30) Lost ballot	9
31) Withdrawn ballot.....	9
32) Property owners who own multiple parcels and have one parcel that they no longer own on their ballot.....	10
33) Misspelled name – or previous owner name on ballot	10
34) What if a parcel has multiple owners? May the owners vote separately?	10
35) My ballot was lost or destroyed or I never received it. How do I request a replacement ballot?	10
36) May I request that my replacement ballot be sent to an address other than listed in the County property roll?	11
37) May I change my vote after my ballot has been submitted?	11
AMOUNT AND TERM OF FEE/ASSESSMENT QUESTIONS.....	11
38) How was the Clean Stormwater Fee determined?	11
39) How was the Street Lighting Assessment determined?	11
40) How much money will this Fee/Assessment generate?	11
41) Proposed Clean Stormwater Fee rates by property type.	12

42)	Proposed Street Lighting Assessment rates by property type.....	12
43)	Will the Fee or Assessment increase in future years?	13
44)	When will the Fee/Assessment end? What are the annual continuation requirements?.....	13
BALLOT TABULATION QUESTIONS		13
45)	How will ballots be tabulated?	13
46)	What is needed for the Fee/Assessment to be approved?.....	13
47)	How are ballots weighted during tabulation?.....	13
48)	How can we be sure that the tabulation will be correct?	14
ADDITIONAL INFORMATION.....		14

TIMELINE

February 15, 2018	Notices mailed to property owners regarding the Clean Stormwater Fee
April 3, 2018	City Council held Public Hearing regarding the Clean Stormwater Fee and ordered mailing of ballots for the Clean Stormwater Fee and the Street Lighting Assessment
April 11, 2018	Ballots for both measures and Public Hearing Notice for the Street Lighting Assessment mailed to property owners
April 11 – May 29, 2018	Ballot return time period (45-day minimum required)
May 29, 2018 at 6:00 pm	City Council meeting at which the Council will hold the Public Hearing regarding the Street Lighting Assessment. Returned Ballots will begin to be tabulated once the public input portion of the Public Hearing is over. If the tabulation is completed in time, the ballot results will be announced before the end of the City Council meeting on May 29, 2018. If not, the results will be announced at a future City Council meeting.
May 29, 2018 (planned)	City Council to Certify results of balloting. City Council will consider whether to levy the Clean Stormwater Fee for fiscal year 2018-19 (if it passes), and will consider whether to levy the Street Lighting Assessment for fiscal year 2018-19 (if it passes). If it is not possible to finish the ballot tabulation before the end of this meeting, these action items will occur at a future meeting.

If it is determined that the number of properties with a fee greater than \$0 on the Clean Stormwater Fee ballots submitted in opposition to the proposed Fee do not exceed the number of properties with a fee greater than \$0 on the Fee ballots submitted in favor of the Fee, the City Council may order the levy of the Fee for Fiscal Year 2018-19. (See Item number 47 below for more information regarding the tabulation of ballots).

If it is determined that the Street Lighting Assessment ballots submitted in opposition to the proposed Assessment do not exceed the Assessment ballots submitted in favor of the Assessment, weighted by the amount of the proposed Assessment, the City Council may order the levy of the Assessment for Fiscal Year 2018-19. (See Item number 47 below for more information regarding ballot weighting).

If the Fee and/or Assessment are so confirmed and approved, the levies would be submitted to the Alameda County Auditor for inclusion on the property tax rolls for Fiscal Year 2018-19.

GENERAL QUESTIONS

1) Why did I receive a ballot?

The ballot you received is your opportunity to vote on two City ballot measures: the 2018 Clean Stormwater Fee and the 2018 Street Lighting Assessment. Please review the notice included with your ballot for more information on both of these measures.

2) Why is this being decided by mailed ballot?

Proposition 218, the “Taxpayers Right to Vote on Taxes Act,” which was written by the Howard Jarvis Taxpayer’s Association and approved by voters in 1996 as an amendment to the California Constitution, requires a mailed ballot proceeding for any proposed new or increased Fee or Assessment. This ballot proceeding is being conducted according to the requirements established by Proposition 218. A ballot and ballot guide have been mailed to all property owners who will be asked to pay the proposed Clean Stormwater Fee and/or the proposed Street Lighting Assessment. This mailed ballot proceeding gives property owners the opportunity to vote on the proposed Fee and Assessment.

3) What is the City of Berkeley Clean Stormwater Fee Measure?

The Clean Stormwater Fee Measure is a mailed ballot measure for property owners that, if approved, will provide funding to prevent local flooding by maintaining, rehabilitating, and replacing our storm drainage infrastructure; and to keep trash and other pollutants from flowing into local creeks and the Bay, where it can harm fish and other wildlife.

4) What is the City of Berkeley Street Lighting Assessment Measure?

The Street Lighting Assessment Measure is a mailed ballot measure for property owners that, if approved, will generate funding to provide effective street lighting to enhance pedestrian, bicycle, and traffic safety; and repair and replace street lights to maintain well-lit streets for safe, livable and vibrant neighborhoods.

5) Will any of this money go to the County or State to be used for other purposes?

No. All money collected from both of these proposed measures must be used for the improvements and services as stated in the ballot information guide and notice, the Clean Stormwater Fee Report, and the Street Lighting Engineer’s Report. By law, these funds cannot be taken by the County or State, and cannot be used for any other purposes.

6) Where can I get a copy of the Clean Stormwater Fee Report or the Street Lighting Engineer’s Report?

You may obtain a copy of the Clean Stormwater Fee Report, and the Street Lighting Engineer’s Report by going to the City’s website at www.cityofberkeley.info and clicking on “Public Works” under the “Services” section. Then click on “2018 Stormwater and Streetlight Funding Initiatives” and scroll down to the link to the Stormwater Fee Study or the Street Lighting Engineer’s Report.

7) Why are these new funding measures needed?

In order to fund the costs of storm drainage and street lighting infrastructure, the City has relied on its 1991 Clean Stormwater Fee and the 1982 Streetlight Assessment. These funding sources cannot be adjusted for inflation, and they have not been increased since they were implemented over 25 years ago. As a result, the revenue they provide has not kept pace with increasing costs and regulatory standards, and the City’s stormwater fund has been operating at a deficit since 2014, while the street lighting fund has been operating at a deficit since 2006.

In order to provide sufficient funding for the operations and maintenance, as well some capital improvements to these two critical components of our local infrastructure, the City is proposing balloted and specially dedicated funding sources.

If the proposed Fee and Assessment do not pass, the City will not be able to be proactive in addressing the deteriorating condition of its street lights and storm drainage infrastructure, and will need to reduce its services in these areas.

8) Are there any exemptions from the Clean Stormwater Fee or Street Lighting Assessment?

The law does not allow exemptions or reductions for schools, seniors or for other purposes. They must pay their proportionate share of the stormwater and street lighting costs just like they pay their water, sewer and garbage bills. The only parcels that will not be assessed the Clean Stormwater Fee are those the engineers have determined do not contribute stormwater runoff into the City's storm drainage system, and the only parcels that will not be assessed the Street Lighting Assessment are those parcels which the engineers have determined do not benefit from the street lights.

9) How would the funds be spent?

If the Clean Stormwater Fee measure passes, the funds will be used to reduce local flooding in the City and to help clean water runoff before it reaches the creeks or the San Francisco Bay. Some of the funds would be used for maintenance, and some may be used for repairs and improvements to the storm drainage system infrastructure and other related capital projects.

If the Street Lighting measure passes, funds from that measure would be used to maintain, repair, and replace street lights in the City, and may also be used to install new street lights in areas of the City that do not currently have them.

10) What are the public accountability and fiscal controls?

Both the Clean Stormwater Fee and the Street Lighting Assessment include strong fiscal safeguards and multiple layers of accountability to ensure that all the funds are used only for the stated purposes. Steps to assure accountability and fiscal control include:

- The proceeds from these measures will be placed into special restricted funds and cannot be used for any other City services
- Each year the City Council must review the fiscal status and needs of the storm drainage system and the City's street lighting to set the fee levels for the following year
- The funds from this measure will be locally controlled and cannot be taken by the State or any other agency
- Independent annual audits will be conducted

11) When will results of the ballot proceeding be known?

Tabulation of the returned ballots will commence immediately after close of the public input portion of the Street Lighting Assessment public hearing at the City Council meeting on May 29. The tabulation is expected to be completed that evening, with the results announced before the City Council meeting on May 29 is over. The tabulation is open to the public. If the tabulation cannot be completed before the end of the City Council meeting, the results will be announced at a future City Council meeting. The City Council will then certify the results, and, if approved by property owners, may order the Clean Stormwater Fee and/or the Street Lighting Assessment to be levied for fiscal year 2018-19.

12) Why did I get a notice in the mail about the Clean Stormwater Fee before the balloting, but I didn't get one at the same time about the Street Lighting Assessment?

State law has slightly different requirements for fees than for assessments. The Clean Stormwater Fee is a property-related fee, which provides property owners two opportunities to oppose the fee: once at a public hearing (for which the Notice was mailed); and then again during the balloting process. If a majority of property owners had protested the fee at or before the Clean Stormwater public hearing held at the City Council Meeting on April 3, the process would have been stopped and the Clean Stormwater ballots could not have been mailed. For an assessment such as for Street Lighting, State law dictates that there is only one opportunity to oppose the measure. The notice for the public hearing for the Street Lighting Assessment was mailed with each ballot.

These procedures are stipulated in Proposition 218 which is an adopted initiative constitutional amendment approved in the state of California on the November 5, 1996 statewide election ballot. Called the "Right to Vote on Taxes Act," Proposition 218 was sponsored by the Howard Jarvis Taxpayers Association as a constitutional follow-up to Proposition 13, approved by California voters on June 6, 1978.

13) Why was there a public hearing for the Clean Stormwater Fee before the balloting, but there wasn't one at the same time about the Street Lighting Assessment?

The Clean Stormwater Fee is a property-related fee, which requires that a notice be mailed to property owners before ballots are mailed. If a majority of property owners had protested the fee at or before the Clean Stormwater public hearing held at the City Council Meeting on April 3, the Clean Stormwater ballots could not have been mailed. There is no such requirement for the Street Lighting Assessment. Instead, the City is required to hold a public hearing for the Street Lighting assessment on the last day of the balloting period, which is on May 29, 2018.

These procedures are stipulated in Proposition 218 which is an adopted initiative constitutional amendment approved in the state of California on the November 5, 1996 statewide election ballot. Called the "Right to Vote on Taxes Act," Proposition 218 was sponsored by the Howard Jarvis Taxpayers Association as a constitutional follow-up to Proposition 13, approved by California voters on June 6, 1978.

14) Why will there a public hearing for the Street Lighting Assessment at the end of the balloting period, but there won't be one at the same time for the Clean Stormwater Fee?

The Street Lighting Assessment is a benefit assessment, which requires a public hearing at the end of the balloting period. The Clean Stormwater Fee is a property-related fee, which requires a notice and public hearing before the ballots are mailed. Therefore, the Clean Stormwater Fee public hearing was held at the City Council Meeting on April 3.

These procedures are stipulated in Proposition 218 which is an adopted initiative constitutional amendment approved in the state of California on the November 5, 1996 statewide election ballot. Called the "Right to Vote on Taxes Act," Proposition 218 was sponsored by the Howard Jarvis Taxpayers Association as a constitutional follow-up to Proposition 13, approved by California voters on June 6, 1978.

COMPLETING AND RETURNING BALLOT QUESTIONS & ISSUES

15) Overview of how to complete and return your ballot.

To be tabulated, your official ballot must be signed, marked “Yes” or “No,” and received by the City Clerk (Ballot Tabulator) before the close of the public input portion of the Street Lighting Assessment public hearing on May 29, 2018.

16) How do I complete my ballot?

Please follow these steps to complete the ballot:

1. Verify that the owner name, address, and parcel number(s) listed on the ballot are correct. If you feel any of this information is incorrect, please call (855) 831-1188 (or 510-981-6903 if you are using a teletypewriter) so we can determine whether a corrected ballot will need to be issued.
2. Mark or completely fill in the oval next to the word “YES” or “NO” to approve or disapprove of the proposed Clean Stormwater Fee, and mark or completely fill in the oval next to the word “YES” or “NO” to approve or disapprove of the proposed Street Lighting Assessment. You may use a pencil or pen. Be sure to mark only one oval for each measure; otherwise, your ballot may be disqualified.
3. Sign and date the ballot. After making your vote, simply fold the ballot so that your vote is on the inside of the fold to help maintain privacy. Then place the ballot in the return envelope provided and seal the envelope. No postage is necessary. (See the next question below for more information on how to return the ballot.)
4. If you make a mistake in completing your ballot or wish to change or withdraw your ballot, please submit a request by mail to the City of Berkeley City Clerk, at 2180 Milvia St., Berkeley, CA 94704; or in person at the same address during regular business hours.

17) How can I return my ballot?

You may return your ballot in either of the following ways:

1. Mail it to the address shown in the enclosed, postage-paid return envelope so it is received on or before May 29, 2018.
2. Deliver it in person by May 29, 2018 before 3:00 pm to the City of Berkeley City Clerk’s office at 2180 Milvia St., Berkeley, CA.
3. Deliver it in person to the City Clerk at the City Council meeting in the City Council Chambers at 2134 Martin Luther King Jr. Way, Berkeley CA, before the close of the public input portion of the Street Lighting public hearing on May 29, 2018.

18) What is the deadline for returning my ballot?

To be counted, ballots must be received before the close of the public input portion of the Street Lighting public hearing that will be held at the City Council meeting on May 29, 2018. This deadline applies regardless of whether the ballot is mailed or hand-delivered.

19) If my ballot has a May 29 postmark, will it be counted?

No. The ballot must be received before the close of the public input portion of the Street Lighting public hearing Tuesday, May 29. Ballots are scheduled to be tabulated that evening before the City Council meeting ends.

20) Can I hand-deliver my ballot before May 29?

Yes. Ballots may be hand-delivered to the City of Berkeley City Clerk's office at 2180 Milvia St., Berkeley, CA, during normal business hours until 3 p.m. on May 29, 2018.

21) Why must I sign the ballot?

The City adopted procedures consistent with Proposition 218, which specifically state that in order to count, the ballots must be completed and signed by the record property owner of the parcel(s) identified on this ballot or by the owner's authorized representative and must be received by the Ballot Tabulator before the designated time. Unsigned ballots cannot be counted.

22) Who can sign the ballot?

1. If the property is owned by an individual, the individual may sign.
2. If a property is owned by more than one person, any one owner may sign for all.
3. If the property is owned by a corporation, the ballot may be signed by any corporate officer. It also may be signed by any other person so authorized by a resolution or minutes of the corporation's board of directors or the corporation's bylaws.
4. If the property is owned by a partnership, the ballot may be signed by any partner authorized by law. For a general partnership or limited partnership, any general partner may sign.
5. If the property is owned by a public agency, the ballot may be signed by the chair, mayor or other head of the governing body. It may also be signed by any other person so authorized by a resolution, board order, or minutes of the governing body, or by a person authorized by law to make contracts for the agency.
6. If a property is owned by another legal entity, such as a trust or limited liability company, the ballot may be signed by any person authorized by law to make contracts for the entity.

23) I am not registered to vote. Am I still allowed to vote on this?

Yes. Under the rules of Proposition 218, both of these funding measures are being voted on by property owners, not registered voters. Therefore, you do not need to be registered to vote in order to vote on either the 2018 Clean Stormwater Fee or the 2018 Street Lighting Assessment.

24) I own several properties. Why did I receive only one ballot?

Ballots can list up to 14 parcel numbers. Property owners that own more than one piece of property with the same mailing address in the City will receive one ballot with up to 14 of their properties listed on the ballot as well as the proposed Fee and Assessment for each property. When you cast your ballot, you are casting for all of your properties listed on the ballot.

25) Why did I receive more than one ballot?

Ballots can list up to 14 parcel numbers. Property owners that own more than one piece of property with the same mailing address in the City will receive one ballot with up to 14 of their properties listed on the ballot as well as the proposed Fee and Assessment for each property. Because no more than 14 properties can fit on one ballot, those who own more than 14 properties will receive more than one ballot. When you cast your ballot, you are casting it for only those properties listed on that ballot, so if you received more than one ballot, please vote on all of the ballots you received.

26) Are returned ballots a public record? What will be done to protect confidentiality?

Yes. Proposition 218 and the Howard Jarvis Taxpayers Association have clearly specified that the ballots are a public record. However, the balloting procedure will be established so that, to the extent possible, any property owner's balloting information will not be distributed, except in the case of a specific request to review or audit the ballot results, or as otherwise required by law.

REQUESTS FOR BALLOT REPLACEMENTS & OTHER BALLOT ISSUES

27) Replacement ballots

If you want to request a replacement ballot, please call (855) 831-1188 (or 510-981-6903 if you are using a teletypewriter). You will be asked to provide the following information:

- Property Owner Name
- Phone Number
- Assessor's Parcel Number (APN) – Note: don't worry if you don't know your parcel number
- Mailing Address
- Reason for Replacement Ballot
- Date of Request

In addition to providing the above information, you may also need to provide additional documentation depending on the type of replacement ballot you are requesting. The following sections describe the main issues causing property owners to request a replacement ballot and the type of documentation you must provide in each case.

28) Corrected ballots

If a you believe that the parcel number(s) or your Fee and/or Assessment amount is incorrect, please call (855) 831-1188 (or 510-981-6903 if you are using a teletypewriter). You will be asked for specific information about what you believe is incorrect, and it is likely someone will need to further research the situation and call you back later with a response.

29) Address change

Replacement Ballots will only be mailed to the official address on file with the County (Alameda County Assessor Records) or another address known to the City. If a you request that the ballot be mailed to a different address, or if you recently purchased the property your name is not shown on the records of the County used for the balloting, the property owner requesting the Replacement Ballot will need to submit evidence of ownership and mailing address to the City Clerk by mail. The following are acceptable forms of documentation:

- Property Deed
- Title Report
- Settlement Statement (HUD)

30) Lost ballot

If you lost your ballot, a Replacement Ballot will be sent to you if you request one. Ballots will only be sent to the name and address that appears on the Alameda County property roll or other address known to the City Clerk. If the mailing address on the property roll is not your current mailing address, you must provide proof of ownership and a current mailing address for a ballot to be sent to that new address. The following are acceptable forms of documentation:

- Property Deed
- Title Report
- Settlement Statement (HUD)

31) Withdrawn ballot

If you submitted a ballot but wish to withdraw it, you must submit your request in writing to the City Clerk. The request for withdrawal must include your name, property address, and the Assessor Parcel

Number(s) on the ballot(s) you wish to withdraw. You must provide proof of ownership for a ballot to be withdrawn. Any such request for the withdrawal of a ballot must be received before 3:00 pm, May 29, 2018. The following are acceptable forms of documentation:

- Property Deed
- Title Report
- Settlement Statement (HUD)

32) Property owners who own multiple parcels and have one parcel that they no longer own on their ballot

Property owners who own more than one property may have a parcel they recently sold on their ballot. This is because the County assessor records are not immediately updated with changes in ownership, as well as because the data for the ballot mailing was prepared a number of weeks before the ballots were mailed. If your ballot contains a property you no longer own, please request a corrected ballot with only properties you currently own. To do so, please follow the instructions in question 28 above regarding corrected ballots.

33) Misspelled name – or previous owner name on ballot

Property owners may have the incorrect spelling or previous owner (particularly on recently purchased property) on their ballot. **If the spelling of your name is incorrect, the you can still vote on your ballot.** However, you may wish to contact the County Assessor to correct your name in their records. If the property owner who received the ballot is the current owner but the ballot still lists the previous owner, the current owner **can still vote on their ballot** and should sign the ballot with their own name, because **ballots can be signed by the current property owner, or the owner's authorized representative**, under penalty of perjury. This would include a new homeowner, spouse or successor to someone who has passed away, or family member/other acting with the permission/authorization of the record owner.

34) What if a parcel has multiple owners? May the owners vote separately?

Multiple property owners for a single ballot may request proportional ballots to be mailed to each of the property owners. The proportional ballot will divide the total proposed assessment of the property among the multiple property owners based on the proportion of ownership of each property owner. This action is only needed if each property owner intends to vote differently on their proportional ballot. If each property owner is in agreement on how to vote, then one property owner may sign and submit the ballot on behalf of all the owners. To request a proportional ballot, **each** property owner must submit information in writing to the City Clerk that demonstrates proof of ownership, the proportional share of ownership, name, and mailing address.

If the ownership interest of the owner is not shown on the last equalized secured property tax assessment roll, a request for a proportional ballot must include evidence, satisfactory to the City, of the owner's proportional rights in the parcel.

35) My ballot was lost or destroyed or I never received it. How do I request a replacement ballot?

If your ballot was lost, destroyed or never received by you, you may request a replacement ballot. Any verbal request for replacement ballots will only be mailed to the address listed on the Alameda County's records. A request for receipt of a ballot at another location must include proof of ownership of the property, such as a copy of the property tax bill, deed or escrow closing papers. See question 27 above for replacement ballot instructions.

36) May I request that my replacement ballot be sent to an address other than listed in the County property roll?

Yes. If the mailing address on the property roll is not your current mailing address, your written request for a replacement ballot must provide proof of ownership and a current mailing address for a ballot to be sent to that new address. See question 29 above for address change instructions.

37) May I change my vote after my ballot has been submitted?

Yes. Please perform the following two steps to change your vote:

- **Withdraw the previous ballot.** The person who signed and submitted a ballot may withdraw the ballot by submitting a request to the City Clerk, at 2180 Milvia Street. Any such request for the withdrawal of a ballot **must be received in time for a replacement ballot to be issued.**
- **Request a Replacement Ballot.** Request a replacement ballot and submit it so that it is received before the deadline on May 29, 2018.

AMOUNT AND TERM OF FEE/ASSESSMENT QUESTIONS

38) How was the Clean Stormwater Fee determined?

The method used for apportioning the Clean Stormwater Fee is based upon the proportional amount of stormwater runoff produced by the properties in the City, which is deemed to be proportionate to the amount of impervious surface on the parcel or category of parcel. The rates for different types of properties are shown in the Official Ballot Notice and Information Guide which you received with your ballot, and the exact amount of the Clean Stormwater Fee calculated for your parcel(s) is shown on your ballot. More detail about how the Fee was calculated is in the Clean Stormwater Fee Report, available on the City's website.

39) How was the Street Lighting Assessment determined?

The method used for apportioning the Street Lighting Assessment is based upon the relative special benefit each property in the City would receive from this Assessment. The rates for different types of properties are shown in the Official Ballot Notice and Information Guide which you received with your ballot, and the exact amount of the Street Lighting Assessment calculated for your parcel(s) is shown on your ballot. More detail about how the Assessment was calculated is in the Engineer's Report, available on the City's website.

40) How much money will this Fee/Assessment generate?

The proposed Clean Stormwater Fee would raise approximately \$2.3 million and the proposed Street Lighting Assessment would raise approximately \$500,000 for fiscal year 2018-19.

41) Proposed Clean Stormwater Fee rates by property type.

Land Use Category	Proposed Fee	Unit
Single-Family Residential *		
Small (Lot size: under 3,200 sf)	\$ 34.31	parcel
Medium (Lot size: 3200 to 7,200 sf)	\$ 42.89	parcel
Large (Lot size: over 7,200 sf)	\$ 51.87	parcel
Condominium	\$ 34.31	parcel
Multiple SFR on a single parcel pay 22% higher rate		
Non-Single-Family Residential **		
Multi-Family Residential	\$ 17.18	ksf
Comm / Industrial / Parking	\$ 19.17	ksf
Office	\$ 17.97	ksf
Institutional / Church	\$ 16.38	ksf
School / Hospital	\$ 14.98	ksf
Recreational	\$ 11.58	ksf
Park	\$ 1.20	ksf
Vacant (developed)	\$ 1.00	ksf
Open Space / Agricultural		exempt
* Single-Family Residential category also includes du- tri- and four-plex units		
** Rates shown are "per thousand square feet", or "ksf", of parcel size		

42) Proposed Street Lighting Assessment rates by property type.

Landuse Category	Proposed Annual Assessment for 2018-19	Unit
Residential		
Single Family	\$ 11.17	parcel
Multi-Family < 5 units	\$ 8.94	unit
Multi-Family 5 or more units *	\$ 6.70	unit
Condominium	\$ 8.94	parcel
Mobile Home	\$ 5.59	unit
Multiple SFR on parcel	\$ 11.17	unit
Non-Residential **		
General Commercial	\$ 3.85	ksf
Industrial / Warehouse	\$ 0.38	ksf
Auto Repair	\$ 2.56	ksf
Hotel / Motel / Boarding	\$ 2.56	ksf
Hospital	\$ 1.60	ksf
Retirement Home	\$ 0.32	ksf
School / Day Care	\$ 0.58	ksf
Medical / Dental / Vet	\$ 3.21	ksf
Church	\$ 0.19	ksf
Mortuary	\$ 0.06	ksf
Recreational	\$ 0.64	ksf
Parking / Transportation	\$ 1.28	ksf
Mini Storage	\$ 0.19	ksf
Office	\$ 0.96	ksf
Bank	\$ 3.21	ksf
Park / Open Space / Agriculture	\$ 0.01	ksf
Vacant		not assessed
* Parcels with over 100 units: excess units are charged at one-tenth the rate		
** Parcel over 5 acres: excess acres (or portions thereof) are charged at one-tenth the rate		
** Rates shown are "per thousand square feet", or "ksf", of parcel size		

43) Will the Fee or Assessment increase in future years?

If approved, the Fee and Assessment may be continued in future years. In future years after 2018-19, the Fee and Assessment can be adjusted for inflation by an amount equal to the change in the Consumer Price Index-U (“CPI”) for the San Francisco Bay area, but not to exceed 3% per year. The annual CPI adjustment for each property may be calculated based upon the sum of the existing Fee/Assessment and the proposed 2018 Fee/Assessment. This annual adjustment, which must be reviewed and approved annually at a public meeting, will help keep the Fee/Assessment revenues in line with the cost of providing clean stormwater and street lighting improvements and services in future years.

44) When will the Fee/Assessment end? What are the annual continuation requirements?

There is no pre-determined end date on the Clean Stormwater Fee or the Street Lighting Assessment. The Fee and Assessment, if approved, may continue each year with City Council approval. To do so, the City Council must annually review actual storm drainage and street lighting needs and costs, and review the recommended CPI adjustment at a public meeting.

BALLOT TABULATION QUESTIONS

45) How will ballots be tabulated?

Only official ballots that are signed, marked with the property owner’s support or opposition, and returned in a timely manner to the tabulator, will be counted. Ballots will be tabulated under the direction of the City of Berkeley City Clerk (Tabulator) on May 29 after the close of the public input portion of the Street Lighting Assessment public hearing at the City Council meeting that evening. The tabulation is open to the public. The tabulation is expected to be completed before the end of the City Council meeting on May 29, but may be continued on a future date if necessary.

Of the valid ballots submitted by the deadline, a simple majority (more than 50%) of the number of properties voting in favor of the Clean Stormwater Fee will be required for that measure to pass, and a simple majority (more than 50%) of the total proposed assessment of properties voting in favor of the Street Lighting Assessment will be required for that measure to pass.

The results of the balloting are expected to be announced at the May 29, 2018 City Council Meeting.

46) What is needed for the Fee/Assessment to be approved?

Of the valid ballots submitted by the deadline, a simple majority (more than 50%) of the number of properties voting in favor of the Clean Stormwater Fee will be required for that measure to pass, and a simple majority (more than 50%) of the total proposed assessment of properties voting in favor of the Street Lighting Assessment will be required for that measure to pass.

47) How are ballots weighted during tabulation?

The weighting of the ballots is dictated by Proposition 218, and is based on the type of funding measure being tabulated.

Because the Clean Stormwater Fee is a property-related fee, each parcel with a proposed Fee on it greater than \$0.00 is counted as one vote. However, a ballot may have more than one parcel included on it. For instance, if a ballot is returned that has four parcels with a proposed Fee greater than \$0.00 on it, and that ballot is marked with a “No” vote, then it is counted as four “No” votes.

Because the Street Lighting Assessment is a benefit assessment, the votes are weighted by the total amount of the proposed Assessment on the ballot. For instance, if one ballot has a total of \$11.17 in

proposed Assessments on it, and that ballot is marked with a “Yes” vote, then it is counted as 11.17 “Yes” votes.

48) How can we be sure that the tabulation will be correct?

- First, the ballots will be returned by mail directly to the City of Berkeley City Clerk and kept in a safe place until the tabulation.
- Second, the ballots will be tabulated under the supervision of the City Clerk, who will certify the results.
- Third, the ballots will be kept for a period of two years. By law, the ballots are a public record. Therefore, if anyone questions the ballot outcome, the tabulation can be independently reviewed and confirmed.

ADDITIONAL INFORMATION

For additional information concerning the Fee or Assessment, you may go to www.cityofberkeley.info and click on “Public Works” under the “Services” section. Then click on “2018 Stormwater and Streetlight Funding Initiatives.”

You may also obtain additional information by calling (855) 831-1188, or dial (510) 981-6903 if you are using a teletypewriter (TTY).