

RESOLUTION NO. 2022-77

A RESOLUTION OF THE ALBANY CITY COUNCIL CALLING FOR THE PLACEMENT OF A SPECIAL TAX MEASURE ON THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION BALLOT FOR SUBMITTING TO THE VOTERS AN ORDINANCE AMENDING SECTION 4-7 AND REPEALING 4-8 OF CHAPTER IV OF THE ALBANY MUNICIPAL CODE TO ESTABLISH AN EMERGENCY MEDICAL SERVICES ADVANCED LIFE SUPPORT, AND FIRE PROTECTION SPECIAL TAX AND PROVIDING FOR CERTAIN EXEMPTIONS AND REBATES FROM THE SPECIAL TAX FOR QUALIFYING VERY LOW-INCOME RESIDENTS; AND AUTHORIZING THE CITY CLERK OR THEIR DULY AUTHORIZED OFFICERS TO CARRY OUT ALL THE NECESSARY PROCEDURES FOR SAID ELECTION

WHEREAS, Section 2.01 of the Albany City Charter provides that the City’s General Municipal Election will be held on each even year and shall be consolidated with the Statewide General Election to be held in said City on Tuesday, November 8, 2022; and

WHEREAS, the City of Albany is a charter city and pursuant to Article XI, Section 7 of the California Constitution and Section 1.03 of the Albany City Charter is empowered to exercise all powers necessary and appropriate for a municipal corporation and the general welfare of its inhabitants; and

WHEREAS, Section 5.01 of the Albany City Charter provides that except as otherwise provided in the Charter or City ordinances, City elections shall be conducted in accordance with the State Elections Code; and

WHEREAS, pursuant to Section 9222 of the California Elections Code, the City Council has the authority and desires to submit a ballot measure to the voters of the City of Albany for their approval and adoption at the General Municipal Election to be held in the City on November 8, 2022; and

1 **WHEREAS**, the ballot measure is an ordinance amending Section 4-7 and repealing
2 Section 4-8 of Chapter IV of the Albany Municipal Code to replace the City’s two current
3 special taxes for paramedic and ambulance transport services with a single new special tax to
4 fund emergency transport and increased firefighting staffing (“Emergency Medical Services,
5 Advanced Life Support, and Fire Protection Special Tax” or “EMS/ALS/Fire Tax”); and

6 **WHEREAS**, the EMS/ALS/Fire Tax would:

7 (A) Create an EMS/ALS/Fire Tax that charges residential and commercial property
8 owners on a land basis at a tax rate of \$0.074 per square foot, as assigned in the
9 ordinance; and

10 (B) Incorporate an exemption from the tax for residential parcels owned by qualifying
11 very low-income residents, as defined in the ordinance; and

12 (C) Authorize a rebate to qualifying very low-income renters of EMS/ALS/Fire Tax
13 imposed on a rental unit in which they reside, as defined in the ordinance; and

14 **WHEREAS**, the specific terms of the EMS/ALS/Fire Tax measure are provided for in
15 the ordinance to be considered by the qualified voters, attached hereto as Exhibit “A” (the
16 “EMS/ALS/Fire Tax Ordinance” or “EMS/ALS/Fire Tax Measure”) and by this reference
17 made an operative part hereof, and in accordance with all applicable laws; and

18 **WHEREAS**, the EMS/ALS/Fire Tax is a special tax, the proceeds of which are
19 deposited into the City’s “Emergency Medical Services, Advanced Life Support, and Fire
20 Protection Fund” and are dedicated for the sole and exclusive purpose of providing paramedic,
21 advanced life support, firefighting services, firefighting equipment and ambulance transport
22 services; and

23 **WHEREAS**, on November 6, 1996, the voters of the State of California approved
24 Proposition 218 (California Constitution, Article XIII C), an amendment to the State
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1 Constitution which requires that all special taxes which are imposed, extended or increased
2 must be submitted to the electorate and approved by a two-thirds (2/3) vote of the qualified
3 electors voting in the election; and

4 **WHEREAS**, the proposed amendments which increase the rate of the EMS/ALS/Fire
5 Tax constitute a tax “increase” subject to Proposition 218; and

6 **WHEREAS**, pursuant to Proposition 218 (California Constitution Article XIII C,
7 §2(b)), a local election for the approval of an increase to a special tax may be scheduled for
8 any date authorized by the California Elections Code; and

9 **WHEREAS**, the next regularly scheduled general election for City Council members
10 on November 8, 2022 is a date authorized under the California Elections Code for the
11 placement of a special tax measure; and

12 **WHEREAS**, pursuant to California Government Code Section 50077, on July 5, 2022,
13 the City Council held a public hearing after due notice regarding calling for an election on the
14 EMS/ALS/Fire Tax Measure; and

15 **WHEREAS**, pursuant to Albany City Charter Section 2.05, “[T]he affirmative vote of
16 a majority of the Council shall be necessary to adopt any ordinances, resolutions or claims
17 against the City, which vote shall be taken by ayes and noes and entered upon the record”.

18 **NOW, THEREFORE, THE ALBANY CITY COUNCIL DOES HEREBY**
19 **RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

20 **Section 1** Recitals. The City Council hereby finds and determines that the
21 foregoing recitals are true and correct, are incorporated herein and by this reference made an
22 operative part hereof.

23 **Section 2** Submission of Ballot Measure. Pursuant to Albany City Charter Section
24 2.05, California Elections Code § 9222, and any other applicable requirements of the laws of
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1 the State of California relating to the City of Albany, the City Council, by a simple majority
2 vote of its members, hereby orders the EMS/ALS/Fire Tax Measure to be submitted to the
3 voters of the City at the General Municipal Election to be held on Tuesday, November 8, 2022.

4 **Section 3** There is hereby called and ordered to be held in the City of Albany,
5 California on November 8, 2022, a General Municipal Election for the purposes of submitting
6 to the voters the EMS/ALS/Fire Tax Measure as set forth in Exhibit A.

7 **Section 4** The City Council hereby orders that the ballot question for the Measure
8 shall be presented and printed upon the ballot submitted to the qualified voters in the manner
9 and form set forth in this Section 4. On the ballot to be submitted to the qualified voters at the
10 General Municipal Election to be held on November 8, 2022, in addition to any other matters
11 required by law, there shall be printed substantially the following ballot question:
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"To maintain and enhance local paramedic, advanced life support, firefighting services, firefighting equipment and ambulance service; shall a measure repealing the current two special emergency services taxes and adding a new Emergency Medical Services, Advanced Life Support, and Fire Protection Special Tax on residential and commercial property at \$0.074 per square foot providing \$1,950,000 annually, subject to CPI adjustment, until ended by voters, exempting very low-income residents, with annual independent audits, be adopted?"	YES
	NO

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19 **Section 5** This Measure requires the approval of a two-thirds (2/3) supermajority
20 of the qualified electors casting votes at the General Municipal Election.

21 **Section 6** Conduct of Election. The City Clerk is authorized, instructed, and
22 directed to coordinate with the Alameda County Registrar of Voters/Elections Official to
23 procure and furnish any and all official ballots, printed matter and all supplies, equipment and
24 paraphernalia that may be necessary in order to properly and lawfully conduct the election.
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26 **Section 7** Impartial Analysis. Pursuant to California Elections Code § 9280, the
27 City Council hereby directs the City Clerk to transmit a copy of the Measure to the City
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1 Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed
2 500 words in length, showing the effect of the Measure on the existing law and the operation
3 of the Measure, and transmit such impartial analysis to the City Clerk not later than the
4 deadline for submittal of primary arguments for or against the Measure. The impartial
5 analysis shall include a statement indicating whether the Measure was placed on the ballot by
6 a petition signed by the requisite number of voters or by the City Council. In the event the
7 entire text of the Measure is not printed on the ballot, nor in the voter information portion of
8 the sample ballot, there shall be printed immediately below the impartial analysis, in no less
9 than 10-font bold type, the following: **“The above statement is an impartial analysis of
10 Ordinance or Measure _____. If you desire a copy of the Ordinance or Measure, please
11 call the Office of the City Clerk at [insert phone number] and a copy will be mailed at
12 no cost to you.”**

14 **Section 8** The City Clerk is hereby directed to cause notice of the Measure to be
15 published in a newspaper of general circulation, or any other newspaper designated as an
16 official newspaper of the City of Albany in accordance with Elections Code § 12111 and
17 Government Code § 6061.

18 **Section 9** Placement on the Ballot. The full text of the Measure shall be printed
19 in the voter information guide, and a statement shall be printed in the ballot pursuant to
20 Elections Code § 9223 advising voters that they may obtain a copy of this Resolution and the
21 Measure, at no cost, upon request made to the City Clerk.

22 **Section 10** Public Examination. Pursuant to California Elections Code § 9295,
23 the Measure will be available for public examination for no fewer than ten (10) calendar days
24 prior to being submitted for printing in the voter information guide. The City Clerk shall post
25 notice in the Clerk’s office of the specific dates that the examination period will run.
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1 **Section 11** That in all particulars not recited in this Resolution, said election shall
2 be held and conducted as provided by law for holding Municipal Elections in the City of
3 Albany.

4 **Section 12** That the General Municipal Election, to be held in the City of Albany,
5 shall be canvassed by the Registrar of Voters of the County of Alameda, State of California.

6 **Section 13** That the City Clerk of the City of Albany is hereby authorized instructed
7 and directed to provide the Alameda County Registrar of Voters with all pertinent information
8 and material as required.

9 **Section 14** That the City Clerk of the City of Albany is hereby authorized and
10 directed to file a copy of this Resolution immediately upon its adoption with the appropriate
11 County agencies. With the concurrence of the City Attorney, the City Clerk is hereby
12 authorized to make such minor, technical and clarifying changes to this Resolution and/or the
13 Exhibits hereto as may be deemed necessary and appropriate.

14 **Section 15** The City Council of the City of Albany shall review the certified
15 statement of results of the election after the County Registrar of Voters/Elections Official has
16 provided said statement to the City Clerk and shall thereafter declare the results at its next
17 regularly scheduled meeting.
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19 **Section 16** The Voter Information Guide shall include the ballot questions'
20 wording to the voters as set forth above, and the exact wording of the proposed Albany
21 Municipal Code sections as shown in the Exhibit "A" attached hereto.
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23 **Section 17** The approval of this Resolution is exempt from the California
24 Environmental Quality Act (CEQA). The EMS/ALS/Fire Tax Measure to be submitted to the
25 voters is a special tax dedicated to funding paramedic, advanced life support, firefighting
26 services, fire equipment and ambulance service within the City. However, the funding is not
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1 committed to any specific project or service; and any future decisions to approve particular
2 projects or services utilizing the tax proceeds will be subject to environmental review at the
3 earliest feasible time prior to the point at which such future decisions are made. As such,
4 under CEQA Guidelines Section 15378(b)(4), this Measure is not a project within the meaning
5 of CEQA because it creates a government funding mechanism that does not involve any
6 commitment to any specific project that may result in a potentially significant physical impact
7 on the environment. If revenue from this Measure were used for a purpose that would have
8 any such effect, the City would undertake the required CEQA review for that particular project
9 at the earliest feasible time prior to approval of the project. Therefore, under CEQA Guidelines
10 Section 15060, review under CEQA is not required prior to enactment of the Measure.
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12 The undersigned hereby certifies that the foregoing is a full, true, and complete copy
13 of the Resolution duly passed and adopted by the City Council of the City of Albany at a
14 regular meeting thereof on the 5th day of July 2022.
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17 _____
18 PRESTON JORDAN, MAYOR
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City of Albany

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RESOLUTION NO. 2022-77

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 5th day of July, 2022, by the following votes:

AYES: Council Members Gary, McQuaid, Nason, Tiedemann and Mayor Jordan

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 6th
day of July, 2022.

Anne Hsu
CITY CLERK

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EXHIBIT "A"

**AN ORDINANCE AMENDING SECTION 4-7 AND REPEALING SECTION 4-8 OF
CHAPTER IV OF THE ALBANY MUNICIPAL CODE TO ESTABLISH AN
EMERGENCY MEDICAL SERVICES, ADVANCED LIFE SUPPORT, AND FIRE
PROTECTION SPECIAL TAX AT \$0.074 PER SQUARE FOOT AND PROVIDING
FOR CERTAIN EXEMPTIONS AND REBATES FROM THE SPECIAL TAX FOR
QUALIFYING VERY LOW-INCOME RESIDENTS**

"To maintain and enhance local paramedic, advanced life support, firefighting services, firefighting equipment and ambulance service; shall a measure repealing the current two special emergency services taxes and adding a new Emergency Medical Services, Advanced Life Support, and Fire Protection Special Tax on residential and commercial property at \$0.074 per square foot providing \$1,950,000 annually, subject to CPI adjustment, until ended by voters, exempting very low-income residents, with annual independent audits, be adopted?"	YES
	NO

ORDINANCE NO. 2022-05

**AN ORDINANCE AMENDING SECTION 4-7 AND REPEALING SECTION 4-8 OF
CHAPTER IV OF THE ALBANY MUNICIPAL CODE TO ESTABLISH
AN EMERGENCY MEDICAL SERVICES, ADVANCED LIFE SUPPORT, AND
FIRE PROTECTION SPECIAL TAX AT \$0.074 PER SQUARE FOOT AND
PROVIDING FOR CERTAIN EXEMPTIONS AND REBATES FROM
THE SPECIAL TAX FOR QUALIFYING VERY LOW-INCOME RESIDENTS**

**NOW THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS
FOLLOWS:**

SECTION 1: AUTHORITY.

This Ordinance is enacted in accordance with the authority granted to cities by Article XI, Section 7, Article XIII A, Section 4 and Article XIII C, Section 2 of the California Constitution and the California Elections Code.

1 **SECTION 2: AMENDMENT OF SECTION 4-7 TO THE ALBANY MUNICIPAL**
2 **CODE.**

3 Section 4-7 of Chapter IV of the Albany Municipal Code is hereby amended to read as
4 follows:

6 **“4-7.1 Title; Declaration of Findings and Purpose.**

7 This section may be cited as the "Emergency Medical Services, Advanced Life
8 Support, and Fire Protection Tax". The special tax imposed under this section is solely for the
9 purpose of raising revenue for paramedic, advanced life support, firefighting services,
10 firefighting equipment and ambulance service. This section is not enacted for regulatory
11 purposes.
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13 The people of the City find and declare that:

14 a. The continuing provision of the City's Emergency Medical Services Program is a
15 matter of the highest and most urgent necessity.

16 b. In the last two decades, the City’s population has grown more than twice as fast as the
17 number of residences, placing increased demand on emergency medical services without an
18 increase in tax revenue to support those services.

19 c. The cost for the City to provide emergency transport services exceeds the revenues
20 generated from fees for providing such services, the Emergency Medical Services Special Tax
21 and the Paramedic Advanced Life Support, Fire Engine and Ambulance Service Special Tax.
22 The purpose of this special tax is to fund emergency transport costs and replace the two
23 aforementioned special taxes and continue to provide funding for the City's Emergency
24 Medical Services Program.
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1 d. Adoption of this special tax by a two-thirds (2/3) vote helps assure that the City can
2 continue to provide, and improve, the Emergency Medical Services Program and avoid any
3 severe adverse impact on the health and safety of Albany residents.

4 e. Property owners will pay an amount based on the amount of land square footage that
5 they occupy.

6 **4-7.2 Special Tax.**

7 a. The intent of the tax imposed under this section is solely for the purpose of providing
8 additional funding for the City's Emergency Medical Services Program in order to protect
9 individual health and safety and to improve the quality of life in the City of Albany.

10 b. Section 4 of Article XIII A of the California Constitution (Proposition 13) allows two-
11 thirds (2/3) of the qualified electors of the City to impose a special tax within the City, provided
12 the special tax is not an ad valorem tax on real property or a transaction tax or a sales tax on
13 the sale of real property within the City. The tax imposed by this Section is a special tax which
14 is authorized for elector approval by Section 4 of Article XIII A of the California Constitution.

15 c. The City Council is hereby authorized to levy the Emergency Medical Services,
16 Advanced Life Support, and Fire Protection Tax special tax at the maximum rate of \$0.074
17 per foot for residential and commercial properties. The tax imposed by this section shall be
18 operative for fiscal year 23-24 and each fiscal year thereafter.

19 d. The tax imposed by this Section shall be subject to the exemptions and rebates set forth
20 in this Section.

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- 24 1. Single-family residential parcels and units on multi-family residential parcels shall
25 be exempt from the special tax if they are owned and occupied by a person or
26 persons whose combined family income, from all sources for the previous calendar
27 year, is at or below the income level qualifying as "very low-income" for a family
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1 of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A.
2 Sections 1437 et seq.), for such year. The application process will be in the form
3 of self-certification under penalty of perjury. Owners must apply for the exemption
4 provided for in this Section annually by application to the Finance Director in the
5 manner and at the time set forth by the Finance Director. Such applications shall
6 be on forms provided by the Finance Director and shall provide such information
7 as the Finance Director may require. If the Finance Director determines the need
8 to audit an application, the Finance Director may require additional information,
9 including, but not limited to, federal income tax returns and W-2 forms of owner-
10 occupants eligible for this exemption.
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- 12 2. Renters who reside in a residential rental unit within the City of Albany whose
13 combined family income, from all sources for the previous calendar year, is at or
14 below the income level qualifying as "very low-income" for a family of such size
15 under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A. Sections
16 1437 et seq.), for such year may apply for a rebate of the special tax imposed by
17 this section that applies to the rental unit in which they reside. Renters must apply
18 for the rebate provided in this section annually by application to the Finance
19 Director in the manner and at the time set forth by the Finance Director. Such
20 applications shall be on forms provided by the Finance Director and shall provide
21 such information as the Finance Director may require. If the Finance Director
22 determines the need to audit an application, the Finance Director may require
23 additional information, including, but not limited to, federal income tax returns and
24 W-2 forms of renter occupants eligible for this exemption. Only one such rebate
25 shall be allowed annually to a rental unit.
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1 e. The proceeds of the Emergency Medical Services, Advanced Life Support, and Fire
2 Protection Tax shall be deposited in the Emergency Medical Services, Advanced Life Support,
3 and Fire Protection Fund and shall be used for the sole and exclusive purpose of providing
4 paramedic, advanced life support, firefighting services, firefighting equipment and ambulance
5 service.

6 **4-7.3 Annual Audit.** A certified public accounting firm retained by the City will perform an
7 annual audit to assure accountability of the proper disbursement of these tax proceeds in
8 accordance with the objectives stated herein. The chief fiscal officer of the City shall cause a
9 report (the "Report") to be prepared and filed with the City Council no later than June 30 of
10 each year. The Report shall state: (a) the amount of special tax proceeds collected and
11 expended in such year; and (b) the status of any projects or description of any programs funded
12 from proceeds of the special tax. The Report may be incorporated into or filed with the annual
13 budget, audit, or other appropriate routine report to the City Council."

14 **4-7.4 Examination of Books and Records.** The Director of Finance and Administrative
15 Services or their designee, is hereby authorized to examine assessment rolls, property tax
16 records, records of the Alameda County Recorder and any other records of the County of
17 Alameda deemed necessary in order to determine ownership of parcels and computation of the
18 tax imposed by this section.
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21 **4-7.5 Collection of Tax: Interest and Penalties.** The City Council is authorized to have
22 the taxes imposed by this section collected by the County of Alameda in conjunction with the
23 County's collection of property tax revenues for the City of Albany. In the event that the
24 County of Alameda collects the taxes imposed by this section, the imposition of penalties,
25 additional fees and interest upon persons who fail to remit any tax imposed by this section, or
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1 who fail to remit any delinquent remittance under this section, shall be subject to and governed
2 by the rules, regulations and procedures utilized by the County of Alameda in its collection
3 of property taxes for the City of Albany and its collection of this additional tax for the City of
4 Albany.

5 **4-7.6 Collection of Unpaid Taxes.** The amount of any tax, penalty, and interest imposed
6 under the provisions of this section shall be deemed a debt to the City. Any person owing
7 money under the provisions of this section shall be liable to an action brought in the name of
8 the City for the recovery for such amount.

10 **4-7.7 Refund of Tax, Penalty, or Interest Paid More Than Once; or Erroneously or**
11 **Illegally Collected.** When the amount of any tax, penalty, or interest has been paid more
12 than once, or has been erroneously or illegally collected or received by the City under this
13 section it may be refunded provided a verified claim in writing therefore, stating the specific
14 ground upon which claim is founded, is filed with the Director of Finance and Administrative
15 Services within one (1) year from the date of payment. If the claim is approved by the Director
16 of Finance and Administrative Services, the excess amount collected or paid may be refunded
17 or may be credited against any amounts then due and payable from the person from whom it
18 was collected or by whom paid, and the balance may be refunded to such person, their
19 administrators or executors.

22 **4-7.8 Savings Clause.** The provisions of this section shall not apply to any person, or to any
23 property as to whom or which it is beyond the power of the City of Albany to impose the tax
24 herein provided. If any provision, sentence, clause, section or part of this section is found to
25 be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall
26 affect only such provision, sentence, clause, section or part of this section and shall not affect
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1 or impair any of the remaining provisions, sentences, clauses, sections or parts of this section.

2 It is hereby declared to be the intention of the City of Albany that this section would have
3 been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section
4 or part thereof not been included herein.

5 **4-7.9 Regulations.** The City Council is hereby authorized to promulgate such regulations as
6 it shall deem necessary in order to implement the provision of this section, including codifying
7 this Ballot Measure as part of Chapter 4, Section 4-7 et seq., of the Albany Municipal Code
8 or as otherwise directed by the Albany City Clerk.

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10 **4-7.10 Increase Appropriations Limit.** Pursuant to California Constitution Article XIII B,
11 the appropriation limit for the City of Albany is hereby increased by the aggregate sum
12 authorized to be levied by this special tax for fiscal year 2022/2023 and each year thereafter.

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14 **4-7.11 Reduction in Tax and Limited Authority to Increase.**

15 a. Subject to paragraph b, the tax rates imposed by Section 4-7 are maximum rates and
16 may not be increased by the City Council above such maximum rates. The tax imposed by
17 this ordinance may be reduced or eliminated by the City Council on or before July 1st in any
18 year in which the City Council determines that after such reduction or elimination there will
19 be sufficient revenues available to balance the City Council's Adopted Policy Budget and the
20 Council may reverse such action or otherwise adjust the tax rate as determined necessary to
21 sufficiently fund the Adopted Policy Budget. Such reduction or elimination shall be effective
22 for the fiscal year following such vote.

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24 b. Commencing in fiscal year 2023-2024 and each year thereafter, the City Council may
25 increase the tax imposed hereby only upon a finding that the cost of living in the immediate
26 San Francisco Bay Area, as verified by the Consumer Price Index established by the United
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1 States Bureau of Labor Statistics (All Urban Consumer-San Francisco Bay Area), has
2 increased. The increase of the tax imposed hereby shall not exceed such verified index. It is
3 further provided that in no event shall the tax rate adjustment imposed hereby exceed, on an
4 annual basis, five percent (5%) of the tax rates imposed by the City of Albany during the
5 immediately preceding fiscal year.”

6 **SECTION 3: REPEAL OF SECTION 4-8 OF THE ALBANY MUNICIPAL**

7 **CODE.**

8 Section 4-8 of Chapter IV of the Albany Municipal Code is hereby repealed in its entirety.
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10 **SECTION 4: CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

11 The findings for this Ordinance in compliance with the California Environmental Quality Act
12 (“CEQA”) are the same as those set forth in City Council Resolution No. 2022-77 calling for
13 an election on this Ordinance. The CEQA findings set forth in Resolution No. 2022-77 are
14 incorporated herein by reference.
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16 **SECTION 5: SEVERABILITY.**

17 If any provision of this Ordinance or the application thereof to any person or circumstance is
18 held invalid, the remainder of the Ordinance and the application of such provision to other
19 persons or circumstances shall not be affected thereby.
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SECTION 6: EFFECTIVE DATE.

Pursuant to California Constitution Article XIII C §(2)(d) and California Elections Code § 9217, this Ordinance shall take effect only if approved by a two-thirds (2/3) supermajority of the eligible voters of the City of Albany voting at the General Municipal Election to be held on November 8, 2022 and shall become effective 10 days after the City Council has declared the results of the Election.

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1 Ordinance No. 2022-05 was submitted to the People of the City of Albany at the November
2 8, 2022 General Municipal Election. It was approved by the following vote of the People:

3 YES:

4 NO:

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8 Ordinance No. 2022-05 was thereby adopted by the voters at the November 8, 2022 election
9 and shall become effective ten (10) days following adoption of a resolution declaring the
10 results of the election at a regular meeting of the City Council held on December ____, 2022
11 by the following vote:

12 AYES:

13 NOES:

14 ABSENT:

15 ABSTAIN:

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20 I HEREBY CERTIFY that the foregoing is a true and correct copy of an ordinance duly and
21 regularly adopted by the People of the City of Albany, California.

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24 _____
25 Anne Hsu, City Clerk
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