



**SAN RAFAEL CITY COUNCIL AGENDA REPORT**

**Department: City Manager**

**Prepared by: Bernadette Sullivan  
Senior Management Analyst**

**City Manager Approval:** \_\_\_\_\_

**TOPIC: THE TAXPAYER PROTECTION AND GOVERNMENT ACCOUNTABILITY ACT**

**SUBJECT: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL OPPOSING THE PROPOSED BALLOT MEASURE: THE TAXPAYER PROTECTION AND GOVERNMENT ACCOUNTABILITY ACT**

**BACKGROUND:**

On February 1, 2023, California Secretary of State Shirley Weber issued a memo to all county clerks/registrars of voters announcing that proponents of Initiative [21-0042A1](#) had filed the necessary number of valid signatures to make it eligible for the November 5, 2024 General Election ballot.

The “Taxpayer Protection and Government Accountability Act,” a statewide initiative measure to amend the California Constitution sponsored by the California Business Roundtable (“CBRT”), is a proposal that would limit the ability of state and local governments to enact, modify, or expand taxes, assessments, fees, and property-related charges, among other things.

**ANALYSIS:**

Ballot Initiative [21-0042A1](#) would result in the loss of billions of dollars annually in critical state and local funding, restricting the ability of local agencies and the State of California to fund services and infrastructure by:

- Adopting new and stricter rules for raising taxes, fees, assessments, and property-related fees.
- Amending the State Constitution, including portions of Propositions 13, 218, and 26, and creating new grounds to challenge local and state funding sources, disrupting fiscal stability.

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**FOR CITY CLERK ONLY**

**File No.:** \_\_\_\_\_

**Council Meeting:** \_\_\_\_\_

**Disposition:** \_\_\_\_\_

- Restricting the ability of local governments to issue fines and penalties to corporations and property owners that violate local environmental, water quality, public health, public safety, fair housing, nuisance and other laws and ordinances.

**FISCAL IMPACT:**

There is no fiscal impact and the City has expended no resources associated with the adoption of the attached resolution.

**OPTIONS:**

The City Council has the following options to consider on this matter:

1. Adopt the resolution.
2. Do not adopt the resolution.

**ATTACHMENTS:**

1. Resolution

## RESOLUTION NO.

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL OPPOSING THE PROPOSED BALLOT MEASURE: THE TAXPAYER PROTECTION AND GOVERNMENT ACCOUNTABILITY ACT

**WHEREAS**, California's cities, counties and special districts follow strict guidelines and existing state law regarding the establishment of reasonable fees and voter-approved local taxes; and

**WHEREAS**, the state ballot measure, “The Taxpayer Protection and Government Accountability Act”, sponsored by the California Business Roundtable would restrict the ability of local governments to continue to provide essential services by imposing new onerous roadblocks to raising local revenue to address community needs, services and infrastructure improvements; and

**WHEREAS**, the measure would add new and stricter rules for local governments to raise taxes, fees, assessments, and property-related fees; and

**WHEREAS** the measure would amend the State Constitution, including portions of Propositions 13, 218, and 26, and create new grounds to challenge local and state funding sources, disrupting the fiscal stability of local governments; and

**WHEREAS**, the measure would restrict the ability of local governments to issue fines and penalties to corporations and property owners that violate laws governing the environment, water quality, public health, public safety, fair housing, and nuisance and other laws and ordinances; and

**WHEREAS**, the impact of the proposed ballot measure would be to reduce all types of public funds, both state and local, and thereby threaten public agencies’ ability to adequately fund police, fire, park, planning, and other community services.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL  
RESOLVES** as follows:

1. The City Council of the City of San Rafael does hereby oppose “The Taxpayer Protection and Government Accountability Act” on the grounds that this measure would harm the ability of local governments to adequately provide essential services to our communities.
2. The City Manager of the City of San Rafael is authorized to email a copy of this adopted resolution to the League of California Cities at [BallotMeasures@calcities.org](mailto:BallotMeasures@calcities.org).
3. No public funds of the City of San Rafael shall be used in the campaign for or against the ballot measure.

I, **Lindsay Lara**, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael, held on Tuesday, the 21<sup>st</sup> day of February 2023 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

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LINDSAY LARA, City Clerk