

DRAFT

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Brent Stephens, Superintendent
FROM: Natasha Beery, Director of BSEP and Community Relations
DATE: February 3, 2021
SUBJECT: Resolution 21-027 to establish the 2021-22 tax rate for the *Berkeley Public Schools Educational Excellence Act of 2016* (Measure E1 of 2016) and Revenue Projection for FY 2021-22

BACKGROUND INFORMATION:

The legislation establishing the *Berkeley Public Schools Educational Excellence Act of 2016* (Measure E1 of 2016) authorizes the levy of a special tax as stipulated in Section 4 of the Measure.

A. Tax Rate: Measure E1 of 2016 authorized the District to levy a Special Tax of thirty-seven cents (\$0.37) per square foot on all Improvements beginning July 1, 2017, and continuing for a period of eight (8) years. This Special Tax shall be levied on the Square Footage of all Improvements, including all Buildings and Structures, on Parcels of Taxable Real property in the District.

The revenues raised by the special tax are to be used to improve the educational achievement of Berkeley Unified School District's ("District") public school students by providing high quality educational programs as specified by the Measure.

B. Cost Of Living Adjustment: Beginning in 2018-19, the second year of assessment of the Special Tax, and each year thereafter, an annual cost-of-living increase in the rate is permitted to maintain the programs. This increase was not applied in the first year of the Measure, but in subsequent years may be increased from the rate levied in the prior tax year by a cost-of-living adjustment equal to the annual average percentage change in the Bay Area Consumer Price Index - All Urban Consumers, San Francisco-Oakland-San Jose area over the prior twelve months, as of December 1 of the prior fiscal year, as published by the U.S. Bureau of Labor Statistics.

The statutory cost-of-living adjustment (COLA), based on the Bay Area Consumer Price Index - All Urban Consumers, San Francisco-Oakland-San Jose over the prior twelve months, as of December 1, 2020, is **2.0** percent.

POLICY/CODE:

The *Berkeley Public Schools Educational Excellence Act of 2016*, (Section 4)

FISCAL IMPACT:

Revenues are projected to be \$XXXX for FY 2021-22

STAFF RECOMMENDATION:

Adopt the approved resolution setting the tax rate for the *Berkeley Public Schools Educational Excellence Act of 2016* for FY 2021-22.

**BERKELEY UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 21-027**

**TO ESTABLISH THE 2021-22 TAX RATE FOR THE “BERKELEY PUBLIC SCHOOLS
EDUCATIONAL EXCELLENCE ACT OF 2016”
(Measure E1 of 2016)**

WHEREAS, in November 2016, the voters of the City of Berkeley adopted legislation, "Berkeley Public Schools Educational Excellence Act of 2016" (Measure E1 of 2016) which levies a Special Tax for particular uses by the Berkeley Unified School District, including class size reduction, school libraries, teacher training, student support, music programs, instructional technology, and other designated purposes; and,

WHEREAS, Section 4 of the Measure states:

...the rate shall be increased from the rate levied in the prior tax year by a cost-of-living adjustment equal to the annual average percentage change in the Bay Area Consumer Price Index - All Urban Consumers, San Francisco-Oakland-San Jose area over the prior twelve months, as of December 1 of the prior fiscal year, as published by the U.S. Bureau of Labor Statistics; and,

WHEREAS, the rate authorized for this Special Tax for Fiscal Year 2020-2021 was established as a levy of **\$0.4008** cents/square foot on the Square Footage of all Improvements, including all Buildings and Structures, on Parcels of Taxable Real property in the District; and,

WHEREAS, according to the U.S. Bureau of Labor Statistics. the annual average percentage change in the Bay Area Consumer Price Index - All Urban Consumers, San Francisco-Oakland-San Jose area over the prior twelve months, as of December 1 of 2020 was **2.0** percent,

NOW, THEREFORE, BE IT RESOLVED that that an authorized COLA of **2.0%** be applied to the rate of FY 2019-2020, therefore a tax rate for the *Berkeley Public Schools Educational Excellence Act of 2016* in FY 2020-2021 shall be authorized to be levied at the rate of **\$0.4088** cents/square foot on the Square Footage of all Improvements, including all Buildings and Structures, on Parcels of Taxable Real property in the District.

APPROVED AND ADOPTED by the Board of Education on the 3rd of February, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Julie Sinai
Clerk, Board of Education

Berkeley Unified School District
Alameda County, State of California