

## MEMORANDUM

TO: City Council

FROM: Emily Harrison

SUBJECT: RESOLUTION OPPOSING PROPOSITION 98 ON THE JUNE 2008  
BALLOT

DATE: April 14, 2008

The League of California Cities has asked member cities to pass a resolution opposing Proposition 98, a constitutional amendment related to the use of eminent domain. The resolution proposed by the League has been amended by the City Attorney's Office for clarity.



---

Emily Harrison, Assistant City Manager



**RESOLUTION NO. \_\_\_\_\_**  
**RESOLUTION OF THE COUNCIL OF THE CITY OF**  
**PALO ALTO OPPOSING PROPOSITION 98**

WHEREAS, a constitutional amendment ballot measure, Proposition 98, will appear on California's June 2008 ballot; and

WHEREAS, Proposition 98 proponents want voters to believe the initiative is about eminent domain, but in fact the measure contains other provisions and legally flawed language which will eliminate rent control and other renter protections, threaten development of public water projects, stymie local land use planning and impair the City's ability to protect the environment; and

WHEREAS, the majority of the funding to qualify this measure comes from apartment and mobile home park owners who are attempting to convince voters into abolishing rent control and other renter protections, thereby jeopardizing an important affordable housing tool to protect working families, seniors, single-parent homes, veterans and others; and

WHEREAS, provisions in the initiative would also preclude the use of eminent domain to acquire land or water to develop *public* water projects that are needed to provide our residents, businesses, farmers and economy with a reliable and safe supply of water; and

WHEREAS, Proposition 98 is opposed by the Association of California Water Agencies and the Western Growers Association, who warn the initiative will impair water projects to protect water quality and supply; and

WHEREAS, language in the initiative will also prohibit the passage of regulations, ordinances, land use and other zoning laws that enable local governments to plan and protect communities; and

WHEREAS, the California Police Chiefs Association opposes the measure because it threatens their ability to keep communities and the public safe; and

WHEREAS, leading environmental groups warn provisions in the measure would impair our ability to enact environmental protections such as laws that control greenhouse gas emissions, preserve open space, protect coastal areas, and regulate development; and

WHEREAS, the "No on Proposition 98" campaign is represented by the League of California Cities, California State Association of Counties, League of California Homeowners, California League of Conservation Voters, California Alliance for Retired Americans and other leading state and local associations who oppose Proposition 98.

NOW, THEREFORE, the Council of the City of Palo Alto does resolve as follows:

SECTION 1. The Council by adopting this resolution does hereby oppose Proposition 98 on the June 2008 ballot.

SECTION 2. The Council hereby authorizes the use of its name by the "No on Proposition 98" campaign in opposition to Proposition 98. Staff is hereby directed to fax a copy of this adopted resolution to 916.442.3510.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Director of Administrative Services