



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember Ash Kalra

SUBJECT: DECLARATION OF A FISCAL AND PUBLIC SAFETY EMERGENCY **DATE:** June 23, 2011

Approved		Date	6/23/11
----------	---	------	---------

RECOMMENDATION

1. Approve the Mayor's memorandum dated June 20, 2011 seeking to defer the fiscal emergency and ballot measures with the following amendment: instead of attempting to prepare ballot measures in time for a March 2012 election, we should aim to go to the voters in June 2012.
2. Use the approximately \$2 million in savings from moving potential ballot measures to June 2012 to immediately restore police officer positions.

ANALYSIS

Last week I submitted a proposal to restore additional police officer positions. One aspect of the proposal recommended using the funds allocated for the potential November election to restore police officer positions if it turned out that there would be no November election. This proposal was rejected under the reasoning that an election could still possibly occur in November, and even if the election was postponed, funds would still be needed for an election in 2012.

The Clerk's office estimates that the cost of an election in June 2012 will be approximately \$1.4 million, \$2 million less than the estimated cost of \$3.4 million for an election in November 2011 or March 2012. We still have the opportunity to address the serious public safety issue currently facing San José.

States, counties, and cities all across the nation, including California, have moved or are considering moving their elections to coincide with statewide primaries in recognition of the significant cost savings that can be realized. Given our current fiscal dilemma, we should do the same.

Doing so would allow us to use this \$2 million to immediately restore police positions. As numerous police officers are scheduled to be laid off within days, there can be no dispute that this matter is urgent. Using these funds to restore police officer positions will allow us to address a clear public safety crisis while retaining funds for a potential June 2012 election and without touching a single penny currently earmarked for next year's budget shortfall.

While I appreciate the desire to move quickly on retirement reform, it is extremely uncertain whether the many complex legal questions that surround this issue can be resolved in time for a March 2012 election. Furthermore, under the City Manager's Fiscal Reform Plan, there are zero savings associated with first tier retirement for fiscal year 2012-2013, and all of the listed FY 2012-2013 savings are associated with issues that do not necessarily require ballot measures to implement. What is absolutely certain, however, is that San José is facing a potential crime epidemic, and we are running out of time to take steps to address it.