

Stephanie Mizuno Report...



**City of Sacramento
City Council**

915 I Street, Sacramento, CA, 95814
www.CityofSacramento.org

Meeting Date: 7/31/2012

Report Type: Staff/Discussion

Title: Selection of Argument Authors for the November 6, 2012 General Municipal Election – Various Measures

Report ID: 2012-00675

Location: Citywide

Recommendation: Pass a Resolution authorizing members of the City Council to author arguments pertaining to various measures that will be presented to the voters on the November 6, 2012 General Municipal Election ballot.

Contact: Stephanie Mizuno, Assistant City Clerk, 808-8093; Shirley Concolino, City Clerk, 808-5442, City Clerk's Office

Presenter:

Department: City Clerk

Division: Elections

Dept ID: 04001021

Attachments:

- 1-Description/Analysis
 - 2-Background
 - 3-Resolution
-

City Attorney Review

Approved as to Form
Matthew Ruyak
7/25/2012 12:09:35 PM

Approvals/Acknowledgements

Department Director or Designee: Dawn Bullwinkel - 7/25/2012 8:16:42 AM

Description/Analysis

Issue: Select and authorize members of the City Council to author and submit an argument(s) "in opposition to" and/or "in support of" various measure(s) for the November 6, 2012 ballot. Taking this action will ensure that the Council's argument(s) are selected for printing in the official sample ballot pursuant to the selection criteria contained in California Elections Code section 9287.

Policy Considerations: If the action recommended is taken, the City Council would secure its priority in the City Clerk's selection of ballot arguments should more than one argument be submitted in opposition or in support of the measure(s).

Economic Impacts: None

Environmental Considerations: None.

Sustainability: None.

Commission/Committee Action: None.

Rationale for Recommendation: If more than one argument for or against any approved measure is filed with the City Clerk, and the City Council has selected and authorized argument authors by resolution, the City Clerk would be required to select the City Council's argument.

Financial Considerations: None.

Emerging Small Business Development (ESBD): Not applicable.

Background:

To secure its position in the selection of ballot arguments for the various measure(s) approved by the City Council, in the event the City Clerk receives more than one argument for or against the measure(s), the City Council must select who will author and file the ballot argument(s) on the City Council's behalf. The issues of the measures pertain to the repeal of an initiative ordinance relating to the deposit and collection of yard and garden refuse, and a transactions and use tax.

For City Council measures, the City Council, or any councilmember(s) authorized by the City Council, may file a **written** argument in support of or in opposition to a measure. If the City Council, or authorized member(s), do not submit an argument for a City Council measure, any individual voter who is eligible to vote on the measure, or bona fide association of citizens, or any combination of voters and associations, may submit an argument supporting or opposing the measure.

Up to five authors' names will be printed with the argument. If the City Council, as a body, chooses to submit an argument, at least one Council member should be designated as the author.

If more than one argument is received for a given position, the City Clerk will follow the selection criteria outlined in California Elections Code section 9287, which provides for the following author priority: (a) The legislative body, or member or members of the legislative body authorized by that body; (b) The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure; (c) Bona fide associations of citizens; and (d) Individual voters who are eligible to vote on the measure.

The primary arguments are due in the Office of the City Clerk by Wednesday, August 8, 2012 at 4:30 p.m. The rebuttal arguments are due in the Office of the City Clerk by Wednesday, August 15, 2012 at 4:30 p.m.

RESOLUTION NO.
Adopted by the Sacramento City Council

**AUTHORIZING THE CITY COUNCIL OR MEMBERS OF THE
CITY COUNCIL TO SUBMIT WRITTEN ARGUMENT(S) FOR
VARIOUS MEASURE(S) TO BE SUBMITTED TO THE VOTERS
AT THE GENERAL MUNICIPAL ELECTION ON TUESDAY,
NOVEMBER 6, 2012**

BACKGROUND

- A. On December 6, 2011, the City Council adopted a resolution calling for, and giving notice of, a General Municipal Election to be held on November 6, 2012. The same day, the City Council adopted a resolution requesting consolidation of the General Municipal Election with the November 6, 2012 Statewide General Municipal Election.
- B. On June 26, 2012, the City Council approved for placement on the November 6, 2012 ballot a measure to repeal the ordinance enacted by the adoption of Measure 'A' on September 27, 1977, relating to the deposit and collection of yard and garden refuse in the City of Sacramento.
- C. On July 24, 2012, the City Council approved for placement on the November 6, 2012 ballot a measure relating to a transactions and use tax.
- D. The Sacramento City Council desires to submit argument(s) for the measures.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

Section 1. The City Council hereby authorizes the following members, on behalf of the City Council, to file a written argument(s) **in favor / against** the question to repeal an initiative ordinance relating to the deposit of yard and garden refuse in the City of Sacramento:

Names:

In Favor: _____, _____, _____

Against: _____, _____, _____

Section 2. The City Council hereby authorizes the following members, on behalf of the City Council, to file a written argument(s) **in favor / against** the question of a transactions and use tax:

Names:

In Favor: _____, _____, _____

Against: _____, _____, _____

Section 3. The arguments shall be prepared in accordance with the California Elections Code and the Election Official's printing guidelines available from the City Clerk.

Section 4. The City Council hereby directs the City Clerk to certify the passage and adoption of this resolution and enter it into the book of origin.