



# REPORT TO COUNCIL

## City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
[www. CityofSacramento.org](http://www.CityofSacramento.org)

Consent  
 July 22, 2008

Honorable Mayor and  
 Members of the City Council

**Title:** Authorize Members of the City Council to Submit an Argument in Favor of  
 the November 4, 2008 Ballot Measure on the Utility User Tax

**Location/Council District:** Citywide

**Recommendation:** Adopt a **Resolution** authorizing one or more members of the City Council to submit the City's argument in favor of the proposed changes in chapter 3.32 of the Sacramento City Code (the utility user tax) to be submitted to the voters at the consolidated election on November 4, 2008.

**Contact:** Stephanie Mizuno, Assistant City Clerk, 808-8093;  
 Shirley Concolino, City Clerk, 808-5442

**Presenters:** N/A

**Department:** City Clerk's Office

**Division:** N/A

**Organization No:** 7070 / 04001021

### Description/Analysis

**Issue:** Authorizing one or more members of the City Council to submit the City's argument in favor of the measure will ensure that the argument is selected for printing in the official ballot pamphlet.

**Policy Considerations:** The action recommended is an option under California Elections Code.

**Environmental Considerations:** None

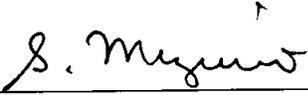
**Commission/Committee Action:** None.



**Rationale for Recommendation:** If more than one argument for or against the measure is filed with the City Clerk, then Elections Code section 9287 requires that the City Elections Official give preference and priority to the City Council's argument.

**Financial Considerations:** None.

**Emerging Small Business Development (ESBD):** Not applicable.

Respectfully Submitted by:   
Stephanie Mizuno,  
Assistant City Clerk

Recommendation Approved:

  
Shirley Concolino  
City Clerk

**Table of Contents:**

|                    |       |
|--------------------|-------|
| Report             | pg. 1 |
| <b>Attachments</b> |       |
| 1 Background       | pg. 3 |
| 2 Resolution       | pg. 4 |

**ATTACHMENT 1**

**Background:**

On July 22, 2008, the City Council adopted a resolution ordering that proposed changes in chapter 3.32 of the Sacramento City Code (the utility user tax) be submitted to the voters at the consolidated election on November 4, 2008.

As provided in California Elections Code section 9287, if more than one argument for or against a measure is submitted to the City Clerk, then the Clerk shall select only one argument for and one argument against the measure for printing in the official sample ballot. In selecting the argument, the City Clerk shall give preference and priority in the following order: 1) the legislative body, or a member or members of the legislative body authorized by that body; 2) 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; 3) a bona fide association of citizens; or 4) individual voters who are eligible to vote on the measure.

Adopting a resolution authorizing one or more members of the City Council to submit the City's argument ensures that the Council's argument will be selected for inclusion in the official sample ballot.

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**AUTHORIZING ONE OR MORE MEMBERS OF THE CITY COUNCIL TO SUBMIT THE COUNCIL'S WRITTEN ARGUMENT IN FAVOR OF PROPOSED CHANGES IN CHAPTER 3.32 OF THE SACRAMENTO CITY CODE (THE UTILITY USER TAX) TO BE SUBMITTED TO THE VOTERS AT THE CONSOLIDATED ELECTION ON TUESDAY, NOVEMBER 4, 2008**

**BACKGROUND**

- A. On July 22, 2008, the City Council adopted a resolution ordering that proposed changes in chapter 3.32 of the Sacramento City Code (the utility user tax) be submitted to the voters at the consolidated election on November 4, 2008.
- B. The City Council desires to submit an argument for inclusion in the official sample ballot.

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

Section 1. The City Council hereby authorizes \_\_\_\_\_  
\_\_\_\_\_ to file a written argument **in favor of** the measure.

Section 2. The argument is to be prepared in accordance with the California Elections Code and the Election Official's printing guidelines.

Section 3. The City Council hereby directs the City Clerk to certify the passage and adoption of this resolution and enter it into the book of original resolutions.

