



## City of Sacramento City Council

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

**Meeting Date:** 6/19/2012

**Report Type:** Staff/Discussion

**Title:** November 6, 2012 General Municipal Election - Elected Charter Commission; Call Measure to Ballot

**Report ID:** 2012-00251

**Location:** Citywide

**Recommendation:** Pass a Resolution calling and giving notice of a ballot measure pertaining to the creation of an elected charter commission and election of fifteen (15) commissioners to be included in the November 6, 2012 General Municipal Election ballot.

**Contact:** Stephanie Mizuno, Assistant City Clerk, (916) 808-8093; Shirley Concolino, City Clerk, (916) 808-5442; Office of the City Clerk

**Presenter:** None

**Department:** City Clerk

**Division:** Elections

**Dept ID:** 04001021

### **Attachments:**

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

### **City Attorney Review**

Approved as to Form  
 Matthew Ruyak  
 6/13/2012 11:46:16 AM

### **Approvals/Acknowledgements**

Department Director or Designee: Dawn Bullwinkel - 6/12/2012 1:55:45 PM



## Description/Analysis

**Issue:** Council action is necessary to place a measure and elective offices before the voters.

**Policy Considerations:** This report concerns the potential election of a commission to amend or revise the city's charter or to propose a new charter.

**Environmental Considerations:** None.

**Sustainability:** None.

**Commission/Committee Action:** None.

**Rationale for Recommendation:** If the City Council desires to place the issue of an elected charter commission before the voters at the general municipal election of November 6, 2012, the Council must adopt a resolution calling for that action.

**Financial Considerations:** The estimated cost for the measure and election of commissioners is \$155,100 plus \$50,000 per additional ballot card (\$205,100). Additional ballot cards will be contingent on the number of candidates running for office.

In addition, the runoff elections in Districts 2 and 4 are estimated at \$50,000. There are sufficient funds in the elections budget to cover the cost of the election.

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



## **Background:**

On February 7, 2012, the City Council passed Motion 2012-043 directing the City Attorney and City Clerk to take steps to place a measure pertaining to an elected charter commission on the November 6, 2012 general municipal election ballot. This report follows that direction and is in compliance with the California Election Code and Government Code pertaining to charter commissions and elections.

The issue of an elected charter commission will be presented to the voters in two parts. First, the voters will be presented with a question of whether a charter commission shall be elected. Secondly, directly following the question, voters will select up to fifteen (15) commissions from a list of official candidates.

If the question of an elected charter commission receives a majority of votes, the fifteen (15) candidates for the office of charter commissioner receiving the highest number of votes shall be elected and forthwith organize as a charter commission. However, if the first question receives less than a majority of the votes, no charter commission shall be deemed to have been elected.



## RESOLUTION NO.

Adopted by the Sacramento City Council

### CALLING AND GIVING NOTICE OF THE SUBMITTAL TO THE VOTERS OF A QUESTION OF AN ELECTED CHARTER COMMISSION AND ELECTED COMMISSIONERS TO BE INCLUDED IN THE GENERAL MUNICIPAL ELECTION OF 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. Government Code 34452 gives the City Council authority, by a majority vote, to place before the voters the question of whether to create a charter commission and to elect charter commissioners.
- C. On February 7, 2012, the City Council approved an intent motion to place the question of an elected charter commission before the voters at the November 6, 2012, General Municipal Election.
- D. Council desires to submit the measure and election of fifteen (15) commissioners to the voters at the November 6, 2012, General Municipal Election.

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

SECTION 1: The City Council hereby orders that the following question be submitted to the voters in the City of Sacramento, California on Tuesday, November 6, 2012:

#### Measure – Elected Charter Commission

"Shall a charter commission be elected to propose a new charter or to revise the charter?"	YES
	NO

SECTION 2: Directly following the question of an elected charter commission, there shall be a list of candidates for the office of charter commissioner. If the question of an elected charter commission receives a majority of votes, the fifteen (15) candidates for the office of charter commissioner receiving the highest number of votes shall be elected and forthwith organize as a charter commission. However, if the first question receives less than a majority of the votes, no charter commission shall be deemed to have been elected.

SECTION 3: The ballots to be used at the election shall be in the form and content as required by law.

SECTION 4: The polls for the election shall open at 7:00 a.m. on the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in section 14401 of the Elections Code.

SECTION 5: In all particulars not recited in this resolution, the election shall be held and conducted as provided by the law for holding municipal elections.

SECTION 6: Notice of the time and place of holding the election is hereby given and the City Clerk is hereby authorized, instructed and directed to give further or additional notice of the election, in the time, form, and manner required by law.

SECTION 7: The City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.