



## City of Sacramento City Council

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

**Meeting Date:** 7/31/2012

**Report Type:** Consent

**Title:** City Attorney's Impartial Analysis for the November 6, 2012 General Municipal Election – Various Measures

**Report ID:** 2012-00674

**Location:** Citywide

**Recommendation:** Pass a Resolution directing the preparation of an impartial analysis for various measures for inclusion in the November 6, 2012, General Municipal Election official sample ballot.

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

**Presenter:**

**Department:** City Clerk

**Division:** Elections

**Dept ID:** 04001021

**Attachments:**

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1-Description/Analysis

2-Background

3-Resolution

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### **City Attorney Review**

Approved as to Form

Matthew Ruyak

7/25/2012 12:06:01 PM

### **Approvals/Acknowledgements**

Department Director or Designee: Dawn Bullwinkel - 7/25/2012 8:15:31 AM



## Description/Analysis

**Issue:** For any measure(s) approved for placement on the ballot by the City Council, the Council may direct the City Clerk to transmit a copy of the measure(s) to the City Attorney for preparation of an impartial analysis of the measure(s).

**Policy Considerations:** The action recommended is consistent with the California Elections Code and the City's past practice.

**Economic Impact:** None

**Environmental Considerations:** None.

**Sustainability:** None.

**Commission/Committee Action:** None.

**Rationale for Recommendation:** The impartial analysis of a measure(s) approved for placement on the November 6, 2012 ballot will be provided to the voters in the official sample ballot and will show the effects of the measure on existing law and the operation of the measure.

**Financial Considerations:** None.

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



## **Background:**

As provided in California Elections Code section 9280, the City Council may direct the City Clerk to transmit a copy of a measure(s) to the City Attorney for preparation of an impartial analysis. The analysis is for the purpose of showing the effect of the measure on existing law and the operation of the measure. The analysis shall be printed in the official sample ballot preceding the arguments and shall not exceed 500 words. The impartial analysis is due in the Office of the City Clerk by Wednesday, August 8, 2012, by 4:30 p.m.

An impartial analysis of the various measures passed by the City Council will provide both the City of Sacramento and the voters of the city with impartial information regarding the measure. 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.



## **RESOLUTION NO.**

Adopted by the Sacramento City Council

**DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF VARIOUS MEASURE(S) APPROVED BY THE CITY COUNCIL TO BE SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD 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 City of Sacramento desires to have an impartial analysis of the measure(s).

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

- Section 1. The City Council hereby directs the City Attorney to prepare an impartial analysis of two measures [the repeal of an 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, and relating to a transactions and use tax] showing the measures' effects on existing law and its operation. The impartial analysis is not to exceed 500 words, and the City Attorney shall file it with the City Clerk by the date set for the filing of primary arguments (Wednesday, August 8, 2012, by 4:30 p.m.) for the November 6, 2012, general municipal election.
- Section 2. The City Clerk is hereby directed to cause the impartial analyses to be printed in the official sample ballot for the November 6, 2012, general municipal election election.

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