

Meeting Date: 12/10/2013

Report Type: Staff/Discussion

Report ID: 2013-00927

Title: November 4, 2014 General Municipal Election – Sacramento City Charter Revision Measure, the Sacramento Checks and Balances Act of 2014; Select Argument Authors

Location: Citywide

Issue: Select and authorize members of the City Council to author and submit an argument “in opposition to” and/or “in support of” a measure for the November 4, 2014 ballot pertaining to a Sacramento City Charter Revision, the Sacramento Checks and Balances Act of 2014.

Recommendation: Pass a Resolution authorizing members of the City Council to author arguments for and/or against a measure pertaining to a Sacramento City Charter Revision, the Sacramento Checks and Balances Act of 2014, that will be presented to the voters in the November 4, 2014 General Municipal Election sample ballot.

Contact: Shirley Concolino MMC, City Clerk, (916) 808-5442, Office of the City Clerk

Presenter: Shirley Concolino MMC, City Clerk, (916) 808-5442, Office of the City Clerk

Department: City Clerk

Division: City Clerk

Dept ID: 04001011

Attachments:

1-Description/Analysis

2-Background

3-Resolution

City Attorney Review

Approved as to Form

Matthew Ruyak

12/4/2013 11:05:18 AM

Approvals/Acknowledgements

Department Director or Designee: Wendy Klock-Johnson - 12/4/2013 10:24:39 AM

Description/Analysis

Issue Detail: Select and authorize members of the City Council to author and submit an argument “in opposition to” and/or “in support of” a measure for the November 4, 2014 ballot pertaining to a Sacramento City Charter Revision, the Sacramento Checks and Balances Act of 2014. 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 recommended action 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.

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 Sacramento City Charter Revision measure, the Sacramento Checks and Balances Act of 2014, in the event the City Clerk receives more than one argument for or against the measure, the City Council must select who will author and file the ballot argument(s) on the City Council's behalf.

For City Council measures, the City Council, or any councilmember(s) authorized by the City Council, may file a written argument in support and/or 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 no later than Friday, August 8, 2014 at 5:00 p.m. The rebuttal arguments are due in the Office of the City Clerk no later than Monday, August 18, 2014 at 5:00 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 THE MEASURE PERTAINING TO A SACRAMENTO CITY CHARTER REVISION, THE SACRAMENTO CHECKS AND BALANCES ACT OF 2014, TO BE SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 4, 2014

BACKGROUND

- A. On November 26, 2013, the Sacramento City Council called for a General Municipal Election to be held on Tuesday, November 4, 2014.
- B. On November 5, 2013, the Sacramento City Council called for the placement of a question on the November 4, 2014 ballot pertaining to a Sacramento City Charter Revision, the Sacramento Checks and Balances Act of 2014.
- C. The City Council desires to submit argument(s) for the measure.

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 **for** the question of a Sacramento City Charter Revision, the Sacramento Checks and Balances Act of 2014:

Name(s) _____

Section 2. The City Council hereby authorizes the following members, on behalf of the City Council, to file a written argument **against** the question of a Sacramento City Charter Revision, the Sacramento Checks and Balances Act of 2014:

Name(s) _____

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.