

**Meeting Date:** 12/9/2014

**Report Type:** Staff/Discussion

**Report ID:** 2014-00937

**Title:** Ordinance Amending Section 1.16.020 and Adding Section 1.16.025 to the Sacramento City Code Permitting Vote-by-Mail Ballot Special Elections to Fill Vacancies [To Be Delivered]

**Location:** Citywide

**Recommendation:** 1) Pass a Motion bypassing the Law and Legislation Committee for a proposed Ordinance amending the Sacramento City Code to permit vote-by-mail ballot special elections to fill vacancies; and 2) pass an Ordinance, to take effect immediately, amending section 1.16.020 and adding section 1.16.025 of the Sacramento City Code relating to vote-by-mail ballot special elections to fill vacancies.

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

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

**Department:** City Clerk

**Division:** City Clerk

**Dept ID:** 04001011

**Attachments:**

1-Description/Analysis

2-Ordinance

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**City Attorney Review**

Approved as to Form

Matthew Ruyak

12/8/2014 12:49:28 PM

**Approvals/Acknowledgements**

Department Director or Designee: Wendy Klock-Johnson - 12/8/2014 10:22:18 AM

## **Description/Analysis**

**Issue:** Consider an ordinance that permits vote-by-mail balloting for special elections to fill city council vacancies.

**Policy Considerations:** This action is consistent with Sacramento City Charter section 150 that gives the city council authority to adopt, by ordinance, election procedures.

This action is also consistent with Sacramento City Charter sections 32(e) and (g) in that ordinances relating to an election may take effect immediately and are not required to be published by title or in full before or after the action.

In accordance with Council Rules of Procedure Resolution 2014-0067, Chapter 13 section B(ii), the action to bypass review by the Law and Legislation Committee requires a majority vote of the Council.

**Economic Impacts:** None.

**Environmental Considerations:** None.

**Sustainability:** None.

**Commission/Committee Action:** This report recommends the bypassing of the Law and Legislation Committee.

**Rationale for Recommendation:** Permit vote-by-mail balloting for special elections when vacancies on the city council occur as it is cost effective and expected to result in greater voter turnout.

**Financial Considerations:** As estimated by the Sacramento County Registrar of Voters, vote-by-mail balloting is expected to cost 25% less than traditional polling place voting.

**Emerging Small Business Development (ESBD):** None.

**ORDINANCE NO.**

Adopted by the Sacramento City Council

Date Adopted

**AN ORDINANCE AMENDING SECTION 1.16.020 AND ADDING SECTION 1.16.025 TO THE SACRAMENTO CITY CODE, RELATED TO MAILED-BALLOT ELECTIONS FOR SPECIAL ELECTIONS TO FILL A COUNCIL VACANCY**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 1.16.020 of the Sacramento City Code is amended to read as follows:

Elections are called by resolution of the city council pursuant to Elections Code Section 10403 and City Charter Sections 154 and 160 through 163 relating to special elections.

A. Regular Municipal Elections. Regular city elections are those primary and general municipal elections that are held on the same date in each election year as the California statewide direct primary and general elections, and are to be held pursuant to the Elections Code and the City Charter section relating to municipal elections.

B. Special Municipal Elections. Elections other than the regular primary and general municipal elections as referenced above, are considered special elections, and are to be held pursuant to City Charter Sections 152 and 154 relating to municipal elections and section 1.16.025 as applicable.

SECTION 2.

Section 1.16.025 is added to the Sacramento City Code, to read as follows:

1.16.025 Mailed-Ballot Elections to Fill Council Vacancies.

A. Notwithstanding any other provision of law, a special election to fill a council vacancy pursuant to City Charter section 154 may be conducted wholly by mailed ballot.

B. To conduct a mailed-ballot election, the city council must so provide in the resolution that calls the election.

C. This section does not apply if the special election to fill a council vacancy is held on the same date as any regular municipal election.

Adopted by the City of Sacramento City Council on \_\_\_\_\_ by the following vote:

Ayes:

Noes:

Abstain:

Absent:

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
City Clerk

Passed for Publication:

Published:

Effective: