

City Council Report

915 I Street, 1st Floor

Sacramento, CA 95814

www.cityofsacramento.org

File ID: 2020-00929

August 4, 2020

Discussion Item 01

Title: November 3, 2020 General Municipal Election – Sacramento Mayoral Accountability and Community Equity Act of 2020: 1) Call and Give Notice of Submittal to the Voters the Measure on the Ballot); 2) Call and Give Notice for Placement of One Measure on the Ballot with Question; 3) Authorize City Attorney’s Impartial Analysis for Measure; and 4) Selection of Argument Authors for Measure

Location: Citywide

Recommendation: 1) Adopt a Resolution calling and giving notice of submittal to the voters the Sacramento Mayoral Accountability and Community Equity Act of 2020 to be included in the General Municipal Election on November 3, 2020; 2) adopt a Resolution calling and giving notice of the placement of one measure with question on the November 3, 2020 General Municipal Election Ballot: Sacramento Mayoral Accountability and Community Equity Act of 2020; 3) adopt a Resolution directing the preparation of an impartial analysis for a Sacramento City measure pertaining to the Sacramento Mayoral Accountability and Community Equity Act of 2020, for inclusion in the November 3, 2020 General Municipal Election official ballot; and 4) adopt a Resolution authorizing members of the City Council to author arguments for the measure Sacramento Mayoral Accountability and Community Equity Act of 2020, that will be presented to the voters in the November 3, 2020 General Municipal Election Voter Information Guide.

Contact: Mayor Darrell Steinberg, (916) 808-5300, Office of the Mayor

Presenter: Mayor Darrell Steinberg, (916) 808-5300, Office of the Mayor

Attachments: *(See List on Next Page)*

Attachments:

- 1-Description/Analysis
- 2-Redline from July 28
- 3-Redline to Current Charter
- 4-Summary of Additional Proposals to Sacramento Mayoral Accountability and Community Equity Act
- 5-Resolution (Submittal of the Measure to the Voters)
- 6-Resolution (Calling and Giving Notice with Question)
- 7-Exhibit A (Text of Measure)
- 8-Resolution (Authorizing City Attorney's Impartial Analysis for Measure)
- 9-Resolution (Selection of Argument Authors for Measure)

Description/Analysis

Issue Detail:

Proposed Measure

The Sacramento City Charter is the foundational document for city government. By virtue of a voter-approved charter, the city can exercise all powers afforded to cities under state law. The charter sets the fundamental framework for city operations by establishing its form of government. The charter also describes certain aspects of city operations, such as elections, ordinance adoption, and budget adoption.

The proposed “Sacramento Mayoral Accountability and Community Equity Act of 2020” would change the charter. Attached are the proposed language of the measure to be presented to Sacramento voters (Attachment 7-Exhibit A (Text of Measure)), a “redline” version of the measure, showing how the proposed language has been changed from the July 28, 2020 council meeting to address the requests of councilmembers (Attachment 2-Redline from July 28), a redline comparing the proposals to the current version of the charter (Attachment 3-Redline to Current Charter), and a summary of additional proposals (Attachment 4-Summary).

Impartial Analysis

As provided in California Elections Code section 9280, for any measure approved for placement on the ballot by the City Council, the City Council may direct the City Clerk to transmit a copy of the measure to the City Attorney for preparation of an impartial analysis of the measure. The analysis is for the purpose of showing the effects of the measure on existing law and the operation of the measure. The analysis shall be printed in the official Voter Information Guide preceding the arguments and shall not exceed 500 words. The impartial analysis is due in the Office of the City Clerk no later than Friday, August 14, 2020, at 5:00 p.m.

An impartial analysis will provide both the City of Sacramento and the voters of the city with impartial information regarding the measure.

Argument Authors

For City Council measures, the City Council, or any councilmember(s) authorized by the City Council, may file a written argument in support of 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 in support of or opposition to any measure.

To secure its position in the selection of ballot arguments for the Sacramento City measures referring to the measure Sacramento Mayoral Accountability and Community Equity Act of 2020, in the event the City Clerk receives more than one argument for or against the measure, the City Council may select who will author and file the ballot argument(s) on the City Council's behalf. This action will ensure that the Council's argument(s) are selected for printing in the official Voter Information Guide pursuant to the selection criteria contained in California Elections Code section 9287.

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 Councilmember 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 the Sacramento City Code section 1.16.070, which provides for the following author priority: (a) The City Council, or members authorized by the council; (b) charter officer or officer of department director; (c) individual voters who are eligible to vote on the measure; or (d) a bona fide association of citizens, or combination of voters and associations.

The primary arguments are due in the Office of the City Clerk no later than 5:00 p.m. on Friday, August 7, 2020. If arguments are appropriately received, each side will be given the opportunity to provide a written rebuttal. The rebuttal arguments are due in the Office of the City Clerk no later than 5:00 p.m. on Monday, August 17, 2020. Both supporting and opposing arguments must be received in order for a rebuttal argument to be submitted.

Question to be Presented to the Voters

The attached Resolution that calls the measure to the ballot includes the question that will appear on the ballot. The question, which must be 75 words or less (note: "City of Sacramento" is considered one word) has been drafted to comply with requirements of California Elections Code section 13119.

Future Actions

If the measure passes, the city will need to take steps to implement the terms of the amended charter. The measure includes the following language: "Upon the effective date of this Act, the City shall proceed as expeditiously as possible to implement this Act, including but not limited

to promptly updating the Sacramento City Code, ordinances, and resolutions to conform to the Charter amendments set forth herein.”

Additionally, if the measure passes, city staff will, at or near the time the vote is certified, return to council for a discussion on how to address the following:

- Adoption of ordinances required by the charter amendments;
- Creation of the committees and commissions required by the charter amendments;
- Updates to the Council Rules of Procedure;
- Review of the city manager’s spending authority; and
- Appropriate staffing levels for the mayor and councilmembers.

Policy Considerations: This report discusses potential changes to the city’s charter, which establishes the city’s governance structure. To have the measure put before the voters, the city council must approve a resolution placing the measure on the ballot.

The actions outlined in this report are in accordance with the California Elections Code and the Sacramento City Charter. Council’s action will complete the administrative process for placement of the Sacramento Mayoral Accountability and Community Equity Act of 2020 on the November 3, 2020 General Municipal Election ballot.

The impartial analysis of a measure approved for placement on the November 3, 2020 ballot will be provided to the voters in the official Voter Information Guide. The impartial analysis will show the effects of the measure on existing law and the operation of the city.

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 support of or opposition to the measure. The action recommended is consistent with the California Elections Code and the City’s past practices.

Economic Impacts: None

Environmental Considerations: None

Sustainability: None

Commission/Committee Action: None

Rationale for Recommendation: Once a measure is approved, by City Council, for inclusion on the November 3, 2020 General Municipal Election ballot the Council must now, in accordance with California Elections Code section 9255, adopt a resolution that will place the measure on the ballot.

Financial Considerations: The estimated cost for the first citywide measure is \$178,634 and for each additional measure \$20,747.28. There are sufficient funds in the elections budget to cover the cost of adding this to the ballot. If approved, the financial impact on the General/Measure U Funds for the ninth Council Office (\$514k) and the addition of the Social Equity Manager (\$186k) is approximately \$700,000 annually. Funding for participatory budgeting, inclusive economic development and youth will be addressed in the FY2021/22 Proposed Budget, if approved.

Local Business Enterprise (LBE): Not applicable.

Attachment 2
Charter Changes (Redline from July 28, 2020 version)

Section 1. Title.

These charter amendments are titled and may be cited as the “Sacramento Mayoral Accountability and Community Equity Act of 2020” (hereinafter, the “Act”).

Section 2. Findings and Purpose.

A. Findings.

1. Voters consistently express a desire for more accountability and transparent checks and balances in city government.
2. Currently, voters have a limited ability to hold key decision-makers clearly, directly, and consistently accountable for how they spend taxpayer dollars, make major decisions of city management, and administer city programs and services.
3. Currently, all powers are concentrated exclusively in a single entity, the city council, which results in a system that blurs accountability for distinct executive and legislative powers and denies voters a system of basic checks and balances on power that is a hallmark of the American democratic system.
4. Voters expect and deserve high standards for ethical behavior, transparency, and citizen engagement in all aspects of city government, including but not limited to the oversight of city officials.
5. Voters will demonstrate greater trust and support for a city government that ensures the mayor, city council, and city departments are held accountable to the will of the voters through reforms that establish clear lines of accountability and adequate checks and balances between executive and legislative functions, including strong provisions for ethical and transparent behavior.

6. The city's current governance system was established 100 years ago for a far smaller, less diverse, and less complex city.
7. The community rightfully demands and deserves more voice in the budget decisions of the city.
8. The awakening that has occurred in our country ~~since the death of George Floyd~~ requires our city to consider the racial and gender impacts of the city's major decisions.
9. Modernizing the City Charter is an essential step in the city's evolution to meet the challenges and opportunities of the 21st Century.
10. This Act, therefore, amends the Sacramento City Charter to include a series of reforms to create more accountability; create transparent checks and balances; afford the community a greater role in the city's budget decisions; ensure the community's economic-development and city-services priorities are respected; and require the city to evaluate potential council decisions for their effects on social equity, including racial equity and gender equity.

B. Purpose.

The purpose of this measure is to establish greater accountability and stronger checks and balances, to better ensure that the agenda, budget, leadership, and day-to-day management of the City of Sacramento are directly informed by, and aligned with, the will of the voters and effectively communicated to the residents of Sacramento by their elected representatives.

Section 3. Section 21 of the Sacramento City Charter is hereby amended to read as follows:

§ 21 Composition.

(a) Except as provided in subsection (c) below, the legislative body of the city shall be a city council of nine members. Each council member shall be nominated and elected by the electors

of the district in which such person resides as provided in Article X.

(b) At the first city council meeting of each calendar year, the city council shall elect one of its members to serve as council president, and another of its members to serve as council vice-president, during the ensuing calendar year.

(c) The city council shall be an eight-member body until nine council districts are established pursuant to Article XII.

Section 4. Section 22 of the Sacramento City Charter is hereby amended to read as follows:

§ 22 Districts.

(a) Except as provided in subsection (b) below, the city shall be divided into nine council districts, designated Districts 1 through 9.

(b) The map establishing eight council districts that is in effect on the effective date of this Charter amendment shall continue to be in effect until a new map establishing nine council districts becomes effective as provided in Article XII.

(c) The title of the office of each member of the council shall bear the number accorded the district of such member.

Section 5. Section 26 of the Sacramento City Charter is hereby amended to read as follows:

§ 26 Terms of office.

The term of each member of the city council shall be four years and until a successor qualifies.

Section 6. Section 27 of the Sacramento City Charter is hereby amended to read as follows:

§ 27 Qualifications of members.

Each member of the council or candidate therefor, at the date of candidacy and election or appointment, shall be an elector and a resident in such member's district for not less than 30 days preceding the date of candidacy and election or appointment, as the case may be, and must continue to reside in such district during the term of office, except that no boundary change under Article XII shall disqualify a member from serving the remainder of the term. The term "elector" means a person who qualifies to vote at either a state election or federal election held in the State of California. "Date of candidacy" shall mean the date of filing nominating papers or equivalent declaration of candidacy.

Section 7. Section 28 of the Sacramento City Charter is hereby amended to read as follows:

§ 28 Vacancies.

(a) A vacancy on the city council shall be filled by special election to be called by the council as provided in Section 154 of this Charter, unless such vacancy occurs within one year of the next general election at which such office would normally be filled, in which case the vacancy shall be filled by appointment by a majority of the remaining members of the council. A person elected or appointed to fill a vacancy shall hold office for the unexpired term of the former incumbent.

(b) Absence from five consecutive regular meetings of the city council, unless excused by resolution of the council, shall operate to vacate the seat of the council member so absent.

Section 8. Subsection (a) of Section 30 of the Sacramento City Charter is hereby amended to read as follows:

(a) The city council shall determine its rules of procedure according to rules which it shall adopt, and the city council shall have exclusive control over its meeting agendas.

Section 9. Subsection (b) of Section 32 of the Sacramento City Charter is hereby amended to read as follows:

(b) Subject to Section 47 of this Charter, and except as otherwise provided elsewhere in this Charter, and with the exception of ordinances which take effect immediately upon adoption, ordinances shall be adopted in compliance with either the procedure set forth in subsection (c) or subsection (d) of this section.

Section 10. Section 36 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 36 Social Equity Analysis.

(a) As provided in an ordinance or resolution adopted by the city council, the city shall analyze the social equity impacts of the city's budget and major policy decisions. The city council shall create a commission, a standing committee from among its members ~~a standing committee, or both,~~ to evaluate potential council decisions for their effects on social equity, including racial equity, ethnic equity, ~~and~~ gender equity, sexual orientation equity, and sexual identity equity; and propose proactive policies and initiatives to address social inequities. ~~The committee's~~ Any such commission's or committee's membership, scope, and process shall be established by council ordinance or resolution.

(b) The city auditor shall audit the city's progress on addressing social inequities, including city department policies and actions. The city auditor shall also present a social equity analysis as part of the annual budget process.

Section 11. Section 37 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 37 Small Business Analysis.

As provided in an ordinance or resolution adopted by the city council, the city shall analyze the small business impacts of the city's budget and major policy decisions.

Section 12. Section 38 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 38 Ethics and Sunshine Ordinances.

To assure public confidence in the integrity of elected and appointed city officials and to provide greater transparency in local city government, the city council shall: (1) by ordinance, adopt a Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees, including provisions for the removal from office of any elected official who substantially violates the adopted Code of Ethics and Conduct; and (2) adopt a Sunshine Ordinance, which shall liberally provide for the public's access to city government meetings, documents, and records.

Section 13. Section 39 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 39 Responsiveness to Constituents.

The city council shall develop a means to ensure efficient and effective response to constituent concerns.

Section 14. Section 40 of the Sacramento City Charter is hereby amended to read as follows:

§ 40 Mayor—Functions.

(a) The chief executive officer of the city shall be the mayor, who shall have the executive and administrative authorities, powers, and responsibilities of the city as provided herein, including but not limited to the power and duty to execute and enforce all laws, ordinances, and policies of the city.

(b) The mayor:

(1) Shall be recognized as the official head of the city for the performance of all duties lawfully delegated to the mayor by this Charter, by action of the council, or by other laws;

(2) Shall provide leadership within the community in the sense that the mayor shall have the primary, but not exclusive, responsibility of interpreting communicating the policies, programs, and needs of city government to the people, and as the occasion requires, may inform the people of any change in policy or program;

(3) Shall appear before the public to deliver a general address on the State of the City, ~~and to~~ recommend the adoption of such measures as the mayor may deem expedient and proper, and be reasonably available to the public; ~~and shall solicit and respond to comments, concerns, or questions from the public at two additional open public town hall meetings during the year, which shall be noticed to the public not less than two weeks in advance;~~

(4) Shall have the right, but not the exclusive power, to make recommendations to the city council on matters of policy and programs that require council decisions;

(5) Shall have the right, but not the obligation, to attend and be heard at any regular or special open session or closed session meeting of the city council, but not the right to vote at such meetings;

(6) May propose ordinances and resolutions, which ~~shall~~ may be considered by the city council in accordance with the council's rules;

(7) Shall propose a budget to the city council not later than 90 days before the commencement of each fiscal year, and shall have the power to veto the budget resolution adopted by the city council pursuant to Section 111 of this Charter;

(8) May approve or veto ordinances passed by the city council pursuant to Section 47 of this Charter;

(9) Shall appoint the city manager subject to confirmation by a majority vote of the city council, and may remove the city manager pursuant to Section 60 of this Charter; and

~~(10) Shall appoint and may remove members of the boards and commissions and advisory agencies in accordance with Article XV, except as otherwise provided in this Charter; and~~

~~(11)~~10 Shall have and exercise such other powers and duties as delegated to the mayor by the city council and as provided in this Charter, the laws of the state, and ordinances and resolutions of the city.

Section 15. Section 43 of the Sacramento City Charter is amended to read as follows:

§43 Mayor—Term.

The term of office of mayor shall be four years and until a successor qualifies. No person may serve more than two full terms as mayor. Terms as a member of the city council shall not be counted towards the term limit as mayor. A partial term is equal to or less than two years. A partial term shall not be counted as a full term for purposes of the term limit.

Section 16. Section 45 of the Sacramento City Charter is hereby amended to read as follows:

§ 45 Acting Mayor.

(a) During any absence of the mayor from the city, the council president shall be the acting mayor until the mayor returns. In addition, if the mayor becomes incapable of acting as mayor and incapable of delegating duties, the council president shall become the acting mayor.

(b) In the event of the absence, vacancy in office, or inability of both the mayor and council president to perform their duties, the council vice-president shall serve as acting mayor. Any person serving as an acting mayor under this section shall continue to hold office as a member of the city council.

(c) Any person serving as acting mayor under this section shall be vested with the authority to supervise the staff remaining employed in the office of the mayor, to direct and exercise control over the city manager in managing the affairs of the city under the purview of the mayor and to exercise other power and authority vested in the office of the mayor when the exercise of such power and authority is required by law. This limited authority includes circumstances where the expeditious action is necessary to meet a legal requirement imposed by a court or another governmental agency. Such limited authority does not include the exercise of the power of any veto or any other discretionary privilege that is enjoyed by a person appointed or elected to the office of mayor.

Section 17. Section 46 of the Sacramento City Charter is hereby amended to read as follows:

§ 46 Mayor—Vacancy.

(a) The office of mayor shall be declared vacant by the city council when the person elected or appointed thereto fails to qualify within 10 days after his or her term is to begin, dies,

resigns, ceases to be a resident of the city, is continuously absent from the city for a period of more than 30 days without permission from the city council, is convicted of a felony, is judicially determined to be incompetent, is permanently so disabled as to be unable to perform the duties of the office of mayor, forfeits the office under any provision of this Charter, or is removed from office by judicial procedure. A finding of disability shall require the affirmative vote of at least six members of the city council after considering competent medical evidence bearing on the physical or mental capability of the mayor.

(b) A vacancy in the office of the mayor shall be filled by special election to be called by the city council as provided in Section 154 of this Charter, unless such vacancy occurs within one year of the next general election at which the office of mayor would normally be filled, in which case the vacancy shall be filled by appointment by a majority of the members of the city council then in office. A person elected or appointed to fill a vacancy in the office of mayor shall hold office for the unexpired term of the former incumbent.

(c) During the period when an appointment or election is pending to fill a vacancy in the office of mayor, the provisions in Section 45 shall control.

Section 18. Section 47 is hereby added to Article IV of the Sacramento City Charter to read as follows:

§ 47 Mayor—Approval or Veto of Council Ordinances.

(a) The mayor shall have veto power over all ordinances passed by the city council except ordinances described in Section 32(g), ordinances required by state law, or ordinances that, pursuant to this Charter, are within the exclusive purview of the city council.

(b) Except as otherwise provided in this Charter, each ordinance adopted by the city council shall become effective at

the expiration of 30 days after adoption and approval by the mayor, or deemed approval, or the override of a mayoral veto pursuant to this Charter, or at any later date specified therein.

(c) Except as otherwise provided in this Charter:

(1) The mayor shall have 10 business days from the date of adoption to approve or veto the ordinance and inform the City Clerk in writing of the action taken. If the mayor fails to act within such period, the ordinance shall be deemed approved.

(2) If the mayor vetoes the ordinance, the mayor shall state the reasons for such veto in writing and shall transmit the writing to the city council within 48 hours. The city council shall have 30 days from the date of transmittal to reconsider the ordinance. If after such reconsideration, at least six council members vote in favor of adopting the ordinance, that ordinance shall become effective notwithstanding the mayor's veto. If the vetoed ordinance does not receive the affirmative votes of at least six council members after reconsideration, the ordinance shall not be adopted and shall have no legal effect.

Section 19. Section 48 is hereby added to Article IV of the Sacramento City Charter to read as follows:

§ 48 Limitation on future employment.

No mayor, during the term for which such person shall have been elected or appointed or for one year after such person ceases to hold office, shall be eligible for any appointive office or position in the city, carrying compensation, and created by this Charter, by ordinance, or by resolution. An elective office which has been filled by appointment by reason of a vacancy in that office shall not be considered an appointive office under this section.

Section 20. Section 49 is hereby added to Article IV the Sacramento City Charter to read as follows:

§ 49 Certain limitations on mayoral participation.

(a) Unless otherwise expressly stated in this Charter, or as provided by state law, the mayor shall have no official role regarding the following:

(1) The acts of the city council sitting as a different legal entity, including but not limited to the housing authority; and

(2) Land-use decisions of the city council, except for ordinances.

(b) The mayor shall not facilitate the city council's violation of any open meeting laws or the city's Sunshine Ordinance.

Section 21. Section 60 of the Sacramento City Charter is hereby amended to read as follows:

§ 60 City Manager—Appointment, qualifications, and removal.

There shall be a city manager who shall be appointed by the mayor subject to confirmation by a majority vote of the city council. If the city council fails to confirm or reject an appointment within 30 days of the appointment being made by the mayor, the appointment of the city manager shall be deemed ~~approved~~ denied by the city council. The city manager shall be selected solely based on executive and administrative qualifications. ~~The city manager shall serve at the pleasure of the mayor and can be removed from office by the mayor at will, with or without cause. The mayor can remove the city manager from office for cause. The mayor can remove the city manager from office without cause, subject to a six-vote council override within 15 business days.~~

Section 22. Section 61 of the Sacramento City Charter is hereby amended to read as follows:

§ 61 Functions.

The city manager shall be the chief administrative officer of the city and shall be responsible for the effective administration of the city government. Acting on the mayor's behalf and in furtherance of the mayor's powers, the city manager shall have the power and it shall be the city manager's duty:

- (a) To assist the mayor in seeing that all laws and ordinances are enforced;
- (b) To administer and exercise supervision and control over all offices, departments, and services of the city government under the jurisdiction and control of the city manager;
- (c) To the extent requested by the city council, to act in an advisory capacity to the city council with respect to officials not under the jurisdiction and control of the city manager or mayor;
- (d) Except as otherwise provided in this Charter, to appoint all heads or directors of departments of the city and all subordinate officers and employees with power to discipline and remove any officer or employee so appointed, subject to the civil service provisions of this Charter; provided, further, that all officers and employees of the city appointed by the city manager who are exempt from the rules and regulations of the civil service board pursuant to Charter Section 83 may be suspended or removed at the pleasure of the city manager;
- (e) To make such recommendations to the mayor and city council as the city manager shall deem appropriate concerning the operation, affairs, and future needs of the city;
- (f) Under the direction of the mayor, attend all regular and special public meetings of the city council with the right to participate in the discussion of matters pending before the council but without the right to vote on such matters and without the right to place matters on the city council meeting agenda;

(g) To see that all terms or conditions imposed in favor of the city or the people of the city in any contract, franchise, lease, or permit are faithfully kept and performed; and upon knowledge of any violation thereof to notify the city council of such violation;

(h) When authorized to do so by the provisions of this Charter or by ordinance or resolution, to execute, on behalf of the city all contracts, franchises, leases, permits, or any other document requiring the execution of which is required by an officer of the city;

(i) To keep the mayor and the city council fully advised as to the operations, financial conditions, and needs of the city;

(j) To assist the mayor in preparing the annual budget in accordance with Charter Section 111; ~~and~~

(k) To perform such other duties consistent with this Charter as may be prescribed by the mayor; ~~and~~

(l) To be responsive to the council's requests to address constituent concerns.

Section 23. Section 62 of the Sacramento City Charter is hereby amended to read as follows:

§ 62 Non-interference with City Manager.

(a) ~~No~~ Neither the mayor nor any member of the city council shall directly or indirectly coerce or attempt to coerce the city manager relative to the appointment or removal of any city officer or employee which is made by the city manager.

(b) The mayor shall not interfere with the city manager's obligations under Section 61(l).

(c) The city council and its members ~~may shall~~ deal ~~solely and~~ directly ~~through~~ with the city manager with respect to the part of city government under the direction and supervision of the city manager; ~~provided, that~~

(d) ~~Nothing~~ herein shall limit the power of the city council, or members thereof, to do the following:

(a1) to conduct investigations as provided in Section 34 of this Charter, or

(b2) to contact officers and employees of the city for the purpose of inquiry or obtaining information that is a public record, or

(c3) to contact officers and employees designated by the city manager for the purpose of advising said officers and employees of citizen complaints relating to the operation of city government.

Section 24. Section 63 of the Sacramento City Charter is hereby deleted.

Section 25. Section 73 of the Sacramento City Charter is hereby amended to read as follows:

§ 73 City Treasurer.

The city treasurer shall be responsible for the deposit and investment of all funds of the city treasury not made subject to the control of others pursuant to this Charter. The city treasurer shall keep the city council and the mayor fully advised as to the deposit and investment of funds subject to his control. The city council shall prescribe the qualifications, additional duties, and compensation of the city treasurer. The city treasurer shall appoint, subject to the civil service provisions of this Charter, such deputies and employees as the council may by resolution prescribe.

Section 26. Section 76 of the Sacramento City Charter is hereby amended to read as follows:

§ 76 Duty to inform council and mayor.

Each appointive officer specified in Section 70 shall have the duty to promptly and fully inform the city council and the mayor of any act of misfeasance or malfeasance known to said appointive officer to have been committed by any officer or employee of the city if such act might significantly and adversely affect the finances or operations of the city. The city council, by ordinance or resolution, may further define the procedures and provisions determined to be necessary to implement and operate under this section.

Section 27. Section 111 of the Sacramento City Charter is hereby amended to read as follows:

§ 111 Budget.

(a) All budgets shall be adopted pursuant to the following process:

(1) Each department, office, and agency of the city shall provide, in the form and at the time directed by the city manager, all information required by the city manager to assist the mayor to develop a budget conforming to modern budget practices and procedures, as well as specific information which may be prescribed by the council. Not later than 90 days before the commencement of each fiscal year or such greater period as the council may prescribe, the mayor, with the assistance of the city manager, shall present a proposed budget for the ensuing fiscal year to the city council, in such form and manner as the council may prescribe. The city council shall hold a minimum of two public hearings on the mayor's proposed budget, the first of which shall occur no later than 15 days after the proposed budget is presented to the city council. No later than 30 days before the commencement of the fiscal year and following at least two public hearings on the proposed budget, the city council shall adopt by resolution a budget of expenditures and

appropriations for the ensuing year. Upon the request of the city council, the city auditor shall provide to the city council an independent analysis of the proposed budget.

(2) The mayor shall, within 10 days of the city council's adoption of the budget, either approve the entire council-adopted budget, veto the entire council-adopted budget, or veto any part of the council-adopted budget by reducing or eliminating any line item while approving other portions of the council-adopted budget; provided, however, that the mayor cannot veto the line items of the council-adopted budget relating directly to the city council's internal expenditures. If the mayor vetoes any line item in the council-adopted budget, the mayor shall append to the council-adopted budget a statement identifying the line items and the reasons for the veto. The portions of the council-adopted budget approved or not vetoed by the mayor shall become effective. If the mayor vetoes all or any line item within the council-adopted budget, the vetoed portions shall not become effective, and the mayor shall transmit the vetoed council-adopted budget to the city council, together with the mayor's veto statement. The city council shall within 10 days of such transmittal reconsider the council-adopted budget and mayor's vetoes. If the council is in official recess at the time of the mayor's transmittal, the 10-day period shall begin immediately upon the end of the recess period. If the mayor vetoes the entire council-adopted budget, and at least six council members vote to override the mayor's veto, the budget as adopted by the city council shall become effective. Line items vetoed by the mayor shall be separately reconsidered and if at least six council members vote to override the mayor's veto of a line item, that line item as adopted by the city council shall become effective. If at least six council members do not vote to override the mayor's veto of a line item within the 10-day period, the elimination or reduction of the line item by the mayor shall become effective.

(3) If the budget process described in subsection (a)(2) is not completed before the start of the fiscal year, the appropriations

for current operations of the last fiscal year shall be deemed effective until the new budget and appropriation measures are adopted.

(b) The budget may be amended, revised, or modified during the fiscal year pursuant to the process set forth above in subsection (a) on a timeline not to exceed 90 days, which timeline shall start on the date the mayor, either after a request by the city council to do so or on the mayor's own initiative, transmits the proposed budget amendment, revision, or modification to the city council. For purposes of this subsection (b), the 30-day pre-fiscal year deadline in subsection (a)(1) shall instead be 30 days before the expiration of the 90-day timeline.

(c) The mayor shall have the right to veto any council-approved appropriation or expenditure of externally-sourced funds that are not part of the budget, subject to a six-vote council override, all on the same timeline for budget resolution actions as set forth in subsection (a).

(d) In accordance with a process adopted by the council, the approved budget must include one or more line items for expenditures consistent with the recommendations resulting from a citywide participatory budgeting process.

(e)

(1) __The first budget adopted after the effective date of this subsection, and each budget thereafter, must include a specific amount – equal to or greater than \$40 million, which must be adjusted annually according to an objective measure of economic growth – for inclusive economic development and youth services.

(2) __ At least 25% of the amount so budgeted must be for youth services with a priority towards children and youth most impacted by poverty, violence, and trauma. In considering the allocation of money for youth services, the Council shall seek input from youth, including any existing youth commission.

(3) The city council may adopt ordinances and resolutions to implement this subsection (e), to the extent those are consistent with this subsection and effectuate its purpose.

Section 28. Subsection (a) of Section 152 of the Sacramento City Charter is hereby amended to read as follows:

(a)

(1) The primary city election shall be held on the same date in each election year as the California statewide direct primary election, and the general city election shall be held on the same date as the California statewide general election for that year. All other elections shall be known as special elections.

(2) Primary and general elections for council districts one, three, five, seven, and nine shall be held in the year 2022, and every fourth year thereafter; and the primary and general elections for council districts two, four, six, and eight, and for the office of mayor, shall be held in the year 2024, and every fourth year thereafter.

(3) The election schedule described in subsection (a)(2) accounts for the ninth council district to be created pursuant to this amendment, but is otherwise declarative of the existing election schedule, and does not affect the term of any incumbent on the effective date of this amendment.

Section 29. Subsection (h) of Section 174 of the Sacramento City Charter is hereby amended to read as follows:

(h) Immediately after the subpool has been created, and at that same public meeting, the chair of the screening panel shall randomly select nine names – one from each existing council district – from the subpool. These nine individuals shall serve as commissioners on the commission.

Section 30. Subsection (i) of Section 174 of the Sacramento City Charter is hereby amended to read as follows:

(i) The commissioners selected pursuant to subsection (h) shall select four commissioners and two alternates from the remaining applicants in the subpool. Each selection requires six affirmative votes from among the nine commissioners, and the selection must be made at a publicly noticed meeting after the public has had the opportunity to provide written and oral comment. The commissioners shall make each selection on the basis of the applicant's relevant analytical skills, familiarity with the city's neighborhoods and communities, ability to be impartial, and apparent ability to work cooperatively with other commissioners. The commission should reasonably reflect the city's diversity; provided that no quotas, formulas, or ratios may be applied for this purpose.

Section 31. Section 230 of the Sacramento City Charter is hereby amended to read as follows:

§ 230 Boards and Commissions—Creation and appointments.

(a) The city council shall provide by ordinance for such boards and commissions as may be required by law or deemed desirable, shall prescribe their functions, and may prescribe qualifications and conditions of service on such boards and commissions, including compensation and reimbursement for expenses, terms or office, method of appointment and removal. ~~Except as otherwise expressly provided in this Charter, the mayor shall appoint all members of boards and commissions, subject to the concurrence of a majority of the city council.~~

(b) ~~Unless otherwise provided in state law or the relevant governing documents, the mayor may appoint a representative to outside agencies, including but not limited to joint exercise of powers authorities, subject to council approval.~~

Section 32. Section 232 of the Sacramento City Charter is hereby amended to read as follows:

§ 230 Removal of members of boards and commissions.

For good cause, neglect of duty or misconduct in office, a member of a city board or commission who has been appointed for a specified term by the city council ~~or by the mayor with the approval of the city council,~~ may be removed from office during such term by the city council. Such member may be removed only after such member has been given a copy of the charges against such member at least ten days prior to a hearing to be held on the charges. At the hearing the member shall have an opportunity to be heard in person or by counsel.

Section 33. Section 233 is hereby added to Article XV the Sacramento City Charter to read as follows:

§ 233 Ethics Commission.

There shall be established an ethics commission whose purpose is to review and consider complaints against elected and appointed city officials, as provided in an ordinance adopted by city council, to ensure those city officials are conforming their conduct to the city's laws and policies. The city shall provide the ethics commission with at least one staff person who reports directly to the commission and whose sole function is to serve the commission.

Section 34. Section 234 is hereby added to the Sacramento City Charter to read as follows:

§ 234 Fair Housing and Human Rights Commission.

There shall be established a fair housing and human rights commission whose purpose is to review and consider such policies and programs as provided in an ordinance adopted by council.

Section 35. Remainder of Charter Unaffected.

Except as specifically amended by this Act, all provisions of the Sacramento City Charter remain unchanged and in full effect.

Section 36. Effect of Amendments on Existing Commissions.

The amendments to Section 174 of the Charter, related to the composition of the Sacramento Independent Redistricting Commission, shall not affect the selection of commissioners or composition of that commission as it existed on the effective date of this Act. The addition of Section 233 to this Charter shall not affect the Sacramento Ethics Commission as it existed on the effective date of this Act.

Section 37. Effective Date.

If this Act is approved by a majority of the voters voting on the issue, the Act shall become effective when it is filed and accepted by the Secretary of State in accordance with California Government Code section 34459.

Section 38. Implementation.

Upon the effective date of this Act, the City shall proceed as expeditiously as possible to implement this Act, including but not limited to promptly updating the Sacramento City Code, ordinances, and resolutions to conform to the Charter amendments set forth herein.

Section 39. Reauthorization.

To ensure the people have an opportunity to consider the effectiveness of the changes to City government effectuated by this Act, the city council shall place a measure on the ballot at an election no later than November 2030 to consider amendments to the Charter that, at a minimum, either returns the City to the council-manager form of government that existed before the effective date of this Act, re-approves the changes effectuated by

this Act, or proposes some alternative government structure. However, the city council and the people expressly reserve the right to propose any other changes to the Charter at the November 2030 election or sooner, including without limitation, changes to extend, make permanent, shorten, or repeal the provisions of this Act.

Section 40. Severability.

If any portion, section, subsection, paragraph, subparagraph, sentence, clause, or application of this Act is held invalid or inapplicable by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity or applicability of any other part of this Act. Consistent with the foregoing, the provisions and applications of this Act shall be deemed severable, and each portion, section, subsection, paragraph, subparagraph, sentence, clause, or application of this Act would have been enacted irrespective of the fact that one or more other parts or applications is found to be invalid or inapplicable.

Attachment 3 Charter Changes (Redline to Current Charter)

In the following, strikeouts of current Charter language are shown in ~~strikeout~~; new language is shown in underline.

Section 1. Title.

These charter amendments are titled and may be cited as the "Sacramento Mayoral Accountability and Community Equity Act of 2020" (hereinafter, the "Act").

Section 2. Findings and Purpose.

A. Findings.

1. Voters consistently express a desire for more accountability and transparent checks and balances in city government.
2. Currently, voters have a limited ability to hold key decision-makers clearly, directly, and consistently accountable for how they spend taxpayer dollars, make major decisions of city management, and administer city programs and services.
3. Currently, all powers are concentrated exclusively in a single entity, the city council, which results in a system that blurs accountability for distinct executive and legislative powers and denies voters a system of basic checks and balances on power that is a hallmark of the American democratic system.
4. Voters expect and deserve high standards for ethical behavior, transparency, and citizen engagement in all aspects of city government, including but not limited to the oversight of city officials.
5. Voters will demonstrate greater trust and support for a city government that ensures the mayor, city council, and city departments are held accountable to the will of the voters through reforms that establish clear lines of accountability and adequate

checks and balances between executive and legislative functions, including strong provisions for ethical and transparent behavior.

6. The city's current governance system was established 100 years ago for a far smaller, less diverse, and less complex city.
7. The community rightfully demands and deserves more voice in the budget decisions of the city.
8. The awakening that has occurred in our country requires our city to consider the racial and gender impacts of the city's major decisions.
9. Modernizing the City Charter is an essential step in the city's evolution to meet the challenges and opportunities of the 21st Century.
10. This Act, therefore, amends the Sacramento City Charter to include a series of reforms to create more accountability; create transparent checks and balances; afford the community a greater role in the city's budget decisions; ensure the community's economic-development and city-services priorities are respected; and require the city to evaluate potential council decisions for their effects on social equity, including racial equity and gender equity.

B. Purpose.

The purpose of this measure is to establish greater accountability and stronger checks and balances, to better ensure that the agenda, budget, leadership, and day-to-day management of the City of Sacramento are directly informed by, and aligned with, the will of the voters and effectively communicated to the residents of Sacramento by their elected representatives.

Section 3. Section 21 of the Sacramento City Charter is hereby amended to read as follows:

§ 21 Composition.

(a) Except as provided in subsection (c) below, the ~~The~~ legislative body of the city shall be a city council of nine

members, ~~consisting of the mayor and eight other members.~~
Each council member ~~other than the mayor~~ shall be nominated and elected by the electors of the district in which such person resides as provided in Article X.

(b) At the first city council meeting of each calendar year, the city council shall elect one of its members to serve as council president, and another of its members to serve as council vice-president, during the ensuing calendar year.

(c) The city council shall be an eight-member body until nine council districts are established pursuant to Article XII.

Section 4. Section 22 of the Sacramento City Charter is hereby amended to read as follows:

§ 22 Districts.

(a) Except as provided in subsection (b) below, the city is hereby shall be divided into eight-nine council districts, designated Districts 1 through 9 8.

(b) The map establishing eight council districts that is in effect on the effective date of this Charter amendment shall continue to be in effect until a new map establishing nine council districts becomes effective as provided in Article XII. Council districts in existence on the effective date of this Charter amendment shall continue to exist until altered as provided in Article XII.

(c) The title of the office of each member of the council shall bear the number accorded the district of such member.

Section 5. Section 26 of the Sacramento City Charter is hereby amended to read as follows:

§ 26 Terms of office.

~~The term of each member of the city council shall be four years and until a successor qualifies. Each member of the city council other than the mayor shall serve for a term of four years and until a successor qualifies.~~

Section 6. Section 27 of the Sacramento City Charter is hereby amended to read as follows:

§ 27 Qualifications of members.

Each member of the council or candidate therefor, ~~other than for the office of mayor,~~ at the date of candidacy and election or appointment, shall be an elector and a resident in such member's district for not less than 30 days preceding the date of candidacy and election or appointment, as the case may be, and must continue to reside in such district during the term of office, except that no boundary change under Article XII shall disqualify a member from serving the remainder of the term. The term "elector" means a person who qualifies to vote at either a state election or federal election held in the State of California. "Date of candidacy" shall mean the date of filing nominating papers or equivalent declaration of candidacy.

Section 7. Section 28 of the Sacramento City Charter is hereby amended to read as follows:

§ 28 Vacancies.

(a) A vacancy on the city council ~~other than the office of the mayor~~ shall be filled by special election to be called by the council as provided in Section 154 of this Charter, unless such vacancy occurs within one year of the next general election at which such office would normally be filled, in which case the vacancy shall be filled by appointment by a majority of the remaining members of the council. A person elected or appointed to fill a vacancy shall hold office for the unexpired term of the former incumbent.

(b) Absence from five consecutive regular meetings of the city council, unless excused by resolution of the council, shall operate to vacate the seat of the ~~mayer or~~ council member so absent.

Section 8. Subsection (a) of Section 30 of the Sacramento City Charter is hereby amended to read as follows:

(a) The city council shall determine its rules of procedure according to rules which it shall adopt, and the city council shall have exclusive control over its meeting agendas.

Section 9. Subsection (b) of Section 32 of the Sacramento City Charter is hereby amended to read as follows:

(b) Subject to Section 47 of this Charter, and except ~~Except~~ as otherwise provided elsewhere in this Charter, and with the exception of ordinances which take effect immediately upon adoption, ordinances shall be adopted in compliance with either the procedure set forth in subsection (c) or subsection (d) of this section.

Section 10. Section 36 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 36 Social Equity Analysis.

(a) As provided in an ordinance or resolution adopted by the city council, the city shall analyze the social equity impacts of the city's budget and major policy decisions. The city council shall create a commission, a standing committee from among its members, or both, to evaluate potential council decisions for their effects on social equity, including racial equity, ethnic equity, gender equity, sexual orientation equity, and sexual identity equity; and propose proactive policies and initiatives to address social inequities. Any such commission's or committee's

membership, scope, and process shall be established by council ordinance or resolution.

(b) The city auditor shall audit the city's progress on addressing social inequities, including city department policies and actions. The city auditor shall also present a social equity analysis as part of the annual budget process.

Section 11. Section 37 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 37 Small Business Analysis.

As provided in an ordinance or resolution adopted by the city council, the city shall analyze the small business impacts of the city's budget and major policy decisions.

Section 12. Section 38 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 38 Ethics and Sunshine Ordinances.

To assure public confidence in the integrity of elected and appointed city officials and to provide greater transparency in local city government, the city council shall: (1) by ordinance, adopt a Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees, including provisions for the removal from office of any elected official who substantially violates the adopted Code of Ethics and Conduct; and (2) adopt a Sunshine Ordinance, which shall liberally provide for the public's access to city government meetings, documents, and records.

Section 13. Section 39 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 39 Responsiveness to Constituents.

The city council shall develop a means to ensure efficient and effective response to constituent concerns.

Section 14. Section 40 of the Sacramento City Charter is hereby amended to read as follows:

§ 40 Mayor—Functions.

(a) The chief executive officer of the city shall be the mayor, who shall have the executive and administrative authorities, powers, and responsibilities of the city as provided herein, including but not limited to the power and duty to execute and enforce all laws, ordinances, and policies of the city. The presiding officer of the city shall be the mayor.

(b) The mayor:

(1) Shall be recognized as the official head of the city for the performance of all duties lawfully delegated to the mayor by this Charter, by action of the council, or by other laws;

(2) Shall provide leadership within the community in the sense that the mayor shall have the primary, but not exclusive, responsibility of ~~interpreting~~ communicating the policies, programs, and needs of city government to the people, and as the occasion requires, may inform the people of any change in policy or program;

(3) Shall appear before the public to deliver a general address on the State of the City, recommend the adoption of such measures as the mayor may deem expedient and proper, and be reasonably available to the public;

~~(4) Shall be a member of the city council and shall be entitled to make and second motions on matters before the city council and vote on city council actions, but shall possess no veto power over actions of the city council;~~

~~(5) — Shall be included within the terms “council” and “city council” used in this Charter unless otherwise expressly provided;~~

(4) Shall have the right, but not the exclusive power, to make recommendations to the city council on matters of policy and programs that require council decisions;

~~(5) Shall have the right, but not the obligation, to attend and be heard at any regular or special open session or closed session meeting of the city council, but not the right to vote at such meetings;~~

(6) May propose ordinances and resolutions, which ~~shall~~ may be considered by the city council in accordance with the council’s rules;

~~(7) Shall propose a budget to the city council not later than 90 days before the commencement of each fiscal year, and shall have the power to veto the budget resolution adopted by the city council pursuant to Section 111 of this Charter;~~

~~(8) May approve or veto ordinances passed by the city council pursuant to Section 47 of this Charter;~~

~~(9) Shall appoint the city manager subject to confirmation by a majority vote of the city council, and may remove the city manager pursuant to Section 60 of this Charter; and~~

~~(10) Shall appoint and may remove members of the boards and commissions and advisory agencies in accordance with Article XV, except as otherwise provided in this Charter; and~~

(10) Shall have and exercise such other powers and duties as delegated to the mayor by the city council and as provided in this Charter, the laws of the state, and ordinances and resolutions of the city.

Section 15. Section 43 of the Sacramento City Charter is amended to read as follows:

§43 Mayor—Term.

The term of office of mayor shall be four years and until a successor qualifies. No person may serve more than two full terms as mayor. Terms as a member of the city council shall not be counted towards the term limit as mayor. A partial term is equal to or less than two years. A partial term shall not be counted as a full term for purposes of the term limit.

Section 16. Section 45 of the Sacramento City Charter is hereby amended to read as follows:

§ 45 Acting Mayor. Vice-Mayor; Mayor Pro Tem.

(a) During any absence of the mayor from the city, the council president shall be the acting mayor until the mayor returns. In addition, if the mayor becomes incapable of acting as mayor and incapable of delegating duties, the council president shall become the acting mayor.

(b) In the event of the absence, vacancy in office, or inability of both the mayor and council president to perform their duties, the council vice-president shall serve as acting mayor. Any person serving as an acting mayor under this section shall continue to hold office as a member of the city council.

(c) Any person serving as acting mayor under this section shall be vested with the authority to supervise the staff remaining employed in the office of the mayor, to direct and exercise control over the city manager in managing the affairs of the city under the purview of the mayor and to exercise other power and authority vested in the office of the mayor when the exercise of such power and authority is required by law. This limited authority includes circumstances where the expeditious action is necessary to meet a legal requirement imposed by a court or another governmental agency. Such limited authority does not include the exercise of the power of any veto or any other discretionary privilege that is enjoyed by a person appointed or elected to the office of mayor.

~~At the first council meeting in January of each year, the city council shall elect one of its members, other than the mayor, to serve as vice mayor during the ensuing calendar year.~~

~~During any absence of the mayor from the city or a meeting of the city council, the vice mayor shall be the acting mayor until the mayor returns. In addition, if the mayor becomes incapable of acting as mayor and incapable of delegating duties, or if a vacancy exists in the office of mayor, the vice mayor shall become the acting mayor.~~

~~In the event of the absence, vacancy in office or inability of both the mayor and vice mayor to perform their duties, the council may appoint one of its members to serve as mayor pro tem. The mayor pro tem shall temporarily act in the capacity of an acting mayor. Any person serving as an acting mayor under this section shall continue to hold office as a member of the city council.~~

~~An acting mayor shall possess all powers of the office of mayor and shall be subject to all prescribed duties for such office.~~

Section 17. Section 46 of the Sacramento City Charter is hereby amended to read as follows:

§ 46 Mayor—Vacancy.

(a) The office of mayor shall be declared vacant by the city council when the person elected or appointed thereto fails to qualify within 10 days after his or her term is to begin, dies, resigns, ceases to be a resident of the city, is continuously absent from the city for a period of more than 30 days without permission from the city council, is convicted of a felony, is judicially determined to be incompetent, is permanently so disabled as to be unable to perform the duties of the office of mayor, forfeits the office under any provision of this Charter, or

is removed from office by judicial procedure. A finding of disability shall require the affirmative vote of at least six members of the city council after considering competent medical evidence bearing on the physical or mental capability of the mayor.

(b) A vacancy in the office of the mayor shall be filled by special election to be called by the city council as provided in Section 154 of this Charter, unless such vacancy occurs within one year of the next general election at which the office of mayor would normally be filled, in which case the vacancy shall be filled by appointment by a majority of the members of the city council then in office. A person elected or appointed to fill a vacancy in the office of mayor shall hold office for the unexpired term of the former incumbent.

(c) During the period when an appointment or election is pending to fill a vacancy in the office of mayor, the provisions in Section 45 shall control.

Section 18. Section 47 is hereby added to Article IV of the Sacramento City Charter to read as follows:

§ 47 Mayor—Approval or Veto of Council Ordinances.

(a) The mayor shall have veto power over all ordinances passed by the city council except ordinances described in Section 32(g), ordinances required by state law, or ordinances that, pursuant to this Charter, are within the exclusive purview of the city council.

(b) Except as otherwise provided in this Charter, each ordinance adopted by the city council shall become effective at the expiration of 30 days after adoption and approval by the mayor, or deemed approval, or the override of a mayoral veto pursuant to this Charter, or at any later date specified therein.

(c) Except as otherwise provided in this Charter:

(1) The mayor shall have 10 business days from the date of adoption to approve or veto the ordinance and inform the City

Clerk in writing of the action taken. If the mayor fails to act within such period, the ordinance shall be deemed approved.

(2) If the mayor vetoes the ordinance, the mayor shall state the reasons for such veto in writing and shall transmit the writing to the city council within 48 hours. The city council shall have 30 days from the date of transmittal to reconsider the ordinance. If after such reconsideration, at least six council members vote in favor of adopting the ordinance, that ordinance shall become effective notwithstanding the mayor's veto. If the vetoed ordinance does not receive the affirmative votes of at least six council members after reconsideration, the ordinance shall not be adopted and shall have no legal effect.

Section 19. Section 48 is hereby added to Article IV of the Sacramento City Charter to read as follows:

§ 48 Limitation on future employment.

No mayor, during the term for which such person shall have been elected or appointed or for one year after such person ceases to hold office, shall be eligible for any appointive office or position in the city, carrying compensation, and created by this Charter, by ordinance, or by resolution. An elective office which has been filled by appointment by reason of a vacancy in that office shall not be considered an appointive office under this section.

Section 20. Section 49 is hereby added to Article IV the Sacramento City Charter to read as follows:

§ 49 Certain limitations on mayoral participation.

(a) Unless otherwise expressly stated in this Charter, or as provided by state law, the mayor shall have no official role regarding the following:

(1) The acts of the city council sitting as a different legal entity, including but not limited to the housing authority; and

(2) Land-use decisions of the city council, except for ordinances.

(b) The mayor shall not facilitate the city council's violation of any open meeting laws or the city's Sunshine Ordinance.

Section 21. Section 60 of the Sacramento City Charter is hereby amended to read as follows:

§ 60 City Manager—Appointment, qualifications, and removal.

There shall be a city manager who shall be appointed by the ~~city council~~ mayor subject to confirmation by a majority vote of the city council. If the city council fails to confirm or reject an appointment within 30 days of the appointment being made by the mayor, the appointment of the city manager shall be deemed denied by the city council. The city manager shall be selected solely based on executive and administrative qualifications. The mayor can remove the city manager from office for cause. The mayor can remove the city manager from office without cause, subject to a six-vote council override within 15 business days. ~~The city manager shall be appointed by and shall serve at the pleasure of the city council.~~

Section 22. Section 61 of the Sacramento City Charter is hereby amended to read as follows:

§ 61 Functions.

The city manager shall be the chief administrative executive officer of the city and shall be responsible for the effective administration of the city government. Acting on the mayor's behalf and in furtherance of the mayor's powers, the ~~The~~ city manager shall have the power and it shall be the city manager's duty:

- (a) To assist the mayor in seeing ~~see~~ that all laws and ordinances are enforced;
- (b) To administer and exercise supervision and control over all offices, departments, and services of the city government under the jurisdiction and control of the city manager;
- (c) To the extent requested by the city council, to act in an advisory capacity to the city council with respect to officials not under the jurisdiction and control of the city manager or mayor;
- (d) Except as otherwise provided in this Charter, to appoint all heads or directors of departments of the city and all subordinate officers and employees with power to discipline and remove any officer or employee so appointed, subject to the civil service provisions of this Charter; provided, further, that all officers and employees of the city appointed by the city manager who are exempt from the rules and regulations of the civil service board pursuant to Charter Section 83 may be suspended or removed at the pleasure of the city manager;
- (e) To make such recommendations to the mayor and city council as the city manager shall deem appropriate concerning the operation, affairs, ~~and~~ and future needs of the city;
- (f) Under the direction of the mayor, To attend all regular and special public meetings of the city council with the right to participate in the discussion of matters pending before the council but without the right to vote on such matters and without the right to place matters on the city council meeting agenda;
- (g) To see that all terms or conditions imposed in favor of the city or the people of the city in any contract, ~~franchise, lease, or~~ franchise, lease, or permit are faithfully kept and performed; and upon knowledge of any violation thereof to notify the city council of such violation;
- (h) When authorized to do so by the provisions of this Charter or by ordinance or resolution, to execute, on behalf of the city all contracts, franchises, leases, ~~or~~ permits, or any other document requiring the execution of which is required by an officer of the city;

- (i) To keep the mayor and the city council fully advised as to the operations, financial conditions, and needs of the city;
- (j) To assist the mayor in preparing ~~prepare~~ the annual budget in accordance with Charter Section 111; ~~and~~
- (k) To perform such other duties consistent with this Charter as may be prescribed by the ~~mayor city council;~~ and
- (l) To be responsive to the council's requests to address constituent concerns.

Section 23. Section 62 of the Sacramento City Charter is hereby amended to read as follows:

§ 62 Non-interference with City Manager.

(a) ~~Neither the mayor nor any~~ member of the city council shall directly or indirectly coerce or attempt to coerce the city manager relative to the appointment or removal of any city officer or employee which is made by the city manager, ~~but prior to the making of any appointment or removal of any head or director of any department or division of the city, the city manager shall endeavor to advise the city council of his intention to do so.~~

(b) The mayor shall not interfere with the city manager's obligations under Section 61(l).

(c) The city council and its members ~~shall~~ may deal ~~solely and~~ directly ~~through~~ with the city manager with respect to the part of city government under the direction and supervision of the city manager~~;~~.

~~(d) provided, that nothing~~ Nothing herein shall limit the power of the city council, or members thereof, to do the following:

(a1) to conduct investigations as provided in Section 34 of this Charter, or

(b2) to contact officers and employees of the city for the purpose of inquiry or obtaining information that is a public record, or

(e3) to contact officers and employees designated by the city manager for the purpose of advising said officers and employees of citizen complaints relating to the operation of city government.

Section 24. Section 63 of the Sacramento City Charter is hereby deleted.

~~§ 63 Removal of City Manager~~

~~The city manager cannot be removed from office except by a vote of six members of the city council. The city manager shall not be subject to removal from office within twelve months of the date that the city manager first assumes the duties of office except for incompetence, malfeasance, misfeasance or neglect of duty. If the removal is proposed within the first twelve months, the city manager may demand written charges and a public hearing before the city council prior to the date upon which his removal becomes effective; but the decision of the city council shall be final, conclusive and binding upon the city manager, and pending such hearing the council may suspend the city manager from duty without loss of normal compensation.~~

Section 25. Section 73 of the Sacramento City Charter is hereby amended to read as follows:

§ 73 City Treasurer.

The city treasurer shall be responsible for the deposit and investment of all funds of the city treasury not made subject to the control of others pursuant to this Charter. The city treasurer shall keep the city council and the mayor fully advised as to the deposit and investment of funds subject to his control. The city council shall prescribe the qualifications, additional duties, and compensation of the city treasurer. The city treasurer shall

appoint, subject to the civil service provisions of this Charter, such deputies and employees as the council may by resolution prescribe.

Section 26. Section 76 of the Sacramento City Charter is hereby amended to read as follows:

§ 76 Duty to inform council and mayor.

Each appointive officer specified in Section 70 shall have the duty to promptly and fully inform the city council and the mayor of any act of misfeasance or malfeasance known to said appointive officer to have been committed by any officer or employee of the city if such act might significantly and adversely affect the finances or operations of the city. The city council, by ordinance or resolution, may further define the procedures and provisions determined to be necessary to implement and operate under this section.

Section 27. Section 111 of the Sacramento City Charter is hereby amended to read as follows:

§ 111 Budget.

(a) All budgets shall be adopted pursuant to the following process:

(1) Each department, office, and agency of the city shall provide, in the form and at the time directed by the city manager, all information required by the city manager to assist the mayor to develop a budget conforming to modern budget practices and procedures, as well as specific information which may be prescribed by the council. Not later than 90 60 days before prior to the commencement of each fiscal year or such greater period as the council may prescribe, the mayor, with the assistance of the city manager, shall present a proposed budget for the ensuing fiscal year to the city council, in

such form and manner as the council may prescribe. The city council shall hold a minimum of two public hearings on the mayor's proposed budget, the first of which shall occur no later than 15 days after the proposed budget is presented to the city council. No later than 30 days before the commencement of the fiscal year and following at least two public hearings on the proposed budget, the city council shall adopt by resolution a budget of expenditures and appropriations for the ensuing year. Upon the request of the city council, the city auditor shall provide to the city council an independent analysis of the proposed budget. Following public budget hearing, the city council shall adopt by resolution a budget of proposed expenditures and appropriations necessary therefore for the ensuing year, failing which the appropriations for current operations of the last fiscal year shall be deemed effective until the new budget and appropriation measures are adopted. The budget may be amended during the fiscal year in accordance with the procedure established by the council.

- (2) The mayor shall, within 10 days of the city council's adoption of the budget, either approve the entire council-adopted budget, veto the entire council-adopted budget, or veto any part of the council-adopted budget by reducing or eliminating any line item while approving other portions of the council-adopted budget; provided, however, that the mayor cannot veto the line items of the council-adopted budget relating directly to the city council's internal expenditures. If the mayor vetoes any line item in the council-adopted budget, the mayor shall append to the council-adopted budget a statement identifying the line items and the reasons for the veto. The portions of the council-adopted budget approved or not vetoed by the mayor shall become effective. If the mayor vetoes all or any line item within the council-adopted budget, the vetoed portions shall not become effective, and the mayor shall transmit the vetoed council-adopted budget to the city council, together with the mayor's veto statement. The

city council shall within 10 days of such transmittal reconsider the council-adopted budget and mayor's vetoes. If the council is in official recess at the time of the mayor's transmittal, the 10-day period shall begin immediately upon the end of the recess period. If the mayor vetoes the entire council-adopted budget, and at least six council members vote to override the mayor's veto, the budget as adopted by the city council shall become effective. Line items vetoed by the mayor shall be separately reconsidered and if at least six council members vote to override the mayor's veto of a line item, that line item as adopted by the city council shall become effective. If at least six council members do not vote to override the mayor's veto of a line item within the 10-day period, the elimination or reduction of the line item by the mayor shall become effective.

(3) If the budget process described in subsection (a)(2) is not completed before the start of the fiscal year, the appropriations for current operations of the last fiscal year shall be deemed effective until the new budget and appropriation measures are adopted.

(b) The budget may be amended, revised, or modified during the fiscal year pursuant to the process set forth above in subsection (a) on a timeline not to exceed 90 days, which timeline shall start on the date the mayor, either after a request by the city council to do so or on the mayor's own initiative, transmits the proposed budget amendment, revision, or modification to the city council. For purposes of this subsection (b), the 30-day pre-fiscal year deadline in subsection (a)(1) shall instead be 30 days before the expiration of the 90-day timeline.

(c) The mayor shall have the right to veto any council-approved appropriation or expenditure of externally-sourced funds that are not part of the budget, subject to a six-vote council override, all on the same timeline for budget resolution actions as set forth in subsection (a).

(d) In accordance with a process adopted by the council, the approved budget must include one or more line items for expenditures consistent with the recommendations resulting from a citywide participatory budgeting process.

(e)

(1) The first budget adopted after the effective date of this subsection, and each budget thereafter, must include a specific amount – equal to or greater than \$40 million, which must be adjusted annually according to an objective measure of economic growth – for inclusive economic development and youth services.

(2) At least 25% of the amount so budgeted must be for youth services with a priority towards children and youth most impacted by poverty, violence, and trauma. In considering the allocation of money for youth services, the Council shall seek input from youth, including any existing youth commission.

(3) The city council may adopt ordinances and resolutions to implement this subsection (e), to the extent those are consistent with this subsection and effectuate its purpose.

Section 28. Subsection (a) of Section 152 of the Sacramento City Charter is hereby amended to read as follows:

(a)

(1) Commencing with the year 1992, the The primary city election shall be held on the same date in each election year as the California statewide direct primary election, and the general city election shall be held on the same date as the California statewide general election for that year. All other elections shall be known as special elections.

(2) Primary and general elections for council districts one, three, five, seven, and nine shall be held in the year 2022, and every fourth year thereafter; and the primary and general elections for council districts two, four, six, and eight, and for the office of

mayor, shall be held in the year 2024, and every fourth year thereafter.

(3) The election schedule described in subsection (a)(2) accounts for the ninth council district to be created pursuant to this amendment, but is otherwise declarative of the existing election schedule, and does not affect the term of any incumbent on the effective date of this amendment.

~~To implement this provision, primary and general elections for council districts one, three, five and seven shall be held in the year 1994, and the primary and general elections for council districts two, four, six and eight, and for the office of mayor, shall be held in the year 1992.~~

~~Notwithstanding any other provision of this charter, the term of office of each person who is, on the effective date of this amendment, an incumbent of the council seat for district two, four, six or eight, or of the office of Mayor, and whose term of office would otherwise normally expire in 1991, shall be extended until a successor is elected in 1992 and has been seated.~~

~~Notwithstanding any other provision of this charter, the term of office of each person who is, on the effective date of this amendment, an incumbent of the council seat for district one, three, five or seven, and whose term of office would otherwise normally expire in 1993, shall be extended until a successor is elected in 1994 and has been seated.~~

Section 29. Subsection (h) of Section 174 of the Sacramento City Charter is hereby amended to read as follows:

(h) Immediately after the subpool has been created, and at that same public meeting, the chair of the screening panel shall randomly select nine ~~eight~~ names – one from each existing council district – from the subpool. These nine individuals shall serve as commissioners on the commission.

Section 30. Subsection (i) of Section 174 of the Sacramento City Charter is hereby amended to read as follows:

(i) The commissioners selected pursuant to subsection (h) shall select ~~four~~ **five** commissioners and two alternates from the remaining applicants in the subpool. Each selection requires six affirmative votes from among the ~~nine~~ **eight** commissioners, and the selection must be made at a publicly noticed meeting after the public has had the opportunity to provide written and oral comment. The commissioners shall make each selection on the basis of the applicant's relevant analytical skills, familiarity with the city's neighborhoods and communities, ability to be impartial, and apparent ability to work cooperatively with other commissioners. The commission should reasonably reflect the city's diversity; provided that no quotas, formulas, or ratios may be applied for this purpose.

Section 31. Section 230 of the Sacramento City Charter is hereby amended to read as follows:

§ 230 Boards and Commissions—Creation and appointments.

(a) The city council shall provide by ordinance for such boards and commissions as may be required by law or deemed desirable, shall prescribe their functions, and may prescribe qualifications and conditions of service on such boards and commissions, including compensation and reimbursement for expenses, terms or office, method of appointment and removal. ~~Except as otherwise expressly provided in this Charter, the mayor shall appoint all members of boards and commissions, subject to the concurrence of a majority of the city council.~~

(b) ~~Unless otherwise provided in state law or the relevant governing documents, the mayor may appoint a representative to outside agencies, including but not limited to joint exercise of powers authorities, subject to council approval.~~

Section 32. Section 232 of the Sacramento City Charter is hereby amended to read as follows:

§ 230 Removal of members of boards and commissions.

For good cause, neglect of duty or misconduct in office, a member of a city board or commission who has been appointed for a specified term by the city ~~council or by the mayor with the approval of the city council~~, may be removed from office during such term by the city council. Such member may be removed only after such member has been given a copy of the charges against such member at least ten days prior to a hearing to be held on the charges. At the hearing the member shall have an opportunity to be heard in person or by counsel.

Section 33. Section 233 is hereby added to Article XV the Sacramento City Charter to read as follows:

§ 233 Ethics Commission.

There shall be established an ethics commission whose purpose is to review and consider complaints against elected and appointed city officials, as provided in an ordinance adopted by city council, to ensure those city officials are conforming their conduct to the city's laws and policies. The city shall provide the ethics commission with at least one staff person who reports directly to the commission and whose sole function is to serve the commission.

Section 34. Section 234 is hereby added to the Sacramento City Charter to read as follows:

§ 234 Fair Housing and Human Rights Commission.

There shall be established a fair housing and human rights commission whose purpose is to review and consider such policies and programs as provided in an ordinance adopted by council.

Section 35. Remainder of Charter Unaffected.

Except as specifically amended by this Act, all provisions of the Sacramento City Charter remain unchanged and in full effect.

Section 36. Effect of Amendments on Existing Commissions.

The amendments to Section 174 of the Charter, related to the composition of the Sacramento Independent Redistricting Commission, shall not affect the selection of commissioners or composition of that commission as it existed on the effective date of this Act. The addition of Section 233 to this Charter shall not affect the Sacramento Ethics Commission as it existed on the effective date of this Act.

Section 37. Effective Date.

If this Act is approved by a majority of the voters voting on the issue, the Act shall become effective when it is filed and accepted by the Secretary of State in accordance with California Government Code section 34459.

Section 38. Implementation.

Upon the effective date of this Act, the City shall proceed as expeditiously as possible to implement this Act, including but not limited to promptly updating the Sacramento City Code, ordinances, and resolutions to conform to the Charter amendments set forth herein.

Section 39. Reauthorization.

To ensure the people have an opportunity to consider the effectiveness of the changes to City government effectuated by this Act, the city council shall place a measure on the ballot at an election no later than November 2030 to consider amendments to the Charter that, at a minimum, either returns the City to the council-manager form of government that existed

before the effective date of this Act, re-approves the changes effectuated by this Act, or proposes some alternative government structure. However, the city council and the people expressly reserve the right to propose any other changes to the Charter at the November 2030 election or sooner, including without limitation, changes to extend, make permanent, shorten, or repeal the provisions of this Act.

Section 40. Severability.

If any portion, section, subsection, paragraph, subparagraph, sentence, clause, or application of this Act is held invalid or inapplicable by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity or applicability of any other part of this Act. Consistent with the foregoing, the provisions and applications of this Act shall be deemed severable, and each portion, section, subsection, paragraph, subparagraph, sentence, clause, or application of this Act would have been enacted irrespective of the fact that one or more other parts or applications is found to be invalid or inapplicable.

Attachment 4

**SUMMARY OF ADDITIONAL PROPOSALS TO THE SACRAMENTO MAYORAL
ACCOUNTABILITY AND COMMUNITY EQUITY ACT**

1. Removing the \$40 Million Dollar set aside
2. Requiring that the \$40 Million Dollar set aside not supplant existing funding
3. Inclusion of deleting Binding Arbitration for Public Safety
4. Separate out Strong Mayor from Equity provisions (unbundle)
5. Removal of City Manager by 6 Councilmembers (existing system)

RESOLUTION NO. 2020-XXXX

Adopted by the Sacramento City Council

CALLING AND GIVING NOTICE OF THE SUBMITTAL TO THE VOTERS A MEASURE TO BE INCLUDED IN THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 3, 2020

BACKGROUND

- A. On June 30, 2020, the City Council adopted resolution 2020-0188 calling for, giving notice of, and consolidating a General Municipal Election to be held on Tuesday, November 3, 2020 for the purpose of electing officers.
- B. On August 4, 2020, the City Council passed Resolution No. 2020-XXXX approving the text of the proposed measure to be submitted to the voters.
- C. The City Council desires to submit the measure to the voters at the November 3, 2020 General Municipal Election.

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

SECTION 1: That the text of the proposed measure to be submitted to the voters are attached as Exhibits A.

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

SECTION 4: The vote centers 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 sections 4005 and 14401 of the California 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.

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Exhibit A Sacramento Mayoral Accountability Community Equity Act of 2020

RESOLUTION NO. 2020-XXXX

Adopted by the Sacramento City Council

CALLING AND GIVING NOTICE OF THE SUBMITTAL TO THE VOTERS ESTABLISHING THE MEASURE SACRAMENTO MAYORAL ACCOUNTABILITY AND COMMUNITY EQUITY ACT OF 2020 TO BE INCLUDED IN THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 3, 2020

BACKGROUND

- A. On June 30, 2020, and July 21, 2020, the City Council adopted resolutions calling for, giving notice of, and consolidation of the City’s General Municipal Election to be held on Tuesday, November 3, 2020 and the Statewide Municipal Election to be held on Tuesday, November 3, 2020.
- B. On August 4, 2020, the City Council adopted a resolution approving for placement on the November 3, 2020 General Municipal Election ballot a question pertaining to the measure Sacramento Mayoral Accountability and Community Equity Act of 2020.
- C. On August 4, 2020, the City Council passed Resolution 2020-XXXX approving the text of the proposed measure to be submitted to the voters.
- D. The City Council desires to submit the measure to the voters at the November 3, 2020 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 November 3, 2020:

Measure __ – Sacramento Mayoral Accountability and Community Equity Act of 2020

Shall the measure known as the ‘Sacramento Mayoral Accountability and Community Equity Act’ – which amends the City of Sacramento charter to establish a mayor-council form of government; establish participatory budgeting for citizens’ direct input; require analysis of impacts of certain council decisions on racial, ethnic, LGBTQ, and gender groups; require a specified portion of the budget be invested in inclusive economic development and youth services; makes permanent the city’s ethics commission; and make other changes – be adopted?	YES
	NO

SECTION 2: That the text of the proposed measures to be submitted to the voters is attached as Exhibit A.

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

SECTION 4: The vote centers 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 sections 4005 and 14401 of the California 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.

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Exhibit A Text – Sacramento Mayoral Accountability and Community Equity Act of 2020

Exhibit A
Charter Changes (Text of Proposed Measure)

Section 1. Title.

These charter amendments are titled and may be cited as the “Sacramento Mayoral Accountability and Community Equity Act of 2020” (hereinafter, the “Act”).

Section 2. Findings and Purpose.

A. Findings.

1. Voters consistently express a desire for more accountability and transparent checks and balances in city government.
2. Currently, voters have a limited ability to hold key decision-makers clearly, directly, and consistently accountable for how they spend taxpayer dollars, make major decisions of city management, and administer city programs and services.
3. Currently, all powers are concentrated exclusively in a single entity, the city council, which results in a system that blurs accountability for distinct executive and legislative powers and denies voters a system of basic checks and balances on power that is a hallmark of the American democratic system.
4. Voters expect and deserve high standards for ethical behavior, transparency, and citizen engagement in all aspects of city government, including but not limited to the oversight of city officials.
5. Voters will demonstrate greater trust and support for a city government that ensures the mayor, city council, and city departments are held accountable to the will of the voters through reforms that establish clear lines of accountability and adequate checks and balances between executive and legislative functions, including strong provisions for ethical and transparent behavior.

6. The city's current governance system was established 100 years ago for a far smaller, less diverse, and less complex city.
7. The community rightfully demands and deserves more voice in the budget decisions of the city.
8. The awakening that has occurred in our country requires our city to consider the racial and gender impacts of the city's major decisions.
9. Modernizing the City Charter is an essential step in the city's evolution to meet the challenges and opportunities of the 21st Century.
10. This Act, therefore, amends the Sacramento City Charter to include a series of reforms to create more accountability; create transparent checks and balances; afford the community a greater role in the city's budget decisions; ensure the community's economic-development and city-services priorities are respected; and require the city to evaluate potential council decisions for their effects on social equity, including racial equity and gender equity.

B. Purpose.

The purpose of this measure is to establish greater accountability and stronger checks and balances, to better ensure that the agenda, budget, leadership, and day-to-day management of the City of Sacramento are directly informed by, and aligned with, the will of the voters and effectively communicated to the residents of Sacramento by their elected representatives.

Section 3. Section 21 of the Sacramento City Charter is hereby amended to read as follows:

§ 21 Composition.

(a) Except as provided in subsection (c) below, the legislative body of the city shall be a city council of nine members. Each council member shall be nominated and elected by the electors

of the district in which such person resides as provided in Article X.

(b) At the first city council meeting of each calendar year, the city council shall elect one of its members to serve as council president, and another of its members to serve as council vice-president, during the ensuing calendar year.

(c) The city council shall be an eight-member body until nine council districts are established pursuant to Article XII.

Section 4. Section 22 of the Sacramento City Charter is hereby amended to read as follows:

§ 22 Districts.

(a) Except as provided in subsection (b) below, the city shall be divided into nine council districts, designated Districts 1 through 9.

(b) The map establishing eight council districts that is in effect on the effective date of this Charter amendment shall continue to be in effect until a new map establishing nine council districts becomes effective as provided in Article XII.

(c) The title of the office of each member of the council shall bear the number accorded the district of such member.

Section 5. Section 26 of the Sacramento City Charter is hereby amended to read as follows:

§ 26 Terms of office.

The term of each member of the city council shall be four years and until a successor qualifies.

Section 6. Section 27 of the Sacramento City Charter is hereby amended to read as follows:

§ 27 Qualifications of members.

Each member of the council or candidate therefor, at the date of candidacy and election or appointment, shall be an elector and a resident in such member's district for not less than 30 days preceding the date of candidacy and election or appointment, as the case may be, and must continue to reside in such district during the term of office, except that no boundary change under Article XII shall disqualify a member from serving the remainder of the term. The term "elector" means a person who qualifies to vote at either a state election or federal election held in the State of California. "Date of candidacy" shall mean the date of filing nominating papers or equivalent declaration of candidacy.

Section 7. Section 28 of the Sacramento City Charter is hereby amended to read as follows:

§ 28 Vacancies.

(a) A vacancy on the city council shall be filled by special election to be called by the council as provided in Section 154 of this Charter, unless such vacancy occurs within one year of the next general election at which such office would normally be filled, in which case the vacancy shall be filled by appointment by a majority of the remaining members of the council. A person elected or appointed to fill a vacancy shall hold office for the unexpired term of the former incumbent.

(b) Absence from five consecutive regular meetings of the city council, unless excused by resolution of the council, shall operate to vacate the seat of the council member so absent.

Section 8. Subsection (a) of Section 30 of the Sacramento City Charter is hereby amended to read as follows:

(a) The city council shall determine its rules of procedure according to rules which it shall adopt, and the city council shall have exclusive control over its meeting agendas.

Section 9. Subsection (b) of Section 32 of the Sacramento City Charter is hereby amended to read as follows:

(b) Subject to Section 47 of this Charter, and except as otherwise provided elsewhere in this Charter, and with the exception of ordinances which take effect immediately upon adoption, ordinances shall be adopted in compliance with either the procedure set forth in subsection (c) or subsection (d) of this section.

Section 10. Section 36 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 36 Social Equity Analysis.

(a) As provided in an ordinance or resolution adopted by the city council, the city shall analyze the social equity impacts of the city's budget and major policy decisions. The city council shall create a commission, a standing committee from among its members, or both, to evaluate potential council decisions for their effects on social equity, including racial equity, ethnic equity, gender equity, sexual orientation equity, and sexual identity equity; and propose proactive policies and initiatives to address social inequities. Any such commission's or committee's membership, scope, and process shall be established by council ordinance or resolution.

(b) The city auditor shall audit the city's progress on addressing social inequities, including city department policies and actions. The city auditor shall also present a social equity analysis as part of the annual budget process.

Section 11. Section 37 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 37 Small Business Analysis.

As provided in an ordinance or resolution adopted by the city council, the city shall analyze the small business impacts of the city's budget and major policy decisions.

Section 12. Section 38 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 38 Ethics and Sunshine Ordinances.

To assure public confidence in the integrity of elected and appointed city officials and to provide greater transparency in local city government, the city council shall: (1) by ordinance, adopt a Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees, including provisions for the removal from office of any elected official who substantially violates the adopted Code of Ethics and Conduct; and (2) adopt a Sunshine Ordinance, which shall liberally provide for the public's access to city government meetings, documents, and records.

Section 13. Section 39 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 39 Responsiveness to Constituents.

The city council shall develop a means to ensure efficient and effective response to constituent concerns.

Section 14. Section 40 of the Sacramento City Charter is hereby amended to read as follows:

§ 40 Mayor—Functions.

(a) The chief executive officer of the city shall be the mayor, who shall have the executive and administrative authorities, powers, and responsibilities of the city as provided herein, including but not limited to the power and duty to execute and enforce all laws, ordinances, and policies of the city.

(b) The mayor:

(1) Shall be recognized as the official head of the city for the performance of all duties lawfully delegated to the mayor by this Charter, by action of the council, or by other laws;

(2) Shall provide leadership within the community in the sense that the mayor shall have the primary, but not exclusive, responsibility of communicating the policies, programs, and needs of city government to the people, and as the occasion requires, may inform the people of any change in policy or program;

(3) Shall appear before the public to deliver a general address on the State of the City, recommend the adoption of such measures as the mayor may deem expedient and proper, and be reasonably available to the public;

(4) Shall have the right, but not the exclusive power, to make recommendations to the city council on matters of policy and programs that require council decisions;

(5) Shall have the right, but not the obligation, to attend and be heard at any regular or special open session or closed session meeting of the city council, but not the right to vote at such meetings;

(6) May propose ordinances and resolutions, which may be considered by the city council in accordance with the council's rules;

(7) Shall propose a budget to the city council not later than 90 days before the commencement of each fiscal year, and shall have the power to veto the budget resolution adopted by the city council pursuant to Section 111 of this Charter;

(8) May approve or veto ordinances passed by the city council pursuant to Section 47 of this Charter;

(9) Shall appoint the city manager subject to confirmation by a majority vote of the city council, and may remove the city manager pursuant to Section 60 of this Charter; and

(10) Shall have and exercise such other powers and duties as delegated to the mayor by the city council and as provided in this Charter, the laws of the state, and ordinances and resolutions of the city.

Section 15. Section 43 of the Sacramento City Charter is amended to read as follows:

§43 Mayor—Term.

The term of office of mayor shall be four years and until a successor qualifies. No person may serve more than two full terms as mayor. Terms as a member of the city council shall not be counted towards the term limit as mayor. A partial term is equal to or less than two years. A partial term shall not be counted as a full term for purposes of the term limit.

Section 16. Section 45 of the Sacramento City Charter is hereby amended to read as follows:

§ 45 Acting Mayor.

(a) During any absence of the mayor from the city, the council president shall be the acting mayor until the mayor returns. In addition, if the mayor becomes incapable of acting as mayor and

incapable of delegating duties, the council president shall become the acting mayor.

(b) In the event of the absence, vacancy in office, or inability of both the mayor and council president to perform their duties, the council vice-president shall serve as acting mayor. Any person serving as an acting mayor under this section shall continue to hold office as a member of the city council.

(c) Any person serving as acting mayor under this section shall be vested with the authority to supervise the staff remaining employed in the office of the mayor, to direct and exercise control over the city manager in managing the affairs of the city under the purview of the mayor and to exercise other power and authority vested in the office of the mayor when the exercise of such power and authority is required by law. This limited authority includes circumstances where the expeditious action is necessary to meet a legal requirement imposed by a court or another governmental agency. Such limited authority does not include the exercise of the power of any veto or any other discretionary privilege that is enjoyed by a person appointed or elected to the office of mayor.

Section 17. Section 46 of the Sacramento City Charter is hereby amended to read as follows:

§ 46 Mayor—Vacancy.

(a) The office of mayor shall be declared vacant by the city council when the person elected or appointed thereto fails to qualify within 10 days after his or her term is to begin, dies, resigns, ceases to be a resident of the city, is continuously absent from the city for a period of more than 30 days without permission from the city council, is convicted of a felony, is judicially determined to be incompetent, is permanently so disabled as to be unable to perform the duties of the office of mayor, forfeits the office under any provision of this Charter, or is removed from office by judicial procedure. A finding of disability shall require the affirmative vote of at least six

members of the city council after considering competent medical evidence bearing on the physical or mental capability of the mayor.

(b) A vacancy in the office of the mayor shall be filled by special election to be called by the city council as provided in Section 154 of this Charter, unless such vacancy occurs within one year of the next general election at which the office of mayor would normally be filled, in which case the vacancy shall be filled by appointment by a majority of the members of the city council then in office. A person elected or appointed to fill a vacancy in the office of mayor shall hold office for the unexpired term of the former incumbent.

(c) During the period when an appointment or election is pending to fill a vacancy in the office of mayor, the provisions in Section 45 shall control.

Section 18. Section 47 is hereby added to Article IV of the Sacramento City Charter to read as follows:

§ 47 Mayor—Approval or Veto of Council Ordinances.

(a) The mayor shall have veto power over all ordinances passed by the city council except ordinances described in Section 32(g), ordinances required by state law, or ordinances that, pursuant to this Charter, are within the exclusive purview of the city council.

(b) Except as otherwise provided in this Charter, each ordinance adopted by the city council shall become effective at the expiration of 30 days after adoption and approval by the mayor, or deemed approval, or the override of a mayoral veto pursuant to this Charter, or at any later date specified therein.

(c) Except as otherwise provided in this Charter:

(1) The mayor shall have 10 business days from the date of adoption to approve or veto the ordinance and inform the City

Clerk in writing of the action taken. If the mayor fails to act within such period, the ordinance shall be deemed approved.

(2) If the mayor vetoes the ordinance, the mayor shall state the reasons for such veto in writing and shall transmit the writing to the city council within 48 hours. The city council shall have 30 days from the date of transmittal to reconsider the ordinance. If after such reconsideration, at least six council members vote in favor of adopting the ordinance, that ordinance shall become effective notwithstanding the mayor's veto. If the vetoed ordinance does not receive the affirmative votes of at least six council members after reconsideration, the ordinance shall not be adopted and shall have no legal effect.

Section 19. Section 48 is hereby added to Article IV of the Sacramento City Charter to read as follows:

§ 48 Limitation on future employment.

No mayor, during the term for which such person shall have been elected or appointed or for one year after such person ceases to hold office, shall be eligible for any appointive office or position in the city, carrying compensation, and created by this Charter, by ordinance, or by resolution. An elective office which has been filled by appointment by reason of a vacancy in that office shall not be considered an appointive office under this section.

Section 20. Section 49 is hereby added to Article IV the Sacramento City Charter to read as follows:

§ 49 Certain limitations on mayoral participation.

(a) Unless otherwise expressly stated in this Charter, or as provided by state law, the mayor shall have no official role regarding the following:

(1) The acts of the city council sitting as a different legal entity, including but not limited to the housing authority; and

(2) Land-use decisions of the city council, except for ordinances.

(b) The mayor shall not facilitate the city council's violation of any open meeting laws or the city's Sunshine Ordinance.

Section 21. Section 60 of the Sacramento City Charter is hereby amended to read as follows:

§ 60 City Manager—Appointment, qualifications, and removal.

There shall be a city manager who shall be appointed by the mayor subject to confirmation by a majority vote of the city council. If the city council fails to confirm or reject an appointment within 30 days of the appointment being made by the mayor, the appointment of the city manager shall be deemed denied by the city council. The city manager shall be selected solely based on executive and administrative qualifications. The mayor can remove the city manager from office for cause. The mayor can remove the city manager from office without cause, subject to a six-vote council override within 15 business days.

Section 22. Section 61 of the Sacramento City Charter is hereby amended to read as follows:

§ 61 Functions.

The city manager shall be the chief administrative officer of the city and shall be responsible for the effective administration of the city government. Acting on the mayor's behalf and in furtherance of the mayor's powers, the city manager shall have the power and it shall be the city manager's duty:

- (a) To assist the mayor in seeing that all laws and ordinances are enforced;
- (b) To administer and exercise supervision and control over all offices, departments, and services of the city government under the jurisdiction and control of the city manager;
- (c) To the extent requested by the city council, to act in an advisory capacity to the city council with respect to officials not under the jurisdiction and control of the city manager or mayor;
- (d) Except as otherwise provided in this Charter, to appoint all heads or directors of departments of the city and all subordinate officers and employees with power to discipline and remove any officer or employee so appointed, subject to the civil service provisions of this Charter; provided, further, that all officers and employees of the city appointed by the city manager who are exempt from the rules and regulations of the civil service board pursuant to Charter Section 83 may be suspended or removed at the pleasure of the city manager;
- (e) To make such recommendations to the mayor and city council as the city manager shall deem appropriate concerning the operation, affairs, and future needs of the city;
- (f) Under the direction of the mayor, attend all regular and special public meetings of the city council with the right to participate in the discussion of matters pending before the council but without the right to vote on such matters and without the right to place matters on the city council meeting agenda;
- (g) To see that all terms or conditions imposed in favor of the city or the people of the city in any contract, franchise, lease, or permit are faithfully kept and performed; and upon knowledge of any violation thereof to notify the city council of such violation;
- (h) When authorized to do so by the provisions of this Charter or by ordinance or resolution, to execute, on behalf of the city all contracts, franchises, leases, permits, or any other document requiring the execution of which is required by an officer of the city;

- (i) To keep the mayor and the city council fully advised as to the operations, financial conditions, and needs of the city;
- (j) To assist the mayor in preparing the annual budget in accordance with Charter Section 111;
- (k) To perform such other duties consistent with this Charter as may be prescribed by the mayor; and
- (l) To be responsive to the council's requests to address constituent concerns.

Section 23. Section 62 of the Sacramento City Charter is hereby amended to read as follows:

§ 62 Non-interference with City Manager.

- (a) Neither the mayor nor any member of the city council shall directly or indirectly coerce or attempt to coerce the city manager relative to the appointment or removal of any city officer or employee which is made by the city manager.
- (b) The mayor shall not interfere with the city manager's obligations under Section 61(l).
- (c) The city council and its members may deal directly with the city manager with respect to the part of city government under the direction and supervision of the city manager.
- (d) Nothing herein shall limit the power of the city council, or members thereof, to do the following:
 - (1) to conduct investigations as provided in Section 34 of this Charter, or
 - (2) to contact officers and employees of the city for the purpose of inquiry or obtaining information that is a public record, or
 - (3) to contact officers and employees designated by the city manager for the purpose of advising said officers and employees of citizen complaints relating to the operation of city government.

Section 24. Section 63 of the Sacramento City Charter is hereby deleted.

Section 25. Section 73 of the Sacramento City Charter is hereby amended to read as follows:

§ 73 City Treasurer.

The city treasurer shall be responsible for the deposit and investment of all funds of the city treasury not made subject to the control of others pursuant to this Charter. The city treasurer shall keep the city council and the mayor fully advised as to the deposit and investment of funds subject to his control. The city council shall prescribe the qualifications, additional duties, and compensation of the city treasurer. The city treasurer shall appoint, subject to the civil service provisions of this Charter, such deputies and employees as the council may by resolution prescribe.

Section 26. Section 76 of the Sacramento City Charter is hereby amended to read as follows:

§ 76 Duty to inform council and mayor.

Each appointive officer specified in Section 70 shall have the duty to promptly and fully inform the city council and the mayor of any act of misfeasance or malfeasance known to said appointive officer to have been committed by any officer or employee of the city if such act might significantly and adversely affect the finances or operations of the city. The city council, by ordinance or resolution, may further define the procedures and provisions determined to be necessary to implement and operate under this section.

Section 27. Section 111 of the Sacramento City Charter is hereby amended to read as follows:

§ 111 Budget.

(a) All budgets shall be adopted pursuant to the following process:

(1) Each department, office, and agency of the city shall provide, in the form and at the time directed by the city manager, all information required by the city manager to assist the mayor to develop a budget conforming to modern budget practices and procedures, as well as specific information which may be prescribed by the council. Not later than 90 days before the commencement of each fiscal year or such greater period as the council may prescribe, the mayor, with the assistance of the city manager, shall present a proposed budget for the ensuing fiscal year to the city council, in such form and manner as the council may prescribe. The city council shall hold a minimum of two public hearings on the mayor's proposed budget, the first of which shall occur no later than 15 days after the proposed budget is presented to the city council. No later than 30 days before the commencement of the fiscal year and following at least two public hearings on the proposed budget, the city council shall adopt by resolution a budget of expenditures and appropriations for the ensuing year. Upon the request of the city council, the city auditor shall provide to the city council an independent analysis of the proposed budget.

(2) The mayor shall, within 10 days of the city council's adoption of the budget, either approve the entire council-adopted budget, veto the entire council-adopted budget, or veto any part of the council-adopted budget by reducing or eliminating any line item while approving other portions of the council-adopted budget; provided, however, that the mayor cannot veto the line items of the council-adopted budget relating directly to the city council's internal expenditures. If the mayor vetoes any line item in the council-adopted budget, the mayor shall append to the council-adopted budget a statement

identifying the line items and the reasons for the veto. The portions of the council-adopted budget approved or not vetoed by the mayor shall become effective. If the mayor vetoes all or any line item within the council-adopted budget, the vetoed portions shall not become effective, and the mayor shall transmit the vetoed council-adopted budget to the city council, together with the mayor's veto statement. The city council shall within 10 days of such transmittal reconsider the council-adopted budget and mayor's vetoes. If the council is in official recess at the time of the mayor's transmittal, the 10-day period shall begin immediately upon the end of the recess period. If the mayor vetoes the entire council-adopted budget, and at least six council members vote to override the mayor's veto, the budget as adopted by the city council shall become effective. Line items vetoed by the mayor shall be separately reconsidered and if at least six council members vote to override the mayor's veto of a line item, that line item as adopted by the city council shall become effective. If at least six council members do not vote to override the mayor's veto of a line item within the 10-day period, the elimination or reduction of the line item by the mayor shall become effective.

(3) If the budget process described in subsection (a)(2) is not completed before the start of the fiscal year, the appropriations for current operations of the last fiscal year shall be deemed effective until the new budget and appropriation measures are adopted.

(b) The budget may be amended, revised, or modified during the fiscal year pursuant to the process set forth above in subsection (a) on a timeline not to exceed 90 days, which timeline shall start on the date the mayor, either after a request by the city council to do so or on the mayor's own initiative, transmits the proposed budget amendment, revision, or modification to the city council. For purposes of this subsection (b), the 30-day pre-fiscal year deadline in subsection (a)(1) shall instead be 30 days before the expiration of the 90-day timeline.

(c) The mayor shall have the right to veto any council-approved appropriation or expenditure of externally-sourced funds that are not part of the budget, subject to a six-vote council override, all on the same timeline for budget resolution actions as set forth in subsection (a).

(d) In accordance with a process adopted by the council, the approved budget must include one or more line items for expenditures consistent with the recommendations resulting from a citywide participatory budgeting process.

(e)

(1) The first budget adopted after the effective date of this subsection, and each budget thereafter, must include a specific amount – equal to or greater than \$40 million, which must be adjusted annually according to an objective measure of economic growth – for inclusive economic development and youth services.

(2) At least 25% of the amount so budgeted must be for youth services with a priority towards children and youth most impacted by poverty, violence, and trauma. In considering the allocation of money for youth services, the Council shall seek input from youth, including any existing youth commission.

(3) The city council may adopt ordinances and resolutions to implement this subsection (e), to the extent those are consistent with this subsection and effectuate its purpose.

Section 28. Subsection (a) of Section 152 of the Sacramento City Charter is hereby amended to read as follows:

(a)

(1) The primary city election shall be held on the same date in each election year as the California statewide direct primary election, and the general city election shall be held on the same date as the California statewide general election for that year. All other elections shall be known as special elections.

(2) Primary and general elections for council districts one, three, five, seven, and nine shall be held in the year 2022, and every fourth year thereafter; and the primary and general elections for council districts two, four, six, and eight, and for the office of mayor, shall be held in the year 2024, and every fourth year thereafter.

(3) The election schedule described in subsection (a)(2) accounts for the ninth council district to be created pursuant to this amendment, but is otherwise declarative of the existing election schedule, and does not affect the term of any incumbent on the effective date of this amendment.

Section 29. Subsection (h) of Section 174 of the Sacramento City Charter is hereby amended to read as follows:

(h) Immediately after the subpool has been created, and at that same public meeting, the chair of the screening panel shall randomly select nine names – one from each existing council district – from the subpool. These nine individuals shall serve as commissioners on the commission.

Section 30. Subsection (i) of Section 174 of the Sacramento City Charter is hereby amended to read as follows:

(i) The commissioners selected pursuant to subsection (h) shall select four commissioners and two alternates from the remaining applicants in the subpool. Each selection requires six affirmative votes from among the nine commissioners, and the selection must be made at a publicly noticed meeting after the public has had the opportunity to provide written and oral comment. The commissioners shall make each selection on the basis of the applicant’s relevant analytical skills, familiarity with the city’s neighborhoods and communities, ability to be impartial, and apparent ability to work cooperatively with other commissioners. The commission should reasonably reflect the city’s diversity; provided that no quotas, formulas, or ratios may be applied for this purpose.

Section 31. Section 230 of the Sacramento City Charter is hereby amended to read as follows:

§ 230 Boards and Commissions—Creation and appointments.

(a) The city council shall provide by ordinance for such boards and commissions as may be required by law or deemed desirable, shall prescribe their functions, and may prescribe qualifications and conditions of service on such boards and commissions, including compensation and reimbursement for expenses, terms or office, method of appointment and removal.

(b) Unless otherwise provided in state law or the relevant governing documents, the mayor may appoint a representative to outside agencies, including but not limited to joint exercise of powers authorities, subject to council approval.

Section 32. Section 232 of the Sacramento City Charter is hereby amended to read as follows:

§ 230 Removal of members of boards and commissions.

For good cause, neglect of duty or misconduct in office, a member of a city board or commission who has been appointed for a specified term by the city council may be removed from office during such term by the city council. Such member may be removed only after such member has been given a copy of the charges against such member at least ten days prior to a hearing to be held on the charges. At the hearing the member shall have an opportunity to be heard in person or by counsel.

Section 33. Section 233 is hereby added to Article XV the Sacramento City Charter to read as follows:

§ 233 Ethics Commission.

There shall be established an ethics commission whose purpose is to review and consider complaints against elected and appointed city officials, as provided in an ordinance adopted by city council, to ensure those city officials are conforming their conduct to the city's laws and policies. The city shall provide the ethics commission with at least one staff person who reports directly to the commission and whose sole function is to serve the commission.

Section 34. Section 234 is hereby added to the Sacramento City Charter to read as follows:

§ 234 Fair Housing and Human Rights Commission.

There shall be established a fair housing and human rights commission whose purpose is to review and consider such policies and programs as provided in an ordinance adopted by council.

Section 35. Remainder of Charter Unaffected.

Except as specifically amended by this Act, all provisions of the Sacramento City Charter remain unchanged and in full effect.

Section 36. Effect of Amendments on Existing Commissions.

The amendments to Section 174 of the Charter, related to the composition of the Sacramento Independent Redistricting Commission, shall not affect the selection of commissioners or composition of that commission as it existed on the effective date of this Act. The addition of Section 233 to this Charter shall not affect the Sacramento Ethics Commission as it existed on the effective date of this Act.

Section 37. Effective Date.

If this Act is approved by a majority of the voters voting on the issue, the Act shall become effective when it is filed and accepted by the Secretary of State in accordance with California Government Code section 34459.

Section 38. Implementation.

Upon the effective date of this Act, the City shall proceed as expeditiously as possible to implement this Act, including but not limited to promptly updating the Sacramento City Code, ordinances, and resolutions to conform to the Charter amendments set forth herein.

Section 39. Reauthorization.

To ensure the people have an opportunity to consider the effectiveness of the changes to City government effectuated by this Act, the city council shall place a measure on the ballot at an election no later than November 2030 to consider amendments to the Charter that, at a minimum, either returns the City to the council-manager form of government that existed before the effective date of this Act, re-approves the changes effectuated by this Act, or proposes some alternative government structure. However, the city council and the people expressly reserve the right to propose any other changes to the Charter at the November 2030 election or sooner, including without limitation, changes to extend, make permanent, shorten, or repeal the provisions of this Act.

Section 40. Severability.

If any portion, section, subsection, paragraph, subparagraph, sentence, clause, or application of this Act is held invalid or inapplicable by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity or applicability of any other part of this Act. Consistent with the foregoing, the provisions and applications of this Act shall be deemed severable, and each portion, section, subsection, paragraph, subparagraph, sentence, clause, or application of this Act would have been enacted irrespective of the fact that one or more other parts or applications is found to be invalid or inapplicable.

RESOLUTION NO. 2020-XXXX

Adopted by the Sacramento City Council

DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF A SACRAMENTO CITY MEASURE PERTAINING TO THE MEASURE SACRAMENTO MAYORAL ACCOUNTABILITY AND COMMUNITY EQUITY ACT OF 2020, APPROVED BY THE CITY COUNCIL TO BE SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020

BACKGROUND

- A. On June 30, 2020, the City Council called for a Municipal Election to be held on Tuesday, November 3, 2020.
- B. On August 4, 2020, the City Council passed resolution 2020-XXXX approving for placement on the November 3, 2020 Municipal Election ballot a question pertaining to the measure Sacramento Mayoral Accountability and Community Equity Act of 2020.
- C. On August 4, 2020, the City Council approved the text of the proposed measure to be submitted to the voters.
- D. The City of Sacramento desires to have an impartial analysis of the measure.

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 the issue pertaining to the measure Sacramento Mayoral Accountability and Community Equity Act of 2020 showing the measure's effect 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 no later than Friday, August 14, 2020, by 5:00 p.m. for the November 3, 2020 General Municipal Election.
- Section 3. The City Clerk is hereby directed to cause the impartial analysis to be printed in the official sample ballot for the November 3, 2020, General Municipal Election.
- Section 4. The City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.

RESOLUTION NO. 2020-XXXX
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 THE SACRAMENTO MAYORAL ACCOUNTABILITY AND COMMUNITY EQUITY ACT OF 2020, TO BE SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 3, 2020

BACKGROUND

- A. On June 30, 2020, the City Council called for a General Municipal Election to be held on Tuesday, November 3, 2020.
- B. On August 4, 2020, the City Council passed resolution 2020-XXXX approving for placement on the November 3, 2020 General Municipal Election ballot a question pertaining to Sacramento Mayoral Accountability and Community Equity Act of 2020.
- C. The City Council desires to submit argument(s) for the measure.

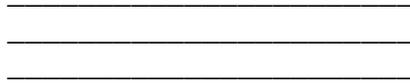
BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Council hereby authorizes the following members, on behalf of the City Council, to file a written argument **for** the question pertaining to the measure Sacramento Mayoral Accountability and Community Equity Act of 2020:

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 pertaining to the measure Sacramento Mayoral Accountability and Community Equity Act of 2020:

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.