

OFFICE OF THE  
CITY CLERK

CITY OF SACRAMENTO  
CALIFORNIA

CITY HALL  
ROOM 303  
915 I STREET  
SACRAMENTO, CA  
95814-2671

VALERIE A. BURROWES, CMC/AAE  
CITY CLERK

PH 916-264-7200  
FAX 916-264-7672

SPECIALIZED SERVICES

July 12, 1993

Law and Legislation Committee  
City Council  
Sacramento, California

Honorable Members In Session:

SUBJECT: ORDINANCE AMENDING CHAPTER 62.01 OF TITLE 62 OF  
THE SACRAMENTO CITY CODE RELATING TO MUNICIPAL  
ELECTIONS

LOCATION AND COUNCIL DISTRICT: City wide.

RECOMMENDATION:

It is recommended that the Law and Legislation Committee review the proposed ordinance amending the chapter of the Sacramento City Code relating to municipal elections, and refer ordinance to the Council with a recommendation for approval.

CONTACT PERSON: Valerie Burrowes, City Clerk, 264-5799

FOR COMMITTEE MEETING OF: July 20, 1993

SUMMARY:

Presently, the City Code section pertaining to municipal elections is outdated, and no longer provides for an adequate means of procedural reference. In order for this code section to be utilized as a means of reference, as the City Charter intended, it is necessary that it be amended to reflect changes which were made to the City Charter and California Elections Code subsequent to this section's inception.

BACKGROUND INFORMATION:

Previously, as is directed in Section 150 of the Sacramento City Charter, the City Council adopted election code ordinances to provide for an adequate and complete procedure to govern municipal elections.

Law and Legislative Committee  
Re: Proposed Amendment to City Code - Municipal Elections  
July 12, 1993  
Page Two

Due to a change in the City Charter pertaining to the holding of elections with the state in even-numbered years, and procedural changes in the California Elections Code relating to the conduct of municipal elections, the provisions contained in the Code no longer provide an accurate nor complete guideline to govern the City's elections.

In addition, the current format of this chapter does not provide a logical presentation of the procedures. Therefore, the format has been revised to present such procedures in a way that would reflect the typical order of conducting an election.

This amendment will allow the provisions of this chapter to be brought up to date with current laws, along with presenting such procedures in an organized and usable manner.

FINANCIAL CONSIDERATIONS:

There are no financial considerations associated with this item.

POLICY CONSIDERATIONS:

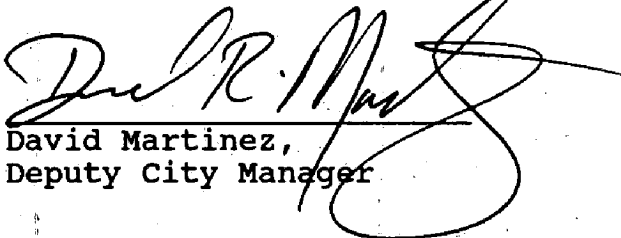
Approval of this ordinance would bring Chapter 62.01 of Title 62 of the Sacramento City Code relating to municipal elections up to date with current provisions of the Sacramento City Charter and the California Elections Code.

MBE/WBE EFFORTS:


No impact.

Respectfully Submitted,

APPROVED TO FORM:

  
David Martinez,  
Deputy City Manager

  
Stephanie Armstrong, T.C. III

  
Valerie Burrowes,  
City Clerk

SA93734

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

## ORDINANCE AMENDING CHAPTER 62.01 OF TITLE 62 OF THE SACRAMENTO CITY CODE RELATING TO MUNICIPAL ELECTIONS

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

Chapter 62.01 of Title 62 of the Sacramento City Code is amended to read as follows:

### Section 62.01.001 Authority of Chapter.

This chapter is adopted under the authority of the Charter of the City, particularly Sections 150 - 155 thereof, providing for the adoption of ordinances relating to municipal elections and under the authority of Section 5 of Article XI of the Constitution of the State. This chapter shall be known as the Elections Code of the City of Sacramento.

Pursuant to Charter Section 155, all elections shall be held in accordance with the provisions of the Elections Code of the State of California, as the same now exists or may be hereinafter amended, for the holding of elections in cities, insofar as the same are not in conflict with the Charter or ordinances of the City of Sacramento.

### Section 62.01.002 Elections.

Elections are called by resolution of the City Council pursuant to Elections Code Section 23302 and/or City Charter Sections 154 and 160 through 163 relative to special elections.

#### (a) Regular Municipal Elections

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

---

FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**(b) Special Municipal Elections**

Elections other than the regular primary and general municipal elections as referenced above, are considered special elections, and are to be held pursuant to City Charter section relative to municipal elections.

**Section 62.01.003 Nomination Process**

- (a) Qualifications.** To run for city elective office, the qualifications outlined in City Charter Section 27 or 41 must be met.
- (b) Nomination Period.** The nomination period for regular elections shall be pursuant to Elections Code Section 23302.5, or Section 22836 for special elections.
- (c) Nomination Papers.** Nomination papers are to be completed pursuant to Elections Code Division 14, Part 2, which is relative to local elections.

  - (i) Requirements of Registered Voters Signing Nomination Papers.** Registered voters signing nomination petitions for a member of the City Council shall be residents of the geographic area making up the district from which the member is to be elected. Registered voters signing nomination petitions for mayor shall be residents of the City of Sacramento.
  - (ii) Filing Fee.** There is no filing fee for filing nomination papers for City elective office.
- (d) Statement of Economic Interests.** Pursuant to the Political Reform Act, Government Code Section 87201, a Statement of Economic Interests Form 721, is required to be filed at the same time as filing nomination papers.
- (e) Statement of Candidate's Qualifications.**

  - (i) Application of General Law.** This section permits the city to recover from the candidate all pro rata costs to the city of printing, handling, translating and mailing such statement.

---

FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

- (ii) **Payment of costs.** All costs of printing, handling, translating and mailing, and all other costs associated with the statement shall be paid by the candidate.

As a condition of inclusion of the candidate's statement in the voter's pamphlet, the city clerk may require each candidate to prepay a prorated share of the said costs, at the time that the statement is filed with the city clerk. Prepayment shall be in cash or by a cashier's check in the amount of the prorated estimated costs. In the event that the prepayment exceeds the actual costs charged, the excess shall be refunded within thirty days of the election. In the event that the prepayment is insufficient to cover all costs charged, the additional charges shall be billed to and paid by the candidate after the printing and distribution of the statements.

- (iii) **Alternative Procedure in case of Indigency.**

If the candidate executes under penalty of perjury, at the time of filing the statement with the city clerk, an affidavit or declaration of indigency on a form to be furnished by the city clerk, no prepayment of costs shall be required of the candidate.

Any candidate not required to prepay because of indigency shall be required to reimburse the city for all prorated costs of printing, handling, translating and mailing the statement. Payment shall be due after the printing and distribution of the statements.

- (iv) **Length of Candidate's Statement.** The length of any candidate's statement as to his or her education and qualifications filed for any municipal election pursuant to Section 10012 of the California Election Code shall be limited to no more than 200 words.

---

FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**Section 62.01.004 Ballot Order.**

The names of candidates for the city council, including the office of mayor, shall be placed on the ballot in the order established pursuant to State of California Elections Code Sections 10217 or 10217.5.

**Section 62.01.005 Notice of Election.**

Pursuant to Elections Code Section 22830, not earlier than the 89th day nor later than the 75th day before any municipal election, the city clerk shall publish a notice of the election.

**Section 62.01.006 Canvass of Returns.**

Pursuant to Elections Code Section 23306, in the case of the consolidation of any election called by the legislative body of a city, with an election held in the county or counties in which the city is situated, the governing body of the city may authorize the board of supervisors to canvass the returns of the election.

This authorization shall be pursuant to Elections Code Section 22003 and be in the form of a resolution requesting that the board of supervisors instruct the county voter registrar to render specified services to the city in the conduct of an election, which include canvass of the returns. The resolution shall be adopted at the same time as the resolution calling the election.

Elections Code Section 22003 shall also apply to elections not consolidated with any other election. After certification by the county of the canvass of a non-consolidated election, the governing body of the city, pursuant to Elections Code Section 22932, shall meet at their usual place of meeting on the first Tuesday after the election, and shall pass a resolution reciting the fact of the election.

**Section 62.01.007 Ballot Arguments.**

When the city clerk has selected the arguments for and against a measure appearing on the ballot at a municipal election pursuant to Election Code Section 5014, the clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the arguments against to the authors of the argument in favor. The authors may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments must be filed with the city clerk not more than seven days after the final

---

**FOR CITY CLERK USE ONLY**

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

date for filing direct arguments. Rebuttal arguments shall be printed in the same manner as direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut. Notwithstanding the provisions of California Elections Code Section 5025 to the contrary, the city clerk shall make available for public examination in the clerk's office all arguments filed pursuant to this section not less than ten (10) days before arguments are submitted for printing. For arguments, the period during which any person named in Section 5025 may seek a writ of mandate or an injunction pursuant to Section 5025 shall be during the ten (10) day examination period provided for herein.

**Section 62.01.008 Initiative and Referendum Petition Filing Fee**

Pursuant to Elections Code Section 4002(b), any person filing a notice of intent with the city clerk shall pay a \$200 filing fee, to be refunded to the filer if, within one year of the date of filing the notice of intent, the clerk certifies the sufficiency of the petition.

**Section 62.01.009 Council District Map.**

The boundaries of city council districts are hereby established pursuant to the provisions of Sections 22 through 25 of the Sacramento City Charter. The numbers of the city council districts shall be as shown on a city council district boundary map.

Such map shall be maintained on file in the office of the city clerk, and the map is hereby adopted by reference as though fully set forth in this section.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**FOR CITY CLERK USE ONLY**

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_