



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604

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Discussion Calendar
February 23, 2010

Honorable Mayor and
Members of the City Council

**Title: Authorize City Council Members to Submit a Ballot Argument for
the June 8, 2010, Ballot Measure – Independent Budget Analyst Act of 2009**

Location/Council District: Citywide

Recommendation: Adopt a **Resolution** authorizing one or more members of the City Council, or the City Council as a body, to submit an argument in opposition to the Independent Budget Analyst Act of 2009 initiative ordinance measure to be submitted to the voters at the consolidated election of June 8, 2010.

Contact: Stephanie Mizuno, Assistant City Clerk, 808-8093; and
Shirley Concolino, City Clerk, 808-5442

Presenters: N/A

Department: City Clerk's Office

Division: N/A

Organization No: 04001021

Description/Analysis

Issue: Select and authorize one or more members of the City Council, or the City Council as a body, to submit an argument in opposition to the Independent Budget Analyst Act of 2009 initiative ordinance measure. Taking this action will ensure that the Council's argument is selected for printing in the official sample ballot pursuant to the selection criteria contained in California Elections Code Section 9287.

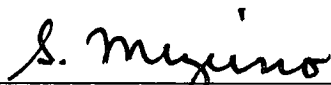
Policy Considerations: If the action recommended is taken, the City Council would secure its priority in the City Clerk's selection of ballot arguments should more than one argument be submitted in opposition to the measure.

Environmental Considerations: None.

Rationale for Recommendation: If more than one argument against the initiative ordinance measure is filed with the City Clerk, and the City Council has selected and authorized argument authors by resolution, the City Clerk would be required to select the City Council's argument.

Financial Considerations: None.

Emerging Small Business Development (ESBD): Not applicable.

Respectfully Submitted by: 
Stephanie Mizuno,
Assistant City Clerk

Recommendation Approved:



Shirley Concolino
City Clerk

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Background:

On February 23, 2010, the City Council may adopt a resolution ordering the initiative ordinance measure "Independent Budget Analyst Act of 2009" to be submitted to the voters at the consolidated election on Tuesday, June 8, 2010.

The City Council has the option to authorize a written argument in opposition to the measure. The argument in support of the measure automatically defaults to the person filing the petition, if such individual chooses to submit an argument, which is likely. If the proponent does not submit an argument in support, the Clerk would apply the selection criteria in California Elections Code section 9287 to any support argument that may be received.

If the City Council desires that an authorized opposition argument be selected for printing in the official sample ballot, the Council needs to select which members will be authorized to prepare that argument. Or the City Council, as a body, can submit an argument. If the Council does not select itself or its members to author the argument, and more than one argument is received in opposition, the City Clerk will follow the selection criteria outlined in California Elections Code Section 9287 which reads: (a) The legislative body, or member or members of the legislative body authorized by that body; (b) The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure; (c) Bona fide associations of citizens; and (d) Individual voters who are eligible to vote on the measure.

If the City Council, as a body, chooses to submit an argument, at least one council member should be designated as the author. Also, If individual council members are authorized to submit an argument, only five authors will appear on the sample ballot.

RESOLUTION NO.

Adopted by the Sacramento City Council

AUTHORIZING ONE OR MORE MEMBERS OF THE CITY COUNCIL TO SUBMIT THE COUNCIL'S WRITTEN ARGUMENT IN OPPOSITION TO THE INITIATIVE ORDINANCE MEASURE (INDEPENDENT BUDGET ANALYST ACT OF 2009) TO BE SUBMITTED TO THE VOTERS AT THE CONSOLIDATED ELECTION ON TUESDAY, JUNE 8, 2010

BACKGROUND

- A. On February 23, 2010, the City Council adopted a resolution ordering that the initiative ordinance measure (Independent Budget Analyst Act of 2009) be submitted to the voters at the consolidated election on Tuesday, June 8, 2010.
- B. The City Council desires to submit an argument in opposition to the measure for inclusion in the official sample ballot.

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 (or the City Council as a body, if so designated) to file a written argument in opposition to the measure.

Name(s)

Section 2. The argument is to be prepared in accordance with the California Elections Code and the Election Official's printing guidelines available from the City Clerk.

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