

Item No. 25-1

“To Be Delivered” Material

For

City of Sacramento

City Council

Financing Authority

Housing Authority

Redevelopment Agency

Agenda Packet

Submitted: July 16, 2010

For the Meeting of: July 20, 2010

The attached materials were not available at the time the Agenda Packet was prepared.

Title: City Attorney’s Impartial Analysis of November 2, 2010 Ballot Measures

Contact Information: Stephanie Mizuno, Asst. City Clerk, 808-8093

Please include this “To Be Delivered” material in your agenda packet. This material will also be published to the City’s Internet. For additional information, contact the City Clerk Department at Historic City Hall, 915 I Street, First Floor, Sacramento, CA 95814-2604, (916) 808-7200.



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

Consent
July 20, 2010

Honorable Mayor and
Members of the City Council

**Title: Directing Preparation of City Attorney's Impartial Analysis for the
November 2, 2010 General Municipal Election Ballot Measure(s)**

Location/Council District: Citywide

Recommendation: Adopt a **Resolution** directing the preparation of an impartial analysis for measure(s) approved by the City Council by July 20, 2010, for placement on the November 2, 2010, ballot.

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

Presenters: N/A

Department: City Clerk's Office

Division: N/A

Organization No: 04001021

Description/Analysis

Issue: For any measure approved for placement on the ballot by the City Council, the 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(s).

Policy Considerations: The action recommended is consistent with the California Elections Code and the City's past practice.

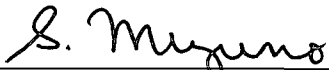
Environmental Considerations: None.

Commission/Committee Action: None.

Rationale for Recommendation: The impartial analysis of measures approved for placement on the November 2, 2010, ballot will show the effects of the measures on existing law and the operation of the measures.

Financial Considerations: None.

Emerging Small Business Development (ESBD): Not applicable.

Respectfully Submitted by: 
Stephanie Mizuno,
Assistant City Clerk

Recommendation Approved:

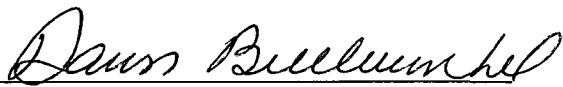

Shirley Concolino
City Clerk

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ATTACHMENT 1

Background:

As provided in California Elections Code section 9280, the City Council may direct the City Clerk to transmit a copy of a measure(s) to the City Attorney for preparation of an impartial analysis. The analysis is for the purpose of showing the effect of the measure on existing law and the operation of the measure. The analysis shall be printed in the official sample ballot preceding the arguments and shall not exceed 500 words. The impartial analysis is due in the Office of the City Clerk by Friday, July 30, 2010, by 4:30 p.m.

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

ATTACHMENT 2

RESOLUTION NO.

Adopted by the Sacramento City Council

DIRECTING THE CITY ATTORNEY TO PREPARE IMPARTIAL ANALYSES OF THE MEASURES APPROVED BY THE CITY COUNCIL BY JULY 20, 2010, TO BE SUBMITTED TO THE VOTERS AT THE CONSOLIDATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010

BACKGROUND

- A. On June 22, 2010, the City Council accepted the County Registrar of Voters "certificate of petition" certifying the initiative petition as sufficient, and approved the placement of the Utilities Rate Hike Rollback Act of 2010 initiative ordinance on the November 2, 2010, ballot.
- B. On July 13, 2010, the City Council approved for placement on the November 2, 2010, ballot a measure to increase the business operations tax rates for marijuana businesses (the "Marijuana Business Tax").
- C. On July 20, 2010, the City Council approved for placement on the November 2, 2010, ballot a measure to establish a parcel tax for the purpose of funding youth programs ("the Youth Jobs and Opportunity Act").
- D. The City of Sacramento desires to have an impartial analysis of the measure(s).

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

- Section 1. The City Council hereby directs the City Clerk to transmit a copy of the: 1) Utilities Rate Hike Roll Back Act of 2010 measure; 2) Marijuana Business Tax measure; and 3) Youth Jobs and Opportunity Act measure to the City Attorney.
- Section 2. The City Council hereby directs the City Attorney to prepare an impartial analysis of the (1) Utilities Rate Hike Roll Back Act of 2010 measure, (2) Marijuana Business Tax measure, and (3) Youth and Jobs Opportunity Act measure, showing for each measure its effect on existing law and its operation. Each impartial analysis is not to exceed 500 words, and the City Attorney shall file it with the City Clerk by the date set for the filing of primary arguments (Friday, July 30, 2010, by 4:30 p.m.) for the November 2, 2010, consolidated election.

Section 3. The City Clerk is hereby directed to cause the impartial analyses to be printed in the official sample ballot for the November 2, 2010, consolidated election.

Section 4. The City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.