



REPORT TO COUNCIL

City of Sacramento

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915 I Street, Sacramento, CA 95814-2604

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Discussion Report

June 22, 2010

**Honorable Mayor and
Members of the City Council**

Title: Certification of Initiative Petition as Sufficient and Action Option

Location/Council District: Citywide

Recommendation: 1) Accept the Sacramento County Registrar of Voters "Certificate of Petition" that declares the Utilities Rate Hike Rollback Act of 2010 petition as sufficient pursuant to law; and 2) Adopt an intent motion to have the initiative ordinance submitted to the voters 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: 04001011

Description/Analysis

Issue: As provided in California Elections Code, the City Clerk shall submit the "Certificate of Petition" to the City Council at the next regular meeting after receipt of the certificate. The official certificate declares that the initiative petition has affixed thereto sufficient valid signatures to qualify for placement on the ballot (See Attachment 2).

Policy Considerations: None.

Environmental Considerations: None

Commission/Committee Action: None

Rationale for Recommendation: Acceptance of the certificate of sufficiency is required by California Elections Code. The City Clerk will be returning to Council on July 20 with the resolutions necessary to call the measure to the November 2, 2010 ballot.

Financial Considerations: The County of Sacramento will bill the City approximately \$3,000 or the cost of verifying the petition signatures. There are sufficient funds in the elections budget to cover this cost. The cost for placement of this issue on the November ballot is estimated at \$130,000.

Emerging Small Business Development (ESBD): Not applicable.

Respectfully Submitted: 
Stephanie Mizuno
Assistant City Clerk

Approved:

for 
Shirley Concolino,
City Clerk

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Background:

On February 10, 2010, a Notice of Intent to circulate an initiative petition was filed with the City Clerk's Office by proponents Craig Powell and Greg Hatfield. The initiative ordinance described as the "Utilities Rate Hike Rollback Act of 2010" would repeal and cancel increases in certain monthly utility service rates approved by the Sacramento City Council on June 23, 2009; set these monthly utility service rates at the amounts in effect on February 10, 2010; and allow the City Council to increase these rates without voter approval only in accordance with the increase in a specified consumer price index.

The signed petitions were due in the City Clerk's Office no later than August 23, 2010. On May 21, 2010, the proponents submitted the petition to the City Clerk. Upon review by the Clerk, the number of signatures affixed to the face of the petitions appeared sufficient to accept the petitions for filing. The petitions were submitted to the Sacramento County Registrar of Voters Office to determine the actual number of valid signatures affixed.

In accordance with the provisions of the California Constitution applicable to Proposition 218 issues (i.e., to reduce or repeal any local fee or charge), the petition needed at least five percent (5%) valid signatures of the number of votes for all candidates at the last gubernatorial election. The number of votes within the City of Sacramento for all candidates in the November 2006 gubernatorial election was 108,394; therefore, the number of valid signatures needed to qualify for placement on the ballot was 5,420. The County Registrar of Voters has verified that the petition did contain sufficient signatures to meet this threshold.

The City Council is requested to adopt an intent motion to submit the initiative ordinance to the voters at the November 2, 2010 election. The City Clerk will be returning on July 20 with the resolutions necessary to call the measure to the November ballot.



Countywide Services
Agency

Voter Registration and
Elections
Jill LaVine, Registrar of Voters

Steven C. Szalay, Interim County
Executive
Bruce Wagstaff, Interim Agency
Administrator

County of
Sacramento

REGISTRAR OF VOTERS
CERTIFICATE OF PETITION

I, Jill LaVine, Registrar of Voters of the County of Sacramento, State of California, hereby certify:

That the petition, **INITIATIVE MEASURE SETTING MONTHLY RATING UTILITY SERVICE RATES AT FEBRUARY 2010 LEVELS AND CAPPING FUTURE RATE INCREASES BY A CONSUMER PRICE INDEX**, was filed with this office on May 21, 2010.

That said petition consists **954** sections; with **8,670** signatures.

That each section contains signatures purporting to be the signatures of qualified electors of this district.

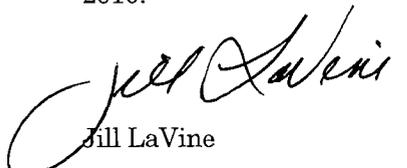
That attached to this petition at the time it was filed was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition;

That the affiant stated his/her own qualification, that s/he had solicited the signatures upon that section, that all of the signatures were made in his/her presence, and that to the best of his/her knowledge and belief each signature to that section was the genuine signature of the person whose name it purports to be;

That after the proponent filed this petition, I verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purported dates of such signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

1. Number of signatures filed by proponent (raw count)	8,670
2. Number of signatures required	5,420
3. Number of signatures verified	500
a. Number of signatures found SUFFICIENT	395
b. Number of signatures found NOT SUFFICIENT	105
(1) Not Sufficient because DUPLICATE	0

IN WITNESS THEREOF, I have hereunto set my hand and affixed my official seal this day 7th of June, 2010.


Jill LaVine
REGISTRAR OF VOTERS



We proudly conduct elections with accuracy, integrity and dignity