

City of Sacramento

Legislation Text

File #: 2020-01012, Version: 1

Title:

November 3, 2020 General Municipal Election - Sacramento Community Stabilization and Fair Rent Charter Amendment; 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

File ID: 2020-01012

Location: Citywide

Recommendation:

1) Adopt a Resolution calling and giving notice of submittal to the voters the Sacramento Community Stabilization and Fair Rent Charter Amendment 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 Community Stabilization and Fair Rent Charter Amendment; 3) adopt a Resolution directing the preparation of an impartial analysis for a Sacramento City measure pertaining to the Sacramento Community Stabilization and Fair Rent Charter Amendment, 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 Community Stabilization and Fair Rent Charter Amendment, that will be presented to the voters in the November 3, 2020 General Municipal Election Voter Information Guide.

Contact: Mindy Cuppy, MMC, City Clerk, (916) 808-5442, Office of the City Clerk; Matthew Ruyak, Assistant City Attorney, (916) 808-5346, Office of the City Attorney

Presenter: Mindy Cuppy, MMC, City Clerk, (916) 808-5442, Office of the City Clerk

Attachments:

- 1-Description/Analysis
- 2-Resolution (Submittal of the Measure to the Voters)
- 3-Resolution (Calling and Giving Notice with Question)
- 4-Exhibit A (Text of Measure)
- 5-Resolution (Authorizing City Attorney's Impartial Analysis for Measure)
- 6-Resolution (Selection of Argument Authors for Measure)

Description/Analysis

Issue Detail:

Proposed Measure

On August 14, 2020 City Council adopted Resolution No. 2020-XXXX, Calling and Giving Notice of the Submittal to the Voters of the Sacramento Community Stabilization and Fair Rent Charter Amendment Ballot Measure to be Included in the General Municipal Election of November 3, 2020.

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 Monday, August 17, 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 initiative measures placed on the ballot, the person(s) filing the initiative petition, along with anyone eligible to vote on the measure, or bona fide association of voters and associations, may file a written argument in favor of the measure. The City Council, or any Council Member(s) authorized by the City Council, or charter officer, or department director, or any individual eligible to vote on the measure, or bona fide association of citizens, or any combination of voters and associations, may submit an argument against the measure. (California Election Code 9282(a); Sacramento City Code 1.16.070.B)

To secure its position in the selection of ballot arguments for the Sacramento City measure pertaining to the Sacramento Community Stabilization and Fair Rent Charter Amendment, in the event the City Clerk receives more than one argument against the measure, the City Council may select who will author and file the ballot argument on the City Council's behalf.

Up to five authors' names may 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 submitted against the measure, the City Clerk shall select one of the

arguments and give preference and priority to the arguments in the same order established under California Elections Code 9287 and as outlined in 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. If the City Council, or any Council Member(s) authorized by the City Council, submits a written argument against an initiative measure, only one authorized member's signature is necessary to afford the legislative body priority in argument selection.

The primary arguments are due in the Office of the City Clerk no later than 5:00 p.m. on Saturday, August 15, 2020. Both opposing and supporting arguments must be received in order for a rebuttal argument to be submitted. If arguments, both for and against the measure, 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.

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, 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.

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:

- Holding a special election for the purpose of seating the Sacramento Rental Housing Board.
- Potential staffing and funding for the Board.

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 Community Stabilization and Fair Rent Charter Amendment 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. There are sufficient funds in the elections budget to cover the cost of adding this to the ballot. If approved, this measure requires the calling of a special election. The financial impact on the General/Measure U Funds and election budget for holding a special election is between \$271,741 and \$543,482.

If the measure passes, the City will be required to advance all necessary funding to ensure the effective implementation of the program until the Board has collected Rental Housing Fees sufficient to support the program.

The City of Mountain View recently implemented an \$85 Rental Housing Fee to support their programs cost which includes 4 full-time staff. If the City were to charge \$85 per unit based on approximately 26,000 units, the annual cost of the program would be approximately \$2.2 million. Staff will continue refining cost estimates as more information becomes available.

Local Business Enterprise (LBE): Not applicable.