

# City of Sacramento

## Legislation Text

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File #: 2020-00936, Version: 1

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**Title:**

**November 3, 2020 General Municipal Election - Sacramento Independent Redistricting Commission Timeline Exception: 1) Call and Give Notice of Submittal to the Voters the Measure on the Ballot; 2) Authorize City Attorney's Impartial Analysis for the Sacramento Independent Redistricting Timeline Exception; and 3) Select Argument Authors for Measure**

File ID: 2020-00936

**Location:** Citywide

**Recommendation:**

1) Adopt a Resolution calling and giving notice of submittal to the voters the Sacramento Independent Redistricting Commission Timeline Exception to be included in the General Municipal Election on November 3, 2020; 2) adopt a Resolution directing the preparation of an impartial analysis for a Sacramento City measure pertaining to the Sacramento Independent Redistricting Commission Timeline Exception, for inclusion in the November 3, 2020 General Municipal Election official ballot; and 3) adopt a Resolution authorizing members of the City Council to author arguments for the measure Sacramento Independent Redistricting Commission Timeline Exception, 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

**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 (Directing the City Attorney to Prepare an Impartial Analysis)
- 4-Resolution (Authorizing Written Argument Authors)

## Description/Analysis

**Issue Detail:** On July 28, 2020 City Council adopted Resolution No. 2020-0241, Calling and Giving Notice of the Submittal to the Voters of an Independent Redistricting Commission Timeline Exception Ballot Measure to be Included in the General Municipal Election of November 3, 2020.

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 Friday, August 14, 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.

For City Council measures, the City Council, or any councilmember(s) authorized by the City Council, may file a written argument in support of or opposition to a measure. If the City Council, or authorized member(s), do not submit an argument for a City Council measure, any individual voter who is eligible to vote on the measure, or bona fide association of citizens, or any combination of voters and associations, may submit an argument in support of or opposition to any measure.

To secure its position in the selection of ballot arguments for the Sacramento City measure referring to Sacramento Independent Redistricting Commission Timeline Exception, in the event the City Clerk receives more than one argument for or against the measure, the City Council may select who will author and file the ballot argument(s) on the City Council's behalf. This action will ensure that the Council's argument(s) are selected for printing in the official Voter Information Guide pursuant to the selection criteria contained in California Elections Code section 9287.

Up to five authors' names will 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 received for a given position, the City Clerk will follow the selection criteria outlined in the 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.

The primary arguments are due in the Office of the City Clerk no later than 5:00 p.m. on Friday, August 7, 2020. If arguments 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. Both supporting and opposing arguments must be received in order for a rebuttal argument to be submitted.

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

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:** 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 more than one argument for or against any approved 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 designated argument author.

**Financial Considerations:** The estimated cost for the first citywide measure is \$178,634 and for each additional measure \$20,747.28. There are sufficient funds in the elections budget to cover the cost of adding this to the ballot.

**Local Business Enterprise (LBE):** Not applicable.