

City of Sacramento

Legislation Text

File #: 2020-00929, Version: 1

Title:

November 3, 2020 General Municipal Election - Sacramento Mayoral Accountability and Community Equity Act of 2020: 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: 2020-00929

Location: Citywide

Recommendation:

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

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Presenter: Mayor Darrell Steinberg, (916) 808-5300, Office of the Mayor

Attachments:

- 1-Description/Analysis
- 2-Redline from July 28
- 3-Redline to Current Charter
- 4-Summary of Additional Proposals to Sacramento Mayoral Accountability and Community Equity Act
- 5-Resolution (Submittal of the Measure to the Voters)
- 6-Resolution (Calling and Giving Notice with Question)
- 7-Exhibit A (Text of Measure)
- 8-Resolution (Authorizing City Attorney's Impartial Analysis for Measure)
- 9-Resolution (Selection of Argument Authors for Measure)

Description/Analysis

Issue Detail:

Proposed Measure

The Sacramento City Charter is the foundational document for city government. By virtue of a voter-approved charter, the city can exercise all powers afforded to cities under state law. The charter sets the fundamental framework for city operations by establishing its form of government. The charter also describes certain aspects of city operations, such as elections, ordinance adoption, and budget adoption.

The proposed “Sacramento Mayoral Accountability and Community Equity Act of 2020” would change the charter. Attached are the proposed language of the measure to be presented to Sacramento voters (Attachment 7-Exhibit A (Text of Measure)), a “redline” version of the measure, showing how the proposed language has been changed from the July 28, 2020 council meeting to address the requests of councilmembers (Attachment 2-Redline from July 28), a redline comparing the proposals to the current version of the charter (Attachment 3-Redline to Current Charter), and a summary of additional proposals (Attachment 4-Summary).

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 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.

Argument Authors

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 measures referring

to the measure Sacramento Mayoral Accountability and Community Equity Act of 2020, 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.

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 (note: "City of Sacramento" is considered one word) 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. The measure includes the following language: "Upon the effective date of this Act, the City shall proceed as expeditiously as possible to implement this Act, including but not limited to promptly updating the Sacramento City Code, ordinances, and resolutions to conform to the Charter amendments set forth herein."

Additionally, 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:

- Adoption of ordinances required by the charter amendments;
- Creation of the committees and commissions required by the charter amendments;

- Updates to the Council Rules of Procedure;
- Review of the city manager's spending authority; and
- Appropriate staffing levels for the mayor and councilmembers.

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 Mayoral Accountability and Community Equity Act of 2020 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 \$20,747.28. There are sufficient funds in the elections budget to cover the cost of adding this to the ballot. If approved, the financial impact on the General/Measure U Funds for the ninth Council Office (\$514k) and the addition of the Social Equity Manager (\$186k) is approximately \$700,000 annually. Funding for participatory budgeting, inclusive economic development and youth will be addressed in the FY2021/22 Proposed Budget, if approved.

Local Business Enterprise (LBE): Not applicable.