

City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: FEBRUARY 23, 2016**

FROM: MAYOR PRO TEM SOUBIROUS **WARDS: ALL**
COUNCILMEMBER DAVIS

SUBJECT: DESIGNATION OF CITY PROSECUTOR BALLOT ARGUMENT AUTHORS

ISSUES:

The issue for City Council consideration is designation of the Mayor and/or members of the City Council to author the argument in favor of the City Prosecutor measure.

RECOMMENDATION:

That the City Council consider authorizing the Mayor and/or members of the City Council to author the argument in favor of the City Prosecutor measure on the June 7, 2016, ballot.

BACKGROUND:

On February 9, 2016, the City Council adopted Resolution Nos. 22966 and 22967 proposing an amendment to the City Charter to amend Section 702 to provide for creation of the Office of City Prosecutor within the City Attorney's Office, effective January 1, 2017, and placing the measure on the June 7, 2016, ballot.

Elections Code Section 9282(b) provides:

"For measures placed on the ballot by the legislative body, the legislative body, or any member or members of the legislative body authorized by that body, or 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 file a written argument for or against any city measure."

Authors must submit ballot arguments not to exceed 300 words in length to the City Clerk on or before March 21, 2016. A ballot argument may not be accepted unless accompanied by the printed name(s) and signature(s) of the author(s), or, if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers who is the author of the argument. No more than five signatures shall appear with any argument. If any argument is signed by more than five authors, the signatures of the first five shall be printed.

If the City Clerk receives more than one argument for or more than one argument against any City measure, the City Clerk shall select one of the arguments in favor and one of the arguments against the measure for printing and distribution to voters. In selecting the argument, the City

Clerk shall give preference and priority, in the order named, to the arguments of the following:

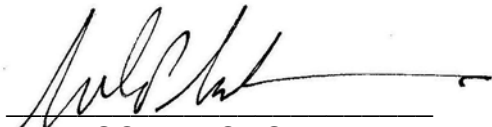
1. The legislative body, or member or members of the legislative body authorized by that body.
2. The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
3. Bona fide associations of citizens.
4. Individual voters who are eligible to vote on the measure.

If both an argument in favor and an argument against are selected to be printed in the ballot pamphlet, the author or a majority of the authors of an argument may prepare and submit a rebuttal argument or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument. The rebuttal argument may not exceed 250 words in length and must be submitted on or before March 31, 2016. Rebuttal arguments may be signed by up to 5 authors.

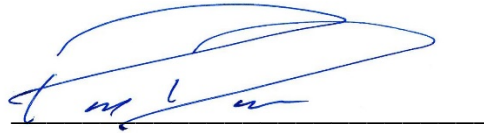
FISCAL IMPACT:

Estimated election costs of \$68,000 include printing of ballot arguments. Sufficient funds are available in the City Attorney's Office budget for this expenditure.

Prepared by:



MIKE SOUBIROUS
Mayor Pro Tem



PAUL DAVIS
Councilmember, Ward 4

Approved as to form: Gary G. Geuss, City Attorney