



CITY COUNCIL AGENDA STATEMENT



June 12, 2018

File ID: 18-0213

TITLE

ORDINANCE OF THE CITY OF CHULA VISTA ADDING MUNICIPAL CODE SECTION 2.50.150 REGARDING SIGNERS OF WRITTEN ARGUMENTS FOR OR AGAINST BALLOT MEASURES

RECOMMENDED ACTION

Council place the ordinance on first reading.

SUMMARY

The proposed ordinance permits the author or authors of an argument for or against a ballot measure to allow other supporters to sign the argument, even if those supporters do not meet the qualifications specified in Elections Code section 9282

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

California Elections Code subsections 9282(a) and (b) provide regulations for who may sign arguments for or against ballot measures. For measures that are placed on the ballot by citizen petition, the person(s) who filed the petition can submit an argument in favor and the City Council may submit an argument against the measure. For measures placed on the ballot by the City, written arguments for or against the measure may be submitted by the City Council, one or more of the Council's authorized members, an individual voter who is eligible to vote on the measure, an organization or association meeting the requirements of Elections Code 9287(e), or a combination of voters and organizations. No more than five signatures may appear with any argument, pursuant to Elections Code section 9283. If more than one argument for or more than one argument against a City measure is submitted, Elections Code section 9287 provides the order in which preference and priority are given to the arguments.

The proposed ordinance defines the “author(s)” of an argument and requires that the author(s) meet the qualifications specified Elections Code subsections 9282(a) or (b), as applicable. The author(s) may allow additional persons to sign the argument, unless otherwise specified in a City Council resolution. The additional signers are not required to meet the qualifications specified in Elections Code section 9282.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any Councilmember, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

LINK TO STRATEGIC GOALS

Serving as the elections official and managing the elections process, which forms the foundation of our democratic system of government, is one of the primary functions of the City Clerk. While this process is not specifically associated with one of the City’s strategic goals, carrying out this important function in an ethical, impartial, transparent manner aligns with the City’s goals of Operational Excellence and Connected Community.

CURRENT-YEAR FISCAL IMPACT

There is no current-year fiscal impact associated with adoption of the proposed ordinance.

ONGOING FISCAL IMPACT

There is no ongoing fiscal impact associated with adoption of the proposed ordinance.

ATTACHMENTS

None

Staff Contact: Kerry Bigelow, City Clerk