



OFFICE OF THE CITY CLERK

REPORT

To The Honorable Mayor and City Council

DATE: July 10, 1996

REPORT NO.: 96-02

SUBJECT: SPECIAL PROVISIONS FOR BALLOT PROPOSITIONS FOR NOV. 5, 1996

THIS IS AN INFORMATION REPORT. ACTION MAY BE REQUIRED DEPENDENT UPON THE COUNCIL'S WISHES.

As you consider the placement of propositions on the ballot for this November's general election, you may also wish to consider the following points:

- 1) you may direct the City Attorney to prepare an impartial analysis of any proposition for inclusion in the sample ballot pamphlet; and
- 2) you may assign authorship of the ballot argument to one or more Councilmembers.

Provisions for the inclusion of impartial analyses in the sample ballot pamphlet are likely to increase the cost of the November election.

Each of these points is discussed below.

PROVISION FOR IMPARTIAL ANALYSIS

California Elections Code section 9280 allows in part that upon Council direction, the City Attorney shall prepare an impartial analysis of a ballot proposition showing the effect of the proposition on the existing law and the operation of the proposition. (Should the proposition affect the organization or salaries of the City Attorney's office, Council would direct the Clerk to prepare the analysis.) The analysis, limited to 500 words in length, would be printed in the sample ballot pamphlet preceding the arguments for and against the proposition.

For the November election, impartial analyses must be delivered to the Registrar of Voters no later than August 30, 1996, for inclusion in the sample ballot pamphlet. Should the Council wish the Attorney to prepare an impartial analysis, the Clerk recommends that such direction be given **at the same time as the Council acts to place the proposition on the November ballot.**

The Council should note that the City may incur additional costs for typesetting and printing impartial analyses in the sample ballot pamphlet. See the discussion of possible additional costs, below.

PROVISION FOR AUTHORSHIP OF THE BALLOT ARGUMENT

California Elections Code sections 9281-9287 provide guidelines for ballot arguments concerning City propositions. For propositions approved for submittal to the qualified voters of the City at the November election, the City Clerk has fixed 5:00 p.m. on Monday, August 19, 1996, as the date after which no arguments for or against City propositions may be submitted.

Arguments are limited to 300 words. If more than one argument is submitted for or against any proposition, the City Clerk selects the argument to be printed in the sample ballot pamphlet, by priority of authorship as follows:

- a) the City Council, or member of the Council authorized by the Council;
- b) the individual voter or bona fide association of citizens who are the bona fide sponsors or proponents of the proposition;
- c) bona fide associations of citizens;
- d) individual voters who are eligible to vote on the proposition.

Councilmembers must be considered as individual voters *unless designated by Council action to speak for the legislative body*. Should the Council wish to authorize one or more Councilmembers to draft and sign an argument, the Clerk recommends that such authorization be given **at the same time as the Council acts to place the proposition on the November ballot.**

Arguments must be accompanied by the name or names of the person or persons submitting them, or, if submitted on behalf of an organization, the name of the organization and the name of at least one of its principal officers.

No more than five (5) signatures shall appear with any argument. In case any argument is signed by more than five (5) persons, the signatures of the first five (5) will be printed in the sample ballot pamphlet.

POSSIBLE ADDITIONAL COSTS

The Citywide Elections Fund allocation for the November election is \$400,000.

At this time, the Registrar of Voters is roughly estimating ballot measure costs at 10-12 cents per registered voter per proposition. Presently, there are 581,610 voters

registered in the City of San Diego; were the election to be held today, we roughly estimate that the cost of a ballot measure could range from \$58,000 to \$70,000. However, we expect the number of registered voters to rise before October 7, which is the last day to register to vote in the general election. Consequently, election costs will also rise.

The City pays a share of the costs of the sample ballot pamphlet, and our share depends not only upon the number of City propositions, but the number of propositions and races from other jurisdictions included in the sample ballot pamphlet. We have no way to know today what our share of the final costs will be.

If the Council directs the City Attorney to prepare an impartial analysis of a ballot proposition, it is likely that the City's costs for typesetting and printing of the sample ballot pamphlet will be affected upward, as additional pages may be required.

CONCLUSION

As the Council considers the placement of ballot propositions on the ballot of November 5, 1996, it may also wish to consider (1) directing the City Attorney to prepare an impartial analysis of one or more propositions; and (2) designating one or more Councilmembers to draft and sign ballot arguments.

Providing for an impartial analysis and designating argument authors should be accomplished at the same time as the Council acts to place a proposition on the November ballot.

Because of the additional typesetting and printing required, impartial analyses are likely to increase election costs.

Sincerely,



Charles G. Abdelnour
City Clerk

cc: City Attorney
City Manager