

**CITY OF SACRAMENTO
MEASURE L**

L "Shall the City of Sacramento Charter be revised, on a trial basis, to establish: a mayor-council governance structure wherein the elected mayor oversees city operations and a budget subject to Council approval and override; an Ethics Committee; Code of Ethics and Sunshine Ordinances; an Independent Budget Analyst Office; a Neighborhood Advisory Committee; an Independent Redistricting Commission; and a three-term limit for mayors; with most provisions subject to voter reapproval by 11/03/2020?"

IMPARTIAL ANALYSIS OF MEASURE L

Prepared by Sacramento City Attorney

The Sacramento City Council has placed Measure L, the "Sacramento Checks and Balances Act of 2014," on the ballot.

Measure L, if passed by a majority of the voters, revises the Sacramento City Charter, the voter-approved "constitution" that establishes the framework for city government. This measure changes the city's current "council-manager" form of government to a "mayor-council" form. The chart below summarizes the revisions:

| Current Charter | Measure L |
|---|--|
| Mayor is one of nine councilmembers | Mayor is no longer a council-member, but may attend and be heard at council meetings Eight-member council with president and vice-president |
| City manager is city's chief executive officer | Mayor is chief executive officer City manager is chief administrative officer |
| Council appoints city manager | Mayor appoints city manager with council concurrence Mayor must hold a public meeting regarding candidate qualifications before appointment |
| Vote of six councilmembers required to remove city manager | Mayor removes city manager |
| No mayoral veto | Mayor can veto ordinances, with exceptions, subject to council supermajority override (six votes) Mayor can veto council's approved budget (includes line-item veto), subject to council supermajority override (six votes) |
| No term limits | Mayor has three-term limit; current terms grandfathered |
| City manager presents budget to council at least 60 days before fiscal year | Mayor presents budget to council at least 90 days before fiscal year |

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| Council establishes district boundaries | New redistricting commission establishes district boundaries |
| Council must meet weekly, with up to four weeks off yearly | At least two regular council meetings each calendar month Two meetings annually held outside council chambers |
| Council must hold at least one public budget hearing | Council must hold at least two public budget hearings |
| Council appoints City Clerk, City Attorney, City Treasurer | Council must hold a public meeting regarding candidate qualifications before appointment |
| Councilmembers must deal with city manager regarding city government under manager's control | Councilmembers may deal with city manager and department heads |

Measure L provides for new bodies and a new office:

- An independent citizens' redistricting commission responsible for modifying council district boundaries after the census
- An Ethics Committee responsible for reviewing and monitoring a new ethics ordinance
- A Neighborhood Advisory Committee to consider city neighborhoods' interests
- An Office of Independent Budget Analyst (appointed by council)

Measure L requires the council to pass ordinances:

- Establishing redistricting commission member qualifications and providing for their appointment
- Adopting a Code of Ethics and Conduct for elected officials and appointed board and commission members
- Adopting sunshine provisions for accessing city meetings, documents, and records
- Establishing an Ethics Committee
- Establishing a Neighborhood Advisory Committee
- Establishing the independent budget analyst's qualifications and duties

Measure L makes other charter changes consistent with the revisions described above.

If Measure L passes, all changes except those regarding establishment of district boundaries are subject to voter reapproval at an election no later than 11/3/2020. If not reapproved, the changes are automatically repealed on 1/1/2021.

A "yes" vote is in favor of revising the charter. A "no" vote is against revising the charter.

James C. Sanchez
City Attorney

FULL TEXT OF MEASURE L

Exhibit A Charter Revision

Section 1. Title.

These charter amendments are titled and may be cited as the "Sacramento Checks and Balances Act of 2014" (hereinafter, the "Act").

Section 2. Findings and Purpose.

A. Findings.

1. Voters consistently express a desire for more accountability and transparent checks and balances in city government.
2. Currently, voters have a limited ability to hold key decision-makers clearly, directly, and consistently accountable for how they spend taxpayer dollars, make major decisions of city management, and administer city programs and services.
3. Currently, all powers are concentrated exclusively in a single entity, the city council, which results in a system that blurs accountability for distinct executive and legislative powers, and denies voters a system of basic checks and balances on power that are hallmarks of the American democratic system.
4. Voters expect and deserve high standards for ethical behavior, transparency, and citizen engagement in all aspects of city government, including but not limited to the oversight of city officials and the determination of boundaries for city council districts.
5. Voters will demonstrate greater trust and support for a city government that ensures the mayor, city council, and city departments are held accountable to the will of the voters through reforms that establish clear lines of accountability and adequate checks and balances between executive and legislative functions, including strong provisions for ethical and transparent behavior.
6. The City's current governance system was established nearly 100 years ago for a far smaller, less diverse and less complex city.
7. Modernizing the City Charter is an essential step in the City's evolution to meet the challenges and opportunities of the 21st Century.
8. This Act, therefore, amends the City Charter to include a series of reforms to create more accountability and transparent checks and balances, most of which on a trial basis, so that the people of Sacramento may assess the Act's effectiveness and affirmatively vote to make the amendments permanent, if they so desire.

B. Purpose.

The purpose of this measure is to establish greater accountability and stronger checks and balances, including more robust ethics and transparency provisions, on a trial basis, to better ensure that the agenda, budget, leadership and day-to-day management of the City of Sacramento are directly informed by and aligned with the will of the voters, and effectively communicated to the residents of Sacramento by their elected representatives.

Section 3. Section 21 of the Sacramento City Charter is amended to read as follows:

Composition.

(a) The legislative body of the city shall be a city council of eight members nominated and elected by the electors of the district in which such person resides as provided in Article X.

(b) At the first city council meeting in January of each year, the city council shall elect one of its members to serve as council president, and another of its members to serve as council vice-president, during the ensuing calendar year.

Section 4. Section 22 of the Sacramento City Charter is amended to read as follows:

Districts.

The city is hereby divided into eight council districts, designed First through Eighth Districts, respectively. Council districts in existence upon the effective date of this Charter shall continue to exist until altered as provided in Section 24. The Title of the office of each member of the council shall bear the number accorded the district of such member.

Section 5. Section 24 of the Sacramento City Charter is amended to read as follows:

Reapportionment of districts.

(a) There shall be established an independent citizens' redistricting commission of nine members whose function shall be to establish the boundaries of the city council districts in accordance with Section 23 following each decennial federal census. The members of the independent citizens' redistricting commission shall serve without compensation. The City shall fund the expenses of the commission and provide meeting facilities and staff to assist the commission. No later than 180 days of the operative date of this section, the city council, in consultation with the mayor, shall pass an ordinance to establish the qualifications of commission members and to specify those factors that are disqualifying in order to ensure independence. The ordinance shall also provide for a method to select or appoint the persons to serve on the commission that ensures independence, including but not limited to a prohibition against any involvement by the mayor or members of the city council in the selection or appointment of the commission members, and for disclosure of communications with commission members that occur outside of a public meeting.

(b) Within six months after a regular United States census, the independent citizens' redistricting commission, using a public, transparent, and accessible process, shall examine the boundaries of each council district for compliance with the population standard set forth in Section 23 and shall adopt and transmit to the city council for its enactment by ordinance, a plan to modify the boundaries of districts, if necessary, to bring all district boundaries into compliance with said standard, and with the other criteria set forth in Section 23. The term a "regular United States census" shall mean a comprehensive population census which is held at regular intervals prescribed by Congress and produces population data

equivalent to that described as "Block Data" in the 1970 decennial census.

(c) For purposes of this section the six-month period shall begin upon the availability of population data equivalent to that described as "Block Data" in the 1970 census.

Section 6. Section 25 of the Sacramento City Charter is amended to read as follows:

Redistricting.

District boundaries shall only be changed by ordinance of the city council, which ordinance shall reflect, without alteration, the final adopted boundaries of the independent citizens' redistricting commission, except that territory annexed or consolidated with the city shall at the time of such annexation or consolidation be added by ordinance to an adjacent district or districts, without the involvement of the independent citizens' redistricting commission, pending the next, subsequent examination of district boundaries as provided in Section 24.

Section 7. Section 26 of the Sacramento City Charter is amended to read as follows:

Terms of office.

Each member of the city council shall serve for a term of four years and until a successor qualifies.

Section 8. Section 27 of the Sacramento City Charter is amended to read as follows:

Qualifications of members.

Each member of the council or candidate therefore, at the date of candidacy and election or appointment, shall be an elector and a resident in such member's district for not less than 30 days preceding the date of candidacy and election or appointment, as the case may be, and must continue to reside in such district during the term of office, except that no boundary change under Section 24 or 25 shall disqualify a member from serving the remainder of the term. The term "elector" means a person who qualifies to vote at either a state election or federal election held in the State of California. "Date of candidacy" shall mean the date of filing nominating papers or equivalent declaration of candidacy.

Section 9. Section 28 of the Sacramento City Charter is amended to read as follows:

Vacancies.

A vacancy on the city council shall be filled by special election to be called by the council as provided in Section 154 of this Charter, unless such vacancy occurs within one year of the next general election at which such office would normally be filled, in which case the vacancy shall be filled by appointment by a majority of the remaining members of the council. A person elected or appointed to fill a vacancy shall hold office for the unexpired term of the former incumbent.

Absence from five consecutive regular meetings of the city council, unless excused by resolution of the council,

shall operate to vacate the seat of the council member so absent.

Section 10. Section 29 of the Sacramento City Charter is amended to read as follows:

Compensation.

There shall be established a compensation commission whose function shall be to establish the compensation for the mayor, members of the city council, and public members of city boards and commissions. The commission shall be comprised of five members selected pursuant to Section 230 of Article XV of this Charter for staggered four-year terms. The chair of the commission shall be a retired judicial officer and all members shall be residents of the City of Sacramento. The commission shall meet at least once a year and shall serve without compensation. The city shall fund the expenses of the commission. Compensation shall be reasonable and consistent with other cities similar in size and structure.

Section 11. Section 31 of the Sacramento City Charter is amended to read as follows:

Meetings.

(a) The city council shall hold regular meetings at such times and places as may be fixed by annual resolution, except that the council shall hold at least two regular meetings per calendar month. Meeting times and places may be added or changed according to city council's adopted rules of procedure. In order to improve citizen involvement and accessibility to meetings, the city council shall hold at least two open city council meetings per year outside of its chambers, but within the city limits and at locations with a maximum capacity that meets or exceeds that of council chambers.

(b) All meetings of the city council and its committees shall be, at minimum, called and conducted in the manner prescribed by State laws regarding matters of statewide concern which are in effect at the time of the meeting, as well as in the manner as may be prescribed by the Sunshine Ordinance adopted by the city council pursuant to Section 36 of this Charter.

Section 12. Section 32 of the Sacramento City Charter is amended to read as follows:

Ordinances.

(a) Every proposed ordinance shall be introduced in writing. The enacting clause of each ordinance enacted by the council shall be "Be it Enacted by the Council of the City of Sacramento." The enacting clause of each ordinance enacted by the initiative or referendum process shall be "Be it Enacted by the People of the City of Sacramento." Each ordinance shall contain a title which shall state in general terms the subject or subjects contained in the ordinance.

(b) Subject to Section 47 of this Charter, and except as otherwise provided elsewhere in this Charter, and with the exception of ordinances which take effect immediately upon adoption, ordinances shall be adopted in compliance with either the procedure set forth in Subsection (c) or Subsection (d) of this section.

(c) The ordinance shall be first passed by the council for publication of title. At least six days shall elapse

between the date the ordinance was passed for publication of title and the date it is adopted by the council. The title of the ordinance shall be published by printing said title in a newspaper of general circulation published within the City designated by the council as the official newspaper of the City, no later than the third day immediately preceding the date of the adoption of the ordinance. No part of any ordinance, or proposed ordinance, other than its title, need be published.

(d) In lieu of the procedure set forth in Subsection (c) of this section, ordinances shall be published in the official newspaper of the City within ten days after adoption by the council.

(e) Ordinances which take effect immediately upon adoption, may be adopted without compliance with Subsections (b), (c) or (d) of this section.

(f) Except as otherwise provided in this Charter, each adopted ordinance shall become effective at the expiration of thirty (30) days after adoption or at any later date specified therein.

(g) The following ordinances shall take effect immediately upon adoption or at such later dates, of less than thirty (30) days after adoption, as may be specified in the ordinances:

- (1) An ordinance calling for or otherwise relating to an election;
- (2) An ordinance adopted as and declared by the city council to be an emergency measure, containing a statement of the facts constituting such emergency, if adopted by the affirmative votes of at least six members of the council; provided, that no measure making a grant, renewal or extension of a franchise or other special privilege or regulating the rate to be charged for its service by a public utility, other than one operated by the city, may be so enacted; and
- (3) An ordinance adopted pursuant to a state law by virtue of which such ordinance shall be effective immediately.

(h) Nothing contained in this section shall be deemed to require an ordinance when an ordinance is not otherwise required.

Section 13. Section 35 of the Sacramento City Charter is amended to read as follows:

Limitation on future employment.

No member of the council or the mayor during the term for which such person shall have been elected or appointed or for one year after such person ceases to hold office, shall be eligible for any appointive office or position in the city, carrying compensation, and created by this Charter, by ordinance or by resolution. An elective office which has been filled by appointment by reason of a vacancy in that office shall not be considered an appointive office under this section.

Section 14. A new Section 36 is added to Article III of the Sacramento City Charter to read as follows:

Ethics and Sunshine Ordinances.

To assure public confidence in the integrity of elected and appointed city officials and to provide greater transparency in local city government, the city council

shall no later than 180 days after the operative date of this Section: (1) by ordinance, adopt a Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees, including provisions for the removal from office of any elected official who substantially violates the adopted Code of Ethics and Conduct; and (2) adopt a Sunshine (open government) Ordinance, which shall liberally provide for the public's access to city government meetings, documents, and records.

Section 15. A new Section 37 is added to Article III of the Sacramento City Charter to read as follows:

Ethics Committee.

The city council shall establish by ordinance an Ethics Committee for the purpose of reviewing and monitoring the Code of Ethics ordinance described in Section 36, and for such other purposes as prescribed in the ordinance. The ordinance may prescribe qualifications and conditions of service on the committee, including compensation and reimbursement for expenses, terms of office, method of appointment, and removal. The ethics committee is not a board, commission, or advisory agency for purposes of Article XV or Section 40.

Section 16. A new Section 38 is added to Article III of the Sacramento City Charter to read as follows:

Neighborhood Advisory Committee.

The city council shall establish by ordinance a Neighborhood Advisory Committee for the purpose of considering the interests of the city's neighborhoods, and for such other purposes as prescribed in the ordinance. The ordinance may prescribe qualifications and conditions of service on the committee, including compensation and reimbursement for expenses, terms of office, method of appointment, and removal. The Neighborhood Advisory Committee is not a board, commission, or advisory agency for purposes of Article XV or Section 40.

Section 17. Section 40 of the Sacramento City Charter is amended to read as follows:

Mayor—Functions.

(a) The chief executive officer of the city shall be the mayor, who shall have the executive and administrative authorities, powers, and responsibilities of the city as provided herein, including but not limited to the power and duty to execute and enforce all laws, ordinances, and policies of the city.

(b) The mayor:

(1) Shall be recognized as the official head of the city for the performance of all duties lawfully delegated to the mayor by this Charter, by action of the council or by other laws.

(2) Shall provide leadership within the community in the sense that the mayor shall have the primary, but not exclusive, responsibility of interpreting the policies, programs and needs of city government to the people, and as the occasion requires, may inform the people of any change in policy or program, and (a) shall appear before the public to deliver a general address on the State of

the City, and to recommend the adoption of such measures as the mayor may deem expedient and proper; and (b) shall also conduct two additional open public town hall meetings during the year to solicit and respond to comments, concerns, or questions from the public, which meetings shall be noticed to the public not less than two weeks in advance;

(3) Shall have the right but not the exclusive power to make recommendations to the city council on matters of policy and programs that require council decisions;

(4) Shall have the right, but not the obligation, to attend and be heard at any regular or special open session or closed session meeting of the city council, but not the right to vote at such meetings;

(5) May propose ordinances and resolutions which shall be considered by the city council;

(6) Shall propose a budget to the city council not later than 90 days prior to the commencement of each fiscal year, and shall have the power to veto the budget resolution adopted by the city council pursuant to Section 111 of this Charter;

(7) May approve or veto ordinances passed by the city council pursuant to Section 47 of this Charter;

(8) Shall appoint the city manager subject to confirmation by a majority vote of the city council, and may remove the city manager pursuant to Section 60 of this Charter;

(9) Shall appoint and may remove members of the boards and commissions and advisory agencies in accordance with Article XV except as otherwise provided in this Charter;

(10) Shall have and exercise such other powers and duties as delegated to the mayor by the city council and as provided in this Charter, the laws of the state, and ordinances and resolutions of the city.

Section 18. Section 43 of the Sacramento City Charter is amended to read as follows:

Mayor—Term.

The term of office of mayor shall be four years and until a successor qualifies. No person may serve more than three full terms as mayor. Any term that commenced prior to the effective date of this section shall not count towards the term limit. Terms as a member of the city council shall not be counted towards the term limit as mayor. A partial term is equal to or less than two years. A partial term shall not be counted as a full term for purposes of the term limit.

Section 19. Section 45 of the Sacramento City Charter is amended to read as follows:

Acting Mayor; Mayor Pro Tem.

(a) During any absence of the mayor from the city, the council president shall be the acting mayor until the mayor returns. In addition, if the mayor becomes incapable of acting as mayor and incapable of delegating duties, the council president shall become the acting mayor.

(b) In the event of the absence, vacancy in office or inability of both the mayor and council president to

perform their duties, the council vice-president shall serve as mayor pro tem. The mayor pro tem shall temporarily act in the capacity of an acting mayor. Any person serving as an acting mayor under this section shall continue to hold office as a member of the city council.

(c) Any person serving as acting mayor under this section shall be vested with the authority to supervise the staff remaining employed in the office of the mayor, to direct and exercise control over the city manager in managing the affairs of the city under the purview of the mayor and to exercise other power and authority vested in the office of the mayor when the exercise of such power and authority is required by law. This limited authority includes circumstances where the expeditious action is necessary to meet a legal requirement imposed by a court or another governmental agency. Such limited authority does not include the exercise of the power of any veto or any other discretionary privilege that is enjoyed by a person appointed or elected to the office of mayor.

Section 20. Section 46 of the Sacramento City Charter is amended to read as follows:

Mayor—Vacancy.

(a) The office of mayor shall be declared vacant by the city council when the person elected or appointed thereto fails to qualify within ten days after his or her term is to begin, dies, resigns, ceases to be a resident of the city or is continuously absent from the city for a period of more than 30 days without permission from the city council, is convicted of a felony, is judicially determined to be an incompetent, is permanently so disabled as to be unable to perform the duties of the office of mayor, forfeits the office under any provision of this Charter, or is removed from office by judicial procedure. A finding of disability shall require the affirmative vote of at least six members of the city council after considering competent medical evidence bearing on the physical or mental capability of the mayor.

(b) A vacancy in the office of the mayor shall be filled by special election to be called by the city council as provided in Section 154 of this Charter, unless such vacancy occurs within one year of the next general election at which the office of mayor would normally be filled, in which case the vacancy shall be filled by appointment by a majority of the members of the city council then in office. A person elected or appointed to fill a vacancy in the office of mayor shall hold office for the unexpired term of the former incumbent.

(c) During the period of time when an appointment or election is pending to fill a vacancy in the office of mayor, the provisions in Section 45 herein shall control.

Section 21. A new Section 47 is added to Article IV of the Sacramento City Charter to read as follows:

Mayor—Approval or Veto of Council Ordinances.

(a) The mayor shall have veto power over all ordinances passed by the city council except ordinances as provided for in Section 32(g), ordinances required by state law, ordinances required by Section

25, or ordinances that, pursuant to this Charter, are wholly within the exclusive purview of the city council.

(b) Except as otherwise provided in this Charter, each ordinance adopted by the city council shall become effective at the expiration of 30 days after adoption and approval by the mayor, or deemed approval, or the override of a mayoral veto pursuant to this Charter, or at any later date specified therein.

(c) Except as otherwise provided in this Charter:

(1) An ordinance adopted by the city council shall be transmitted to the mayor within 48 hours by the City Clerk for the mayor's approval or veto.

(2) The mayor shall have ten business days from the date of transmittal by the City Clerk to approve or veto the ordinance and inform the City Clerk in writing of the action taken. If the mayor fails to act within such period, the ordinance shall be deemed approved.

(3) If the mayor vetoes the ordinance, the mayor shall state the reasons for such veto in writing, which shall be transmitted to the city council by the City Clerk within 48 hours. The city council shall have 30 days from the date of transmittal by the City Clerk to reconsider the ordinance. If after such reconsideration, at least six council members vote in favor of passage of the ordinance, that ordinance shall become effective notwithstanding the mayor's veto. If the vetoed ordinance does not receive the affirmative votes of at least six council members after reconsideration, the ordinance shall not be approved or enacted and shall have no legal effect.

Section 22. Section 60 of the Sacramento City Charter is amended to read as follows:

City Manager—Appointment, qualifications, and removal.

There shall be a city manager who shall be appointed by the mayor subject to confirmation by a majority vote of the city council. The mayor shall reinitiate the appointment process if, within ten business days of the appointment being made, a majority of the city council votes to reject confirmation of the appointment. If the city council fails to confirm or reject an appointment within 30 days of the appointment being made by the mayor, the appointment of the city manager shall be deemed approved by the city council. The city manager shall be selected solely on the basis of executive and administrative qualifications. Prior to making an appointment of the city manager for confirmation by a majority vote of the city council as described in this Section, the mayor shall hold an open public meeting where members of the public may propose questions regarding the executive and administrative qualifications of the candidate(s) for city manager. The city manager shall be appointed by and shall serve at the pleasure of the mayor and can be removed from office by the mayor at will, with or without cause. The mayor shall advise the city council ten days before removing the city manager.

Section 23. Section 61 of the Sacramento City Charter is amended to read as follows:

Functions.

The city manager shall be the chief administrative officer of the city and shall be responsible for the effective administration of the city government. Acting on the mayor's behalf and in furtherance of the mayor's powers, the city manager shall have the power and it shall be the city manager's duty:

(a) To assist the mayor in seeing that all laws and ordinances are enforced;

(b) To administer and exercise supervision and control over all offices, departments and services of the city government under the jurisdiction and control of the mayor;

(c) To the extent requested by the city council, to act in an advisory capacity to the city council with respect to officials not under the jurisdiction and control of the city manager or mayor;

(d) Except as otherwise provided in this Charter, to appoint all heads or directors of departments of the city and all subordinate officers and employees with power to discipline and remove any officer or employee so appointed, subject to the civil service provisions of this Charter; provided, further, that all officers and employees of the city appointed by the city manager who are exempt from the rules and regulations of the civil service board pursuant to Charter Section 83 may be suspended or removed at the pleasure of the city manager.

(e) To make such recommendations to the mayor and city council as the city manager shall deem appropriate concerning the operation, affairs and future needs of the city;

(f) Under the direction of the mayor, attend all regular and special public meetings of the city council with the right to participate in the discussion of matters pending before the council but without the right to vote on such matters;

(g) To see that all terms or conditions imposed in favor of the city or the people of the city in any contract franchise, lease or permit are faithfully kept and performed; and upon knowledge of any violation thereof to notify the city council of such violation;

(h) When authorized to do so by the provisions of this Charter or by ordinance or resolution, to execute, on behalf of the city all contracts, franchises, lease or permits or any other document requiring the execution of which is required by an officer of the city;

(i) To keep the mayor and the city council fully advised as to the operations, financial conditions and needs of the city;

(j) To assist the mayor in preparing the annual budget in accordance with Charter Section 111.

(k) To perform such other duties consistent with this Charter as may be prescribed by the mayor.

Section 24. Section 62 of the Sacramento City Charter is amended to read as follows:

Non-interference with City Manager.

No member of the city council shall directly or indirectly coerce or attempt to coerce the city manager relative

to the appointment or removal of any city officer or employee which is made by the city manager.

The city council and its members may deal directly with the city manager and department heads with respect to the part of city government under their control or supervision. Additionally, nothing herein shall limit the power of the city council, or members thereof, to do the following:

- (a) to conduct investigations as provided in Section 34 of this Charter, or
- (b) to contact officers and employees of the city for the purpose of inquiry or obtaining information that is a public record, or
- (c) to contact officers and employees designated by the city manager for the purpose of advising said officers and employees of citizen complaints relating to the operation of city government.

Section 25. Section 63 of the Sacramento City Charter is deleted.

Section 26. Section 70 of the Sacramento City Charter is amended to read as follows:

Appointive Officers.

The following other city officers shall be appointed by the city council:

- (a) City Clerk;
- (b) City Attorney;
- (c) City Treasurer; and
- (d) Such other officers and employees of its own body as it deems necessary.

The City Clerk, City Attorney, and City Treasurer shall be appointed only after at least one open city council meeting where members of the public may propose questions regarding the qualifications of the candidate(s) for each appointive office.

Section 27. Section 73 of the Sacramento City Charter is amended to read as follows:

City Treasurer.

The city treasurer shall be responsible for the deposit and investment of all funds of the city treasury not made subject to the control of others pursuant to this Charter. The city treasurer shall keep the city council and the mayor fully advised as to the deposit and investment of funds subject to his control. The city council shall prescribe the qualifications, additional duties, and compensation of the city treasurer. The city treasurer shall appoint, subject to the civil service provisions of this Charter, such deputies and employees as the council may by resolution prescribe.

Section 28. Section 76 of the Sacramento City Charter is amended to read as follows:

Duty to inform council and mayor.

Each appointive officer specified in Section 70 shall have the duty to promptly and fully inform the city council and the mayor of any act of misfeasance or malfeasance

known to said appointive officer to have been committed by any officer or employee of the city if such act might significantly and adversely affect the finances or operations of the city. The city council, by ordinance or resolution, may further define the procedures and provisions determined to be necessary to implement and operate under this section.

Section 29. Section 111 of the Sacramento City Charter is amended to read as follows:

Budget.

(a) The Office of Independent Budget Analyst shall hereby exist as a city department whose designated function is to assist and advise the city council in conducting budgetary inquiries and in making budgetary decisions. The independent budget analyst is the administrative head of the department and shall be appointed by a majority vote of the city council. The city council may remove the independent budget analyst from office by a majority vote of the members of the city council at any time, with or without cause. The qualifications and duties of the independent budget analyst shall be established by the city council by ordinance.

(b) All budgets shall be adopted pursuant to the following process:

(1) Each department, office and agency of the city shall provide in the form and at the time directed by the city manager all information required by the city manager to assist the mayor to develop a budget conforming to modern budget practices and procedures as well as specific information which may be prescribed by the council. Not later than 90 days prior to the commencement of each fiscal year or such greater period as the council may prescribe, the mayor, with the assistance of the city manager, shall prepare and present to the city council, in such form and manner as it may prescribe, budget recommendations for the next succeeding fiscal year. The city council shall hold a minimum of two public hearings on the proposed budget, the first of which shall occur no later than 15 days after the mayor's budget recommendations are presented to the city council. No later than 30 days prior to the commencement of the fiscal year and following at least two public budget hearings, the city council shall adopt by resolution a budget of proposed expenditures and appropriations necessary therefore for the ensuing year. Upon the request of the city council, the independent budget analyst shall provide to the city council an independent analysis of the proposed budget.

(2) The City Clerk shall immediately and within 24 hours transmit the budget resolution to the mayor. The mayor shall within ten days of receipt of the proposed budget, either approve the budget as proposed by the city council, veto the entire proposed budget or veto any part of the proposed budget by reducing or eliminating any line item while approving other portions of the proposed budget; provided, however, that the mayor cannot exercise the line item veto on the specific portion of the proposed budget relating directly to the city council's own internal expenditures. The mayor shall append to the proposed budget a statement identifying

any items reduced or eliminated and the reasons for the action. Any and all portions of the proposed budget approved by the mayor shall become effective immediately. If the mayor vetoes all or any line item within such proposed budget, those portions shall not be effective, and the City Clerk shall transmit the vetoed proposed budget, together with the veto statement from the mayor, to the city council immediately and within 24 hours. The city council shall thereafter and within ten days of such transmittal reconsider the proposed budget and mayor's vetoes. If the council is in official recess at the time of transmittal of the vetoed proposed budget, the ten day period shall begin immediately upon the end of the recess period. If the mayor vetoes the entire proposed budget, and at least six council members vote to override the mayor's veto, the proposed budget as approved by the city council shall become effective immediately. Line items reduced or eliminated by the mayor shall be separately reconsidered and, if at least six council members vote to override the mayor's veto of that line item, the line item as proposed by the city council shall become effective immediately, notwithstanding the mayor's veto. If at least six council members do not vote to override the mayor's veto of a line item after reconsideration, the elimination or reduction of the line item by the mayor shall become effective immediately.

(3) If a budget is not approved prior to the start of the fiscal year, the appropriations for current operations of the last fiscal year shall be deemed effective until the new budget and appropriation measures are adopted.

(c) The budget may be amended, revised, or modified during the fiscal year pursuant to the process set forth above in Subsection (b) on a timeline not to exceed 90 days, which timeline shall start on the date the mayor, either after a request by the city council to do so or on the mayor's own initiative, transmits the proposed budget amendment, revision, or modification to the city council.

Section 30. Operative Date; Trial Period and Reauthorization by Voters.

A. If this Act is approved by a majority of the voters voting on the issue, the Act shall become effective when it is filed and accepted by the Secretary of State in accordance with Government Code section 34459.

B. The amendments to Sections 24 ("Reapportionment of districts") and 25 ("Redistricting") of the City of Sacramento Charter set forth in this Act shall remain in effect indefinitely, and may only be amended by a majority of the voters of the City of Sacramento voting in an election held in accordance with the law.

C. All provisions of this Act except amendments to Sections 24 ("Reapportionment of districts") and 25 ("Redistricting") of the City of Sacramento Charter shall be known as "Sunset Provisions". In order to assess their effectiveness, the Sunset Provisions shall remain in effect until December 31, 2020, at which time the Sunset Provisions shall be automatically repealed and removed from the Charter. To ensure the people have an opportunity to consider the permanency of the Sunset Provisions before they are automatically repealed, the city council shall place

a measure on the ballot at an election no later than November 3, 2020 to consider amendments to the Charter to make the Sunset Provisions permanent effective January 1, 2021, which may include but not be limited to an amendment to provide for a ninth city council seat elected by district. However, the city council and the people expressly reserve the right to propose changes to the Charter at the November 3, 2020 election or sooner, including without limitation, changes to extend, make permanent, shorten or repeal the effective period of this Act.

D. If the voters do not make the Sunset Provisions permanent on or before December 31, 2020, such that the Sunset Provisions cease to be operative, the mayor shall become a member of the council, serving as an at-large member, effective January 1, 2021. If the voters shorten the operative period or repeal this Act prior to December 31, 2020, such that the Sunset Provisions cease to be operative, the mayor shall become a member of the council, serving as an at-large member, effective as soon as legally practicable.

Section 31. Implementation.

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 amendment set forth in Section 3 herein. The City and its elected officials may immediately, upon the effective date of this Act, begin taking the necessary steps to prepare for its operation pursuant to Section 4.

Section 32. Severability.

If any portion, section, subsection, paragraph, subparagraph, sentence, clause or application of this Act is held invalid or inapplicable by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity or applicability of any other part of this Act. Consistent with the foregoing, the provisions and applications of this Act shall be deemed severable, and each portion, section, subsection, paragraph, subparagraph, sentence, clause or application of this Act would have been enacted irrespective of the fact that one or more other parts or applications is found to be invalid or inapplicable.

ARGUMENT IN FAVOR OF MEASURE L

Vote Yes on Measure L to Make City Hall: More accountable voters; More responsive to neighborhoods; More ethical and transparent; More independent from politics as usual.

Measure L culminates years of public dialogue on how best to modernize City government. It draws ideas from broad and bipartisan supporters that include current and former Mayors, City Managers, Council Members, and key public safety, business, labor, faith, and neighborhood leaders.

Direct Accountability to Voters - Currently, Sacramento's chief executive is a City Manager not elected by voters, despite making critical decisions about taxpayer dollars and how the City is run. Measure L makes the chief executive an elected position, the Mayor, directly accountable to you and your neighbors for providing superior police and fire

protection, budgeting decisions, park maintenance, street repairs, and other essential services.

Real Checks and Balances for Neighborhoods - Measure L establishes new checks and balances on elected officials, including term limits for the Mayor, an Independent Budget Analyst, City Council approval of budget and hiring of City Manager, City Council override of Mayoral vetoes, and a new Advisory Council focused on protecting and strengthening neighborhoods.

Higher Standards for Ethics and Transparency - Measure L mandates a new Code of Ethics, Open Government Ordinance and Ethics Committee to ensure City officials uphold high ethical standards and avoid waste, fraud and abuse.

More integrity in the Democratic Process - Measure L ends the practice of politicians picking their voters through redistricting. Instead an Independent Commission will determine Council district boundaries in the best interests of the public, not the politicians.

As an additional safeguard, voters will have the choice in 2020 to make Measure L permanent, or return to the old system.

It's time to put our future where it belongs: in the hands of the voters. Vote Yes on Measure L.

s/Kevin Johnson
Mayor of Sacramento

s/Barbara O'Connor
Emeritus Professor of Communications & Director, Institute for the Study of Politics and Media CSU

s/Kevin Ferreira
Sacramento-Sierra's Building & Construction Trades Council

s/Christi Black-Davis
1st Vice Chair, Sacramento Metro Chamber of Commerce

s/Dustin Smith
President, Sacramento Police Officers Association

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE L

Measure L puts Sacramento on the wrong track. Despite vague promises of accountability and responsiveness, the real details don't match what you've been told.

What's clear is that this is the same old power grab dressed up with fake reform. The goal is to weaken our neighborhoods and the city council in favor of backroom decision-making. City government will not be more "transparent or accountable" when decisions are made in private.

Sacramento does not need Measure L to be a "modern city" and "continue moving forward." Not one compelling reason has been given to change our city charter. Our current system gave us a budget surplus, more cops and firefighters, restored library hours, and reopened city pools. Under the current system, the mayor, council and city manager worked as a team to keep the Kings in Sacramento.

By taking power away from the city council, and giving it to the mayor, your council member will not be able to easily solve your problems, or get the attention of the city manager, who only works for the mayor. The city manager should work for all us.

While the current mayor may be popular, Measure L simply grabs too much power for the office of mayor at the expense of neighborhoods and the public.

Stand up to the big money and special interests behind this. Let's reject this power grab and get back to fixing real problems.

Join neighborhoods, citizens and civic leaders who say "L-No." Vote No on L.

s/Paula Lee
President League of Women Voters Sacramento

s/Bonnie Pannell
Former Sacramento City Councilmember

s/Mark Abrahams
Small Business Owner

s/Rosanna Herber
Past President Sierra Curtis Park Neighborhood Association

s/Julie A. Murphy
Co-Chair, Marshall School/New Era Park Neighborhood Association

ARGUMENT AGAINST MEASURE L

Simply put, Measure L is a power grab and we urge you to vote No. It will do nothing to create jobs, fix our schools, or keep us safe. Big money donors argue that we need to give the mayor a lot more power so we can be a "big city."

This means the public is pushed aside to give big donors more influence.

This power grab means that the mayor doesn't have to listen to you or your neighbors, because he or she will no longer have to attend city council meetings. Important decisions can be made in back rooms, which makes it easier to favor big contributors. It weakens the ability of council members to help you and your neighborhood.

Without public input, the mayor can veto any budget item or ordinance approved by the council. Only an extreme majority of 75% could overturn a veto, more power than a Governor or U.S. President. Measure L would make it easier for special interests to use their money and political power to influence just one elected official, rather than a majority of the city council, or the public.

This proposal lets the mayor fire the city manager at will, without cause, virtually controlling all department managers, by controlling the city manager. This allows professional and independent city management to be replaced by the politics of whims and favoritism.

Measure L does not create accountability or transparency. It reduces it. Measure L doesn't create checks and balances. It erases them.

Measure L is not what it seems. It is not necessary. You can like the mayor and oppose this measure. Protect Sacramento by voting No on this extreme attempt to grab power from the many, for the few. That's why we say "L-No."

s/Paula Lee
President League of Women Voters Sacramento

s/Grantland Johnson
Former Sacramento City Councilmember

s/Daisy Mah
Retired City Employee

s/Anne Rudin
Former Mayor of Sacramento

s/Illa Collin
Former Sacramento County Supervisor

**REBUTTAL TO ARGUMENT AGAINST
MEASURE L**

Sacramento's current structure was designed nearly 100 years ago. Measure L establishes a more modern and responsive system that will make your voice better heard in City Hall.

The current system isn't broken. Measure L is just better. San Francisco, San Diego and other major California cities have changed to the form of government Measure L proposes. Why? Because it works!

Councilmembers who represent 1/8th of the City will continue to represent their districts. The Mayor, the only leader elected Citywide, will serve as chief executive - instead of an unelected appointee. This will create clearer lines of accountability and stronger checks and balances to ensure that no one passes the buck.

When he was a Mayor, Governor Jerry Brown championed modernizing City government in the same way Measure L proposes. Why? So he could balance the budget, create jobs, and reduce crime without bureaucratic roadblocks.

Measure L sheds an unprecedented light of transparency by establishing an Independent Budget Analyst and Open Government Ordinance to improve your access to city meetings and finances.

Measure L demands higher standards of conduct through a new Ethics Committee and Code of Ethics. Measure L provides neighborhoods a stronger voice in City decisions through a new Neighborhood Advisory Council.

Sacramento is changing for the better. We're cutting crime, balancing our budget, and revitalizing our neighborhoods. It's time to reform our City government with a plan supported by Democrats, Republicans, business and labor.

Say Yes to smarter, more accountable, transparent government. Vote Yes on Measure L.

s/Darrell Steinberg
State Senate President Pro Tempore

s/Angelique Ashby
Sacramento City Mayor Pro-Tem & Councilmember District 1

s/Jimmie Yee
Sacramento County Supervisor & Former Mayor of Sacramento

s/Alice Perez
President & CEO, California Hispanic Chambers of Commerce

s/Brian Rice
President, Sacramento Area Fire Fighters Local 522