

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

JAMES A. CLEVELAND
Post Office Box 15367
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Phone: 456-3204

OCT 20 1 10 PM '81

Agenda Item #16 before the Sacramento City Council on October 20, 1981

"CLEVELAND TO SPEAK"

"Cable Television", should it be a "Public Utility", or should it be given away to "Special Interests"?

I am not here to argue the merits of either case, only to inform the Sacramento City Council that they can either vote themselves to place this subject on the ballot for the voters of this City to decide this question during the June Primary election in 1982, or that this subject will be placed on the ballot and a "Special Election mandated by the Initiative process."

It is believed that the voters want Cable Television to be a "Public Utility".

It is also believed that while fewer voters will turn out for a "Special Election", the majority of the people who do go to the polls will be those who want Cable Television and will vote to make it a "Public Utility".

I believe it would be in the best interests of the City of Sacramento to save both the time and money that a Special Election would cost, and for the Sacramento City Council to vote to place this matter on the June 1982 ballot themselves, rather than wait more than six (6) months for signatures to be collected and qualified.

FILED
By City Council
Office of the City Clerk

Thank you and good evening.

*Mayor and City Council:
I have a speaking conflict, so am submitting these previously prepared written comments in lieu of making a personal appearance.*

James A. Cleveland
JAMES A. CLEVELAND
Disabled American Veteran

OCT 20 1981

James A. Cleveland

JAMES A. CLEVELAND
SUITE 301, 2362 AMERICAN RIVER DRIVE
SACRAMENTO, CALIFORNIA 95825

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CITY CLERK'S OFFICE
CITY OF SACRAMENTO

OCT 14 12 08 PM '81

16
JAMES A. CLEVELAND
Post Office Box 15367
Sacramento, California 95851
Phone: (916) 456-3204

October 14, 1981

Mayor and City Council
City Hall
Sacramento, California 95814

Subject: Cable Television Initiative

Mayor and City Council:

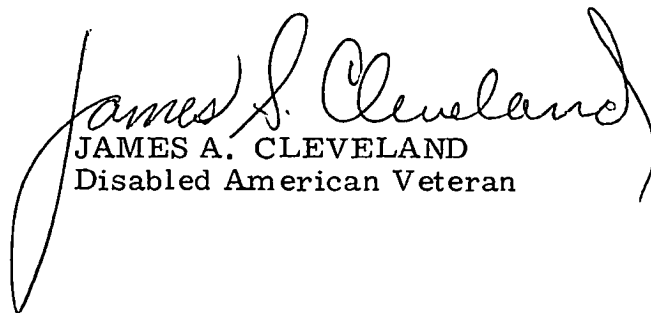
I request that the Sacramento City Council under the provisions of Election Code 4017 place the subject of Cable Television, to wit: "That it should be up to the voters of this City to determine if it, Cable Television, should be owned, operated and controlled as a Public Utility, by and for the City of Sacramento."

If the City Council does not cause such an initiative process to be placed on the ballot without further delay, then I shall personally fund and initiate such a petition drive to obtain the approximate 21,320 registered voters signatures necessary to place it on the ballot.

Attached are copies of the information provided to me on October 13, 1981 by the City Clerk.

If and when this subject is placed on the agenda of the Sacramento City Council I desire to speak on behalf of Cable Television being a Public Utility within the City of Sacramento.

Sincerely yours,


JAMES A. CLEVELAND
Disabled American Veteran

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RECEIVED
CITY OF SACRAMENTO
OCT 2 11 19 1981

JAMES A. CLEVELAND
Post Office Box 15367
Sacramento, California 95851-0367
Phone: (916) 456-3204

October 2, 1981

City Clerk
City of Sacramento
City Hall
Sacramento, California 95814

Subject: Requirements to cause a referendum of all City Voters

City Clerk:

Please advise me by the most expeditious means what the legal requirements are to draft a petition, and the number of signatures necessary to qualify the subject of "Cable Television" for a City-Wide ballot to determine if the voters want it to be publicly or privately owned.

Sincerely yours,

James A. Cleveland
JAMES A. CLEVELAND
Disabled American Veteran

*Registered Voters for City of Sacramento
as of last report to Secretary of State
142,121*

*Received from the City Clerks Office on 10-13-81
jac*

Chapter 3. Municipal Elections

Article 1. Initiative

4000. Scope of article.

Ordinances may be enacted by and for any incorporated city pursuant to this article.

(Added by Stats. 1976, c. 248, §3.)

4001. Proposed ordinance may be submitted by petition.

Any proposed ordinance may be submitted to the legislative body of the city by a petition filed with the clerk of the legislative body, in the manner hereinafter prescribed, after being signed by not less than the number of voters specified in this article. The petition may be in separate sections, providing that the same complies with all of the requirements of this article. The first page of each section shall contain the title of the petition and the text of the measure. The petition sections shall be designated in the manner set forth in Section 3516.

(Added by Stats. 1976, c. 248, §3.)

4002. Notice of intent to circulate petition shall be published; form of notice.

Before circulating an initiative petition in any city, or any petition relating to the annexation of territory by a city, the consolidation of cities, or the dissolution of a city, the proponents of such matter shall publish a notice of intention so to do, which notice shall be accompanied by a written statement not in excess of 500 words, setting forth the reasons for the proposed petition. The notice shall be signed by at least one, but not more than five, proponents and shall be in substantially the following form:

Notice of Intent to Circulate Petition

Notice is hereby given of the intention of the persons whose names appear hereon of their intention to circulate the petition within the City of _____ for the purpose of _____. A statement of the reasons of the proposed action as contemplated in said petition is as follows:

(Added by Stats. 1976, c. 248, §3.)

4003. Where notice is published or posted.

A notice of intention and statement as referred to in Section 4002, shall be published or posted or both as follows:

(a) If there is a newspaper of general circulation, as described in Section 6000 et seq. of the Government Code, adjudicated as such, said notice and statement shall be published therein at least once; or

(b) If the petition is to be circulated in a city in which there is no adjudicated newspaper of general circulation, said notice and statement shall be published at least once, in a newspaper circulated within the city and adjudicated as being of general circulation within the county in which the city is located and said notice and statement shall be posted in three (3) public places within the city, which public places shall be those utilized for the purpose of posting ordinances as required in Section 36933 of the Government Code; or

(c) If the petition is to be circulated in a city in which there is no adjudicated newspaper of general circulation, and there is no newspaper of general

circulation adjudicated as such within the county, circulated within the city, then the said notice and statement shall be posted in the manner described in subdivision (b) of this section.

(Added by Stats. 1976, c. 248, §3.)

4004. Filing of publication affidavit.

Within 10 days after the date of publication or posting, or both, of the notice of intention and statement, the proponents shall file a copy of the notice and statement as published or posted, or both, together with an affidavit made by a representative of the newspaper in which the notice was published or, if the notice was posted, by a voter of the city, certifying to the fact of publication or posting.

Such affidavit, together with a copy of the notice of intention and statement, shall be filed with the clerk of the legislative body of the city.

(Added by Stats. 1976, c. 248, §3.)

4005. When petition may be circulated.

Twenty-one days after the publication or posting or both of the notice of intention and statement, the petition may be circulated among the voters of the city for signatures by any registered voter of the city. Each section of the petition shall bear a copy of the notice of intention and statement.

(Added by Stats. 1976, c. 248, §3.)

4006. Securing of signatures and petition filing time.

Signatures upon petitions and sections thereof shall be secured, and the petition, together with all sections thereof, shall be filed within 180 days from the date of publication or posting or both of the notice of intention and statement, or in the case of a petition relating to the annexation of territory to the city, within 180 days of the date on which the first signature was affixed to said petition. If such petitions are not filed within the time permitted by this section, the same shall be void for all purposes.

(Added by Stats. 1976, c. 248, §3.)

4007. Affidavit attached to petition.

Each section shall have attached thereto the affidavit of the person soliciting the signatures. This affidavit shall be substantially in the same form as set forth in Section 3519.

(Added by Stats. 1976, c. 248, §3.)

4008. Filing of petition.

The petition shall be filed by the proponents or by any person or persons authorized in writing by the proponents. All sections of the petition shall be filed at one time.

When the petition is presented for filing, the clerk shall:

(a) Ascertain the number of registered voters of the city last officially reported to the Secretary of State by the county clerk and

(b) Determine the total number of signatures affixed to the petition. If, from this examination, the clerk determines that the number of signatures, prima facie, equals or is in excess of the minimum number of signatures required, the clerk shall accept the petition for filing. The petition shall be deemed as filed on that date. Any sections of the petition not so filed shall be void for all purposes.

(Added by Stats. 1976, c. 248, §3.)

4009.

ELECTIONS CODE

4009. Examination of signatures.

After the petition has been filed, as herein provided, the clerk shall examine the petition in the same manner as are county petitions in accordance with Sections 3707 and 3708 except that, for the purposes of this section, references to the board of supervisors shall be treated as references to the legislative body of the city.

The petition shall be preserved by the city clerk in the same manner as are county measures as set forth in Section 3756.

(Added by Stats. 1976, c. 248, §3.)

4010. Legislative body to pass ordinance or call special election.

If the initiative petition is signed by not less than 15 percent of the voters of the city according to the county clerk's official report of registration to the Secretary of State effective at the time the notice specified in Section 4002 was published, or in a city with 1,000 or less registered voters the signatures of 25 percent of the voters or 100 voters of the city, whichever is the lesser number, and contains a request that the ordinance be submitted immediately to a vote of the people at a special election, the legislative body shall either:

(a) Introduce the ordinance without alteration at the regular meeting at which it is presented and adopt the ordinance within 10 days after it is presented; or

(b) Immediately order a special election, to be held not less than 94 nor more than 109 days after the date of the order, at which the ordinance, without alteration, shall be submitted to a vote of the voters of the city.

(Amended by Stats. 1980, c. 710, §5.5.)

4011. Ordinance submitted at next regular municipal election.

If the initiative petition is signed by not less than 10 percent of the voters of the city according to the county clerk's official report of registration to the Secretary of State effective at the time the notice specified in Section 4002 was published, or in a city with 1,000 or less registered voters by the signatures of 25 percent of the voters or 100 voters of said city, whichever is the lesser number, and the ordinance petitioned for is not required to be, or for any reason is not, submitted to the voters at a special election, and is not passed without change by the legislative body, then the ordinance, without alteration, shall be submitted by the legislative body to the voters at the next regular municipal election occurring not less than 75 days nor more than 89 days after the order of the legislative body.

(Amended by Stats. 1980, c. 1287, §11.5.)

4012. Mayor may veto.

In cities having a mayor, or like officer, with the veto power, when the passage of an ordinance petitioned for by the voters is vetoed, the failure of the legislative body to pass the ordinance over the veto shall be deemed a refusal of the legislative body to pass the ordinance within the meaning of this article.

(Added by Stats. 1976, c. 248, §3.)

4013. Valid ordinance if majority.

If a majority of the voters voting on a proposed ordinance vote in its favor, the ordinance shall become a valid and binding ordinance of the city. The ordinance shall be considered as adopted upon the date that the vote is declared by the legislative body, and shall go into effect 10 days after that date. No ordinance proposed by initiative petition and adopted by the vote of the legislative body of the city without submission to the voters, or adopted by the voters, shall be

repealed or amended except by a vote of the people, unless provision is otherwise made in the original ordinance.

(Added by Stats. 1976, c. 248, §3.)

4014. More than one ordinance at same election.

Any number of proposed ordinances may be voted upon at the same election, but the same subject matter shall not be voted upon twice within any 12-month period at a special election under the provisions of this article.

(Added by Stats. 1976, c. 248, §3.)

4015. Arguments for and against ordinance.

The persons filing an initiative petition pursuant to this article may file a written argument in favor of the ordinance, and the legislative body may submit an argument against the ordinance. Neither argument shall exceed 300 words in length, and both arguments shall be printed upon the same sheet of paper and mailed to each voter with the sample ballot for the election.

The following statement shall be printed on the front cover, or if none, on the heading of the first page, of the printed arguments:

"Arguments in support of or in opposition to the proposed laws are the opinions of the authors."

Printed arguments submitted to voters in accordance with this section shall be titled either "Argument In Favor Of Measure _____" or "Argument Against Measure _____," accordingly, the blank spaces being filled in only with the letter or number, if any, which designates the measure. At the discretion of the clerk, the word "Proposition" may be substituted for the word "Measure" in such titles. Words used in the title shall not be counted when determining the length of any argument.

(Amended by Stats. 1977, c. 297, §4.)

4015.5. Rebuttal arguments.

(a) If the legislative body submits an argument against the ordinance, it shall immediately send copies of the argument to the persons filing the initiative petition. The persons filing the initiative petition may prepare and submit a rebuttal argument not exceeding 250 words. The legislative body may prepare and submit a rebuttal to the argument in favor of the ordinance not exceeding 250 words. The rebuttal arguments shall be filed with the clerk not more than 10 days after the final date for filing direct arguments. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

(b) The provisions of subdivision (a) shall only apply if, not later than the day on which the legislative body calls an election, the legislative body, by a majority vote, adopts its provision; in which case, the provisions of subdivision (a) shall apply at the next ensuing municipal election and at each municipal election thereafter, unless later repealed by the legislative body in accord with the procedures of this subdivision.

(Added by Stats. 1977, c. 701, §1.)

4016.

ELECTIONS CODE

4016. Conflicting ordinances.

If the provisions of two or more ordinances adopted at the same election conflict, the ordinance receiving the highest number of affirmative votes shall control.

(Added by Stats. 1976, c. 248, §3.)

4017. Legislative body may submit proposed ordinance to voters.

The legislative body of the city may submit to the voters, without a petition therefor, a proposition for the repeal, amendment, or enactment of any ordinance, to be voted upon at any succeeding regular or special city election, and if the proposition submitted receives a majority of the votes cast on it at the election, the ordinance shall be repealed, amended or enacted accordingly. A proposition may be submitted, or a special election may be called for the purpose of voting on a proposition, by ordinance or resolution.

(Added by Stats. 1976, c. 248, §3.)

4018. Copy of ordinance mailed with sample ballot.

Whenever any ordinance or measure is required by this article to be submitted to the voters of a city at any election, the clerk of the legislative body shall cause the ordinance or measure to be printed. He shall mail a copy of the ordinance or measure with a sample ballot, to each voter at least 10 days prior to the election.

The legislative body may direct that its clerk include in such mailing, as official matter, the provisions of the proposed ordinance or measure, showing therein the difference from existing provisions of law, by the use of distinguishing type styles.

If such ordinance or measure exceeds 1,000 words in length, the local legislative body may direct that a synopsis of the ordinance be prepared, to be mailed to the voters in lieu of the ordinance. The synopsis shall be prepared by the city attorney unless the ordinance affects the office of the city attorney, in which case the clerk shall prepare the synopsis. Immediately below the synopsis there shall be printed in 10-point bold type a legend substantially as follows:

"The above statement is a synopsis of Ordinance or Measure Number _____ and is not the complete text of such ordinance or measure. If you desire a complete copy of the ordinance or measure, return the enclosed prepaid postcard and a copy will be mailed at no cost to you."

If the clerk, at the direction of the legislative body, mails only a synopsis of an ordinance or measure, the clerk shall enclose a postage-paid postcard which may be used by the voter to request a complete copy of the ordinance or measure which shall be mailed to such voter with postage prepaid.

(Added by Stats. 1976, c. 248, §3; Amended by Stats. 1976, c. 613, §2.)

4019. Enacting clause of ordinance.

The enacting clause of an ordinance submitted to the voters of a city shall be substantially in the following form:

"The people of the City of _____ do ordain as follows:"

(Added by Stats. 1976, c. 248, §3.)

4020. Day of election; consolidation with regular election or calling of special election.

When a special election is to be called under this article, it shall be held not less than 94 nor more than 109 days after the date of the presentation of the proposed ordinance to the legislative body, and shall be held in accordance with the provisions of this code. To avoid holding more than one special election within

NOTE: {

any six months, the date for holding the special election may be fixed later than 109 days, but at as early a date as practicable after the expiration of six months from the last special election. When it is legally possible to hold a special election under this chapter within six months prior to a regular municipal election, the legislative body may submit the proposed ordinance at the regular election instead of at a special election.

(Amended by Stats. 1980, c. 710, §7.)

4021. Scope of article.

This article does not apply to any statewide initiative measure.

(Added by Stats. 1976, c. 248, §3.)

Article 2. Referendum

4050. Date ordinance becomes effective.

No ordinance shall become effective until 30 days from and after the date of its final passage, except:

(a) An ordinance calling or otherwise relating to an election.

(b) An ordinance for the immediate preservation of the public peace, health or safety, which contains a declaration of, and the facts constituting, its urgency and is passed by a four-fifths vote of the city council.

(c) Ordinances relating to street improvement proceedings.

(d) Other ordinances governed by particular provisions of state law prescribing the manner of their passage and adoption.

(Added by Stats. 1976, c. 248, §3.)

4050.1. Time ordinance becomes effective; when ordinance subject to referendum.

(a) Notwithstanding the provisions of Section 4050, ordinances authorizing the issuance of revenue bonds by a city as part of a joint powers entity pursuant to Section 6547 of the Government Code shall not take effect for 60 days.

(b) When the number of votes cast for all candidates for Governor at the last gubernatorial election within the boundaries of the city described in subdivision (a) exceeds 500,000, such ordinance is subject to referendum upon presentation of a petition bearing signatures of at least 5 percent of the entire vote cast within the boundaries of the city for all candidates for Governor at the last gubernatorial election. When the number of votes cast for all candidates for Governor at the last gubernatorial election within the boundaries of the city is less than 500,000, such ordinance is subject to referendum upon presentation of a petition bearing signatures of at least 10 percent of the entire vote cast within the boundaries of the city for all candidates for Governor at the last gubernatorial election.

(c) For the purpose of submitting the question to the voters pursuant to subdivision (b), the ballot wording shall approximate the following:

"Shall the _____, as a member of the _____,
(city name) (joint powers entity name)

authorize the issuance of revenue bonds by the joint powers entity in the amount of \$ _____ pursuant to ordinance number _____, dated _____ such bonds to be used for the following purposes and to be redeemed in the following manner: _____?"

(Added by Stats. 1976, c. 754, §2.)

4051.

ELECTIONS CODE

4051. Petition to reconsider ordinance.

If a petition protesting against the adoption of an ordinance and circulated by any qualified registered voter of the city, is submitted to the clerk of the legislative body of the city within 30 days of the adoption of the ordinance, and is signed by not less than 10 percent of the voters of the city according to the county clerk's last official report of registration to the Secretary of State, or, in a city with 1,000 or less registered voters, is signed by not less than 25 percent of the voters or 100 voters of the city whichever is the lesser, the effective date of the ordinance shall be suspended, and the legislative body shall reconsider the ordinance.

(Added by Stats. 1976, c. 248, §3.)

4052. Affidavit of solicitor.

Each section shall have attached thereto the affidavit of the person soliciting the signatures. This affidavit shall be substantially in the same form as set forth in Section 3519.

(Added by Stats. 1976, c. 248, §3.)

4053. Petition filing and examination of signatures.

Petitions shall be accepted for filing by the clerk and the determination of the number of signatures thereon shall be made by the clerk in accordance with the provisions set forth in Section 4008.

(Added by Stats. 1976, c. 248, §3.)

4054. Petition filing and examination of signatures.

After the petition has been filed, as herein provided, the clerk shall examine the petition and certify the results in the same manner as are county petitions in Sections 3707 and 3708 except that, for the purposes of this section, references to the board of supervisors shall be treated as references to the legislative body of the city.

This petition shall be preserved by the city clerk in the same manner as are county measures as set forth in Section 3756.

(Added by Stats. 1976, c. 248, §3.)

4055. Ordinance submitted to voters.

If the legislative body does not entirely repeal the ordinance against which the petition is filed, the legislative body shall submit the ordinance to the voters, either at a regular municipal election occurring not less than 75 days nor more than 89 days after the order of the legislative body or at a special election called for the purpose and held not less than 74 nor more than 89 days after the date of the order. The ordinance shall not become effective until a majority of the voters voting on the ordinance vote in favor of it. If the legislative body repeals the ordinance or submits the ordinance to the voters and a majority of the voters voting on the ordinance do not vote in favor of it, the ordinance shall not again be enacted by the legislative body for a period of one year after the date of its repeal by the legislative body or disapproval by the voters.

(Amended by Stats. 1980, c. 1287, §11.7.)

4056. Filing of petition.

Signatures upon petitions, and sections thereof, shall be secured, and the petition, together with all sections thereof, shall be filed within 30 days from the date of the adoption of the ordinance to which it relates. If such petitions are not filed within the time permitted by this section, the same shall be void for all purposes.

(Added by Stats. 1976, c. 248, §3.)

4057. Election regulations.

Elections, pursuant to this article, shall be held in accordance with the provisions of Sections 4013 to 4020, inclusive.

(Added by Stats. 1976, c. 248, §3.)

4058. Mayor may veto.

Whenever the legislative body of a city has voted in favor of the repeal of an ordinance protested against by the voters, as provided in this article, and the mayor, or like officer, has vetoed the repeal, the failure of the legislative body to pass the repeal over the veto shall be deemed a refusal to repeal the ordinance.

(Added by Stats. 1976, c. 248, §3.)

4059. Date of approval.

If approval of an ordinance by the mayor or like officer is necessary, the date of approval shall be deemed the date of its final passage by the legislative body within the meaning of this article.

If an ordinance becomes law when the time for approval or veto has expired and no action has been taken, the date of the expiration of that time shall be deemed the date of its final passage by the legislative body within the meaning of this article.

(Added by Stats. 1976, c. 248, §3.)

4060. Duty imposed upon the legislative body is likewise imposed upon any officer having any duty to perform.

Any duty imposed in this chapter upon the legislative body of a city in regard to calling a municipal election, or in connection with an election called pursuant to this chapter, is likewise imposed upon any officer having any duty to perform connected with the election, so far as may be necessary to carry out the provisions of this chapter.

(Added by Stats. 1976, c. 248, §3.)

4061. Application of chapter.

Article 1 (commencing with Section 4000) and Article 2 (commencing with Section 4050) of this chapter do not apply to cities having a charter adopted under the provisions of Section 3 of Article XI of the Constitution, and having in such charter any provision for the direct initiation of ordinances by the voters; nor to proceedings had for the improvement of streets in or rights-of-way owned by cities, the opening or closing of streets, the changing of grades or the doing of other work, the cost of which or any portion of which is to be borne by special assessments upon real property.

(Amended by Stats. 1979, c. 667, §15.)

Article 3. Freeholders' Charter Amendments

4080. Scope of article.

This article is applicable only to amendments to freeholders' charters adopted pursuant to Section 3 of Article XI of the Constitution and Chapter 3 of Division 2 of Title 4, commencing at Section 34450 of the Government Code.
(Added by Stats. 1976, c. 248, §3.)

4081. Petition to contain full text.

The petition signed by voters proposing an amendment to a charter shall set forth in full the text of the proposed amendment.
(Added by Stats. 1976, c. 248, §3.)

4082. Each section to contain correct copy of text.

The petition may be circulated in sections but each section shall contain a correct copy of the text of the proposed amendment.
(Added by Stats. 1976, c. 248, §3.)

4083. Requirements of signing.

Each signer of the petition shall sign it in the manner prescribed by Section 3516.
(Added by Stats. 1976, c. 248, §3.)

4084. Form of petition.

The petition shall be in substantially the following form:

Petition for Submission to Voters of Proposed Amendment to the Charter of the City (or City and County) of _____

To the city council (or other legislative body) of the City (or City and County) of _____:

We, the undersigned, registered and qualified voters of the State of California, residents of the City (or City and County) of _____, pursuant to Section 3 of Article XI of the Constitution of this state and Chapter 3 of Division 2 of Title 4, commencing at Section 34450 of the Government Code, present to the city council (or other legislative body) of the city (or city and county) this petition and request that the following proposed amendment to the charter of the city (or city and county) be submitted to the registered and qualified voters of the city (or city and county) for their adoption or rejection at an election on a date to be determined by the city council (or other legislative body).

The proposed charter amendment reads as follows:

First. (setting forth the text of the amendment) _____ (etc.)

Name of signer	(Signed) Residence	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

(Added by Stats. 1976, c. 248, §3.)

Article 4. Arguments Concerning City Measures**5010. "City measure" definition.**

As used in this article, "city measure" includes any proposed city charter, any proposed amendment to a city charter, any proposition for the issuance of bonds by the city, any advisory question, or any other question or proposition submitted to the voters of a city.

(Amended by Stats. 1976, c. 916, §2.)

5011. City attorney to prepare impartial analysis.

Whenever any city measure qualifies for a place on the ballot, the governing body may direct the city clerk to transmit a copy of the measure to the city attorney, unless the organization or salaries of the office of the city attorney are affected. The city attorney shall prepare an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. If the measure affects the organization or salaries of the office of the city attorney, the governing board may direct the city clerk to prepare the impartial analysis. The analysis shall be printed preceding the arguments for and against the measure. The analysis shall not exceed 500 words in length.

(Added by Stats. 1976, c. 248, §3.)

5012. If not otherwise provided, voters may submit arguments.

If there is no other method provided by general law, or, in the case of a chartered city, by the charter or by city ordinance, arguments for and against any city measure may be submitted to the qualified voters of the city pursuant to this article. If a method is otherwise provided by general law, or, in the case of a chartered city, by charter or city ordinance, for submitting arguments as to a particular kind of city measure, that method shall control.

(Added by Stats. 1976, c. 248, §3.)

5013. Written arguments.

The legislative body, or any member or members of the legislative body authorized by that body, or any individual voter or bona fide association of citizens, or any combination of voters and associations, may file a written argument for or against any city measure. No argument shall exceed 300 words in length. The city clerk shall cause an argument for and an argument against the measure to be printed along with the following statement on the front cover, or if none, on the heading of the first page, of the printed arguments:

"Arguments in support or opposition of the proposed laws are the opinions of the authors."

The city clerk shall enclose a printed copy of both arguments with each sample ballot; provide, that only those arguments filed pursuant to this section shall be printed and enclosed with the sample ballot. The printed arguments are "official matter" within the meaning of those words used in Section 10010.

Printed arguments submitted to voters in accordance with this section shall be titled either "Argument In Favor Of Measure _____" or "Argument Against Measure _____," accordingly, the blank spaces being filled in only with the letter or number, if any, which designates the measure. At the discretion of the clerk, the word "Proposition" may be substituted for the word "Measure" in such titles. Words used in the title shall not be counted when determining the length of any argument.

(Amended by Stats. 1977, c. 297, §5.)

5014.

ELECTIONS CODE

5014. Argument not accepted without names.

A ballot argument shall not be accepted under this article unless accompanied by the name or names of the person or persons submitting it, 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 signatures shall appear with any argument submitted under this article. In case any argument is signed by more than five persons the signatures of the first five shall be printed.

(Added by Stats. 1976, c. 248, §3.)

5014.1. Argument not accepted without consent from person included in text.

A ballot argument or, if applicable, a rebuttal argument which includes in its text the name of a person, other than the author of the argument, who is represented as being for or against a measure, shall not be accepted unless the argument is accompanied by a signed consent of such person. The consent of a person, other than an individual, shall be signed by an officer or other duly authorized representative. "Person" as used in this section means any individual, partnership, corporation, association, committee, labor organization, and any other organization or group of persons.

(Added by Stats. 1978, c. 172, §3.)

5014.5. Rebuttal arguments.

(a) If any person submits an argument against a city measure, and an argument has been filed in favor of the city measure, the clerk shall immediately send copies of that argument to the persons filing the argument in favor of the city measure. The persons filing the argument in favor of the city measure may prepare and submit a rebuttal argument not exceeding 250 words. The clerk shall send copies of the argument in favor of the measure to the persons filing the argument against the city measure, who may prepare and submit a rebuttal to the argument in favor of the city measure not exceeding 250 words. The rebuttal arguments shall be filed with the clerk not more than 10 days after the final date for filing direct arguments. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

(b) The provisions of subdivision (a) shall only apply if, not later than the day on which the legislative body calls an election, the legislative body, by a majority vote, adopts its provisions; in which case, the provisions of subdivision (a) shall apply at the next ensuing municipal election and at each municipal election thereafter, unless later repealed by the legislative body in accord with the procedures of this subdivision.

(Added by Stats. 1977, c. 701, §2.)

5015. Final date for arguments.

Based on the time reasonably necessary to prepare and print the arguments and sample ballots and to permit the 20-day public examination as provided in Article 6 (commencing with Section 5025) for the particular election, the city clerk shall fix and determine a reasonable date prior to the election after which no arguments for or against any city measure may be submitted for printing and distribution to the voters as provided in this article. Arguments may be changed

As used in this section, the term "regular election date" means the primary municipal election date for council elections and any election date specified in section 2500 of the Elections Code of the State of California as the same now reads or may be hereafter amended.

Sec. 155 Application of general law.

Unless otherwise provided for by ordinances hereafter enacted, all elections shall be held in accordance with the provisions of the Elections Code and Government Code of the State of California, as the same now exist or may be hereafter amended, for the holding of elections in cities, insofar as the same are not in conflict with this Charter.

Article XI. Initiative, Referendum, Recall

Sec. 160 General.

The powers of the initiative, referendum and the recall of elected municipal officers are hereby reserved to the electors of the city. The provisions of the Elections Code of the State of California, as the same now exist or may hereafter be amended, governing the initiative and referendum and the recall of municipal officers in cities shall be applicable insofar as the same are not in conflict with this Charter; provided, however, that the number of signatures which shall be required for the exercise of the power of initiative shall be as provided in section 161.

Sec. 161 Initiative.

To initiate proceedings for the exercise of the power of the initiative, either of the following provisions shall apply as is applicable:

(a) If the petition is signed by duly qualified electors of the city equal in number to at least fifteen percent (15%) of the registered voters of the city, and contains a request that the proposed ordinance be submitted immediately to a vote of the people at a special election, the city council shall either adopt said ordinance within fifteen (15) days after it is presented to the city council by the city clerk, or immediately call a special election at which the ordinance, without alteration, shall be submitted to a vote of the voters of the city.

(b) If the petition is signed by duly qualified electors of the city equal in number to at least ten percent (10%) of the registered voters of the city, and the ordinance petitioned for is not required by subsection (a) to be, or for any reason is not, submitted to the voters at a special election, and is

not adopted without alteration by the city council, then the proposed ordinance, without alteration, shall be submitted by the city council to the voters at the next primary or general municipal election at which said proposition may appear regularly on the ballot or at the next statewide primary or general election into which a special city election may be lawfully consolidated, whichever is the first to occur.

(c) The total number of registered voters of the city shall be determined according to the county clerk's last official report of registration to the Secretary of State.

Sec. 162 Referendum.

All ordinances which may be passed by the city council shall be subject to referendum, whenever the use of the initiative or referendum is permitted by state law applicable to cities.

Sec. 163 Recall.

The holder of any elective office may be recalled, in the manner provided by state law applicable to cities, by the electors after such person has held office six months.

Sec. 164 Elections code.

The city council may include procedural provisions in the elections code ordinance consistent with this article.

Article XII. Board of Education

Sec. 170 Organization.

The government of the Sacramento City Unified School District shall be vested in a board of education consisting of seven members who shall be nominated and elected from the district at large. Except as otherwise provided herein, the board of education shall be elected in accordance with, shall possess the powers prescribed by and shall be subject to the limitations contained in article IX of this Charter, as said article read on June 7, 1976.

Sec. 171 Elections; compensation; vacancies; resident requirements; terms of office.

(a) The members of the board of education shall be elected for a term of four years, three to be elected at a regular election and four to be elected at the next regular election. Each member of the board shall receive the sum of \$20.00 per meeting attended not to exceed the sum of \$100.00 per month.