April 6, 2005

TO: Sacramento Local Agency Formation Commission

FROM: Donald J. Lockhart, AICP, Assistant Executive Officer

RE: **Freeport Reorganization (08-04)**
     (Annexation to City of Sacramento) – Election Information

Recommendation

This memo responds to questions raised at the March 2, 2005 Commission meeting. This is an information only item, no action is required.

Ballot Arguments

Government Code (Sec.57145) establishes the parties which may submit ballot arguments for or against the question to be submitted to the voters. The eligible parties are the affected legislative body, an authorized member of the legislative body or any individual or association of citizens entitled to vote on the matter.

As ballot arguments are opinions of their authors, the City Clerk may only accept them and ensure that the word count is correct. The City Clerk does not have the authority to approve/ disapprove or edit arguments.[1]

For any rebuttals, only the original argument authors can submit rebuttals of the opposing opinion. There is an exception to this if the original author relinquishes the authorship "in writing". However, this substitute author must also be a registered voter eligible to vote on the manner.

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[1] The City Council authorized Councilman Robbie Waters to submit an argument in support of the proposed reorganization and provide a rebuttal to arguments submitted opposing the measure. Five registered voters authored a single joint argument against the measure, as well as submitted a joint rebuttal to Councilman Waters' argument. These two arguments and two rebuttals are the only ballot language received for publication.

Election Process

This election will be conducted in the same manner as any other regular or special election conducted by the City of Sacramento. The City Clerk is the elections official designated to handle all of the front-end processes:

- call the election,
- publish and post notices,
- establish submission deadlines,
- accept documentation (measure text, impartial analysis, arguments, rebuttals),
- miscellaneous related administrative tasks.

After the ballot materials are received, the information is conveyed to Ms. Jill LeVine, Registrar of Voters, County of Sacramento. From that point, the production of the official ballot materials, the mailing, handling and counting of the ballots, announcement of results and certification of the ballot count, is conducted by the County Registrar of Voters.

The City is completely "hands off." Once the County of Sacramento certifies the election results, the County provides the City with a "Certificate of Facts."

DL:Maf

(Freeport Election Memo)