



Staff Report

Date: July 14, 2016
To: Mayor and Ross Town Council
From: Greg Stepanicich, Town Attorney
Subject: Preparation of Ballot Argument in Favor of Public Safety Tax

Recommendation

Authorize the Town Council or any member of the Town Council to prepare and sign the argument in favor of the measure reauthorizing the Public Safety Tax placed by the Council on the November 8, 2016 ballot.

Background and discussion

At its June meeting, the Council called a special municipal election to be consolidated with the statewide general election on November 8, 2016, for the purpose of submitting to the Town's voters a measure reauthorizing the Public Safety Tax for the time period from 2017 to 2025.

Since the Council has placed this measure on the ballot, Elections Code Section 9282 gives the Town Council or any authorized member of the Town Council priority in preparing and signing a ballot argument in favor of the measure. The Council is being asked to authorize the Town Council or any Councilmember to submit this argument to the Town Clerk. The deadline for filing an argument in favor of or against the measure is August 22, 2016.

In addition to authorizing the Council to submit an argument in favor of the measure, the Council also should address how the argument is prepared. First, the Council as a whole may submit the argument in favor of the measure. In the alternative, the Council can direct that one or more, but less than all of the Councilmembers sign the argument with one or more community members also being asked to sign the argument. Not more than five signatures may appear on the argument according to Elections Code Section 9283.

Second, the Council should decide how the argument will be prepared. In order to avoid a potential Brown Act violation, a majority of the Councilmembers should not discuss the preparation of the argument outside of a meeting. An approach often used by cities is to have two Councilmembers prepare the argument. Once the argument is prepared, the remaining Councilmembers (if any) that will be signing the argument can sign it before submittal to the Town Clerk. If the entire Town Council prefers to review the argument before it is submitted to

the Town Clerk, we recommend that the Council review the draft argument at its August 11th regular meeting or a special meeting held before August 22, 2016.

Fiscal, resource and timeline impacts

None

Alternative actions

None

Environmental review (if applicable)

N/A

Attachments

None