



Agenda Report

TO: CITY COUNCIL

DATE: December 7, 2000

FROM: MICHELE BEAL BAGNERIS, CITY ATTORNEY

SUBJECT: RESOLUTION REVISING THE LANGUAGE OF THE BALLOT QUESTION FOR MEASURE "C" ON THE MARCH 6, 2001 MUNICIPAL ELECTION BALLOT REGARDING A PROPOSED ORDINANCE IN FAVOR OF A CITYWIDE TRANSPORTATION AND TRAFFIC MANAGEMENT PLAN AND RELATED TO THE CITY'S POSITION REGARDING THE 710 FREEWAY

RECOMMENDATION:

Adopt "A Resolution Revising the Language of the Ballot Question for Measure "C" on the March 6, 2001 Municipal Election Ballot Regarding a Proposed Ordinance in Favor of a Citywide Transportation and Traffic Management Plan and Related to the City's Position Regarding the 710 Freeway."

BACKGROUND:

At the City Council meeting on December 4, 2000, the City Council adopted Resolution No. 7946 which placed Measure "C" on the March 6, 2001 Municipal Election Ballot. Measure "C" involves the question of whether the voters support a proposed Ordinance in favor of a Citywide Transportation and Traffic Management Plan. A significant component of that Measure is whether the City should take no position supporting or opposing the completion of the 710 Freeway extension. The ballot question should accurately reflect the nature of the measure.

The ballot language approved by the City Council at the December 4th meeting is as follows:
"Shall an Ordinance in favor of a citywide transportation and traffic management plan be adopted?"

To ensure that the ballot question is legally sufficient and adequately advises the voters of the nature of the measure, the City Attorney is of the opinion that the ballot language should be amended to read as follows:

"Shall an Ordinance be adopted to require preparation of a Citywide Transportation and Traffic Management Plan and to direct that the City take no position supporting or opposing the completion of the 710 Freeway extension until that Plan is fully implemented and evaluated?"

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MEETING OF 12/11/2000

AGENDA ITEM NO. 7.C.1.

Pursuant to Elections Code Section 9605, the ballot measure may be modified by the City Council no later than the 83rd day prior to the election. The 83rd day prior to the March 6, 2001 Municipal Election is December 13, 2000. Accordingly, the City Council may amend the ballot language at the December 11th City Council meeting and file the attached Resolution documenting the specific amended language with the City Clerk by December 13, 2000.

Respectfully submitted,


MICHELE BEAL BAGNERIS
City Attorney

Attachment:
Resolution (the proposed Ordinance is attached as Exhibit A to the Resolution)