




Office of the City Manager

ACTION CALENDAR
December 18, 2007

To:  Honorable Mayor and Members of the City Council

From:  Phil Kamlarz, City Manager

Submitted by: Pamyla Means, City Clerk

Subject: Election Date for Landmarks Preservation Ordinance Referendum

RECOMMENDATION

Select election date to submit the Landmarks Preservation Ordinance Referendum to the voters, and direct the City Attorney to prepare ballot title, text and impartial analysis.

FISCAL IMPACTS OF RECOMMENDATION

Funds in the amount of \$365,415 are budgeted within the City Clerk Department budget for the conduct of the November 4, 2008 General Municipal Election (Budget Code 010-2101-410). Measures submitted to the voters on June 3, 2008 would be a special election with costs beginning at an estimated amount of \$150,000. These funds are not budgeted.

CURRENT SITUATION AND ITS EFFECTS

A referendum petition was circulated against Ordinance 6,958-N.S., which amended the Landmarks Preservation Ordinance. The referendum petition was filed on January 11, 2007 and qualified as sufficient on January 24, 2007. On February 13, 2007 Council voted to submit the measure to the voters at an election date to be determined.

Charter Section 93 provides that the Council may submit the ordinance to the voters at the next statewide election, general municipal election, or a special election. If Council desires to submit the referendum to the voters at an election other than the November 2008 General Municipal election, the Charter requires a determination by vote of two-thirds of the Council that an urgent necessity exists. (City Charter Article III, Section 4(c)).

The next General Municipal Election for the City of Berkeley is scheduled for November 4, 2008. The next statewide election at which Council can submit measures to the voters is June 3, 2008. To meet necessary deadlines for the June election date, Council would need to take action to call the special election at the February 12, 2008 Council meeting.

CONTACT PERSON

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