

STAFF REPORT

BOARD MEETING DATE: December 5, 2023

CATEGORY: Regular Calendar {{item.number}}

SUBJECT: Take the following actions: (1) Temporarily suspend the operation of Rule 7(e)(1) in Administrative Policy 1-101, *Operation and Conduct of Business by the Board of Supervisors*; (2) approve the "Argument in Favor of Measure D," supporting the proposed charter for Shasta County, and if an opposing ballot argument is submitted, direct staff to prepare a rebuttal argument for the Board of Supervisors' consideration; (3) select a member of the Board of Supervisors to assist in the preparation of the ballot arguments; and (4) approve and authorize all Supervisors who are proponents of Measure D to sign the Verification Statement.

DEPARTMENT: County Administrative Office

SUPERVISORIAL DISTRICT #: All

DEPARTMENT CONTACT: Stewart Buettell, Deputy County Executive Officer, (530) 225-5561

STAFF REPORT APPROVED BY: David J. Rickert, County Executive Officer

<u>Vote Required?</u> Simple Majority Vote	<u>General Fund Impact?</u> No Additional General Fund Impact
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RECOMMENDATION

Take the following actions: (1) Temporarily suspend the operation of Rule 7(e)(1) in Administrative Policy 1-101, *Operation and Conduct of Business by the Board of Supervisors*; (2) approve the "Argument in Favor of Measure D" (Argument), supporting the proposed charter for Shasta County, and if an opposing ballot argument is submitted, direct staff to prepare a rebuttal argument for the Board of Supervisors' consideration; (3) select a member of the Board of Supervisors to assist in the preparation of the ballot arguments; (4) approve and authorize all Supervisors who are proponents of Measure D to sign the Verification Statement to submit the Argument to the County Clerk.

DISCUSSION

On October 31, 2023, the Board of Supervisors adopted a resolution that calls for an election and places “*An Ordinance of the Board of Supervisors of the County of Shasta Establishing Shasta County as a California Charter County and Adding the Charter to the Shasta County Code,*” on the ballot for the March 5, 2024, Primary Election for the purpose of enabling voters to approve or reject the ordinance. The Shasta County Elections Official has identified this ballot measure as Measure D.

If approved by the voters, Measure D will ratify the proposed Charter, to take effect and be in full force on March 5, 2024, after certification of the vote, making the Charter operative on January 1, 2025, after it has been filed and chartered with the California Secretary of State.

Elections Code section 9162(a) authorizes the Board of Supervisors or any member or members of the Board of Supervisors to file a written argument for or against Measure D, which would be included in the official ballot materials.

It is recommended that the Board of Supervisors approve and authorize for signature, a ballot argument supporting Measure D.

If an opposing ballot argument is submitted, Elections Code section 9167 authorizes the Board of Supervisors or any member or members of the Board of Supervisors to file a rebuttal argument. It is recommended that, should an opposing argument be submitted,

the Board of Supervisors also provide direction to staff to prepare a rebuttal argument, for the Board's consideration.

In addition, the Board must first temporarily suspend the operation of Rule 7(e)(1) in Administrative Policy 1-101, *Operation and Conduct of Business by the Board of Supervisors*, which states that, "No position shall be considered or taken by the Board concerning candidates for public office, propositions on the ballot, or other issues which will come before the voters." Rule 15 in Administrative Policy 1-101 allows the Board to "temporarily suspend, by the affirmative vote of three supervisors, the operation of all or part of these rules to facilitate the conduct of the Board's business."

It is also recommended that the Board of Supervisors select a member of the Board to assist in the preparation of the rebuttal ballot arguments. The proposed rebuttal arguments would then be brought back to the Board for consideration.

Should more than one argument supporting Measure D be submitted to the County Clerk/Registrar of Voters, Elections Code section 9166 provides that the argument submitted by the Board of Supervisors would be given preference and priority.

ALTERNATIVES

The Board could: (1) Propose revisions or changes to the recommended ballot argument in support of Measure D; (2) direct staff to prepare a ballot argument, for the Board's consideration, opposing Measure D, (3) decline any or all of the recommended actions or not submit any ballot arguments; (4) provide alternate direction to staff.

OTHER AGENCY INVOLVEMENT

The ballot argument supporting Measure D was prepared by the County Administrative Office. Any rebuttal arguments, should an opposing argument be submitted, will be prepared by the County Administrative Office and the member of the Board of Supervisors selected by the Board.

FISCAL IMPACT

Costs for staff time to prepare a ballot argument and possibly a rebuttal argument are included in the affected departments' Fiscal Year 2023-24 Adopted Budgets.

ATTACHMENTS:

- 1: Draft - Measure D Proponent Argument
- 2: Resolution No. 2023-127
- 3: Ordinance No. SCC 2023-06
- 4: Administrative Policy 1-101