



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember
Donald Rocha

SUBJECT: BALLOT MEASURE POSITIONS

DATE: September 28, 2012

Approved

Date

9/28/12

RECOMMENDATION

1. Pull items 2.10, 2.11 and 2.12 from the consent calendar.
2. During consideration of these items, ask staff to further explain their criteria for deciding which measures directly affect San Jose.

ANALYSIS

My purpose with this memo is to alert staff to a question that I plan to ask during Council consideration of ballot measures positions.

The Council Resolution Policy (council policy 0-11) establishes guidelines for when the Council should take positions on ballot measures and other matters. The policy holds that the Council should take action on issues that directly affect San Jose.

The measures that staff has brought forward meet that description, but I believe a number of other measures that are not on the agenda would also directly affect the City. Measure D, the minimum wage initiative, and Measure E, the card club initiative, would have an obvious effect on the City. Proposition 32 would institute campaign finance rules that would apply to local elections, including those in San Jose. Proposition 39 would close a tax loophole, and in so doing might make San Jose and the rest of California more competitive in attracting companies. Some would suggest that Propositions 34 and 36 would have implications for the City's law enforcement activities because of their effect on the criminal justice system in California. None of these measures, however, appear on the council agenda.

This approach seems to be in contrast to staff's past practice of taking a more comprehensive view of the City's interests. In the 2008 general election, for example, staff recommended positions on a total of seven measures, including Proposition 3, the Children's Hospital Bond Act and Proposition 12, the Veterans Bond Act—both state bonds that, according to staff, would have a positive effect on San Jose residents.

I would like to hear from staff, beyond what they've already said in their report, as to what criteria they used in this election cycle to determine which measures directly affect the City.