

RESOLUTION NO. 39-10

**RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA IN SUPPORT OF RESTORING DEMOCRACY IN CALIFORNIA
THROUGH THE CALIFORNIA DEMOCRACY ACT AND AUTHORIZING THE
MAYOR TO URGE ATTORNEY GENERAL JERRY BROWN TO REVISE THE
OFFICIAL TITLE AND SUMMARY FOR THAT ACT**

WHEREAS, the California Constitution currently requires a two-thirds majority vote to approve any actions on revenue and budgeting; and

WHEREAS, the super-majority vote requirement allows a minority – 34% of *either* the Assembly or Senate – to rule on revenue and budget matters, blocking the will of the majority in violation of perhaps the most essential tenet of democracy; and

WHEREAS, California is the only state that allows total *minority* control over its Legislature; and

WHEREAS, the two-third rule has allowed 37% of the Legislature to hold the state hostage on revenue and budget matters. This group has pledged to block any measure that permits an increase in any revenue source, and to cut revenue wherever possible; and

WHEREAS, as a consequence of the minority control over budget and revenue, the state has been forced to cut essential services, particularly in areas of public safety and education; and

WHEREAS, University of California, Berkeley Professor George Lakoff has drafted a proposed ballot initiative, called the California Democracy Act, that would change the supermajority requirement to a simple majority, by replacing the words “two-thirds” with “a majority” in the relevant provision of the Constitution. The Act reads: “All legislative actions on revenue and budget must be determined by a majority vote”; and

WHEREAS, the California Attorney General is responsible for producing a neutral and non-partisan Title and Summary of every statewide ballot initiative; and

WHEREAS, the Title and Summary the Attorney General has produced for the California Democracy Act is not neutral, but instead is phrased in a way that links the Act with increased taxes and spending; and

WHEREAS, a poll conducted by the David Binder Research Group during the period March 6-10, 2010 revealed that the current Title and Summary significantly skews voters’ impression of the Act, because it repeatedly refers to increases in taxes and government spending; and

WHEREAS, the same poll revealed that voters overwhelmingly indicated that they would vote for the Act when read the full text of the Act, rather than the Title and Summary; and

WHEREAS, as written, the current Title and Summary, if not changed, could kill the initiative, despite overwhelming voter support;

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Richmond hereby supports the passage of the California Democracy Act; and

BE IT FURTHER RESOLVED, that the City Council of the City of Richmond directs the Mayor to write Attorney General Jerry Brown on the City’s behalf to urge the Attorney General to revise the Title and Summary to remove the implication that the passage of the Act would result in raised or increased taxes and/or spending.

I hereby certify that the foregoing resolution of the Council of the City of Richmond was duly passed and adopted at a meeting thereof held April 6, 2010, by the following vote:

AYES: Councilmembers Bates, Butt, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin

NOES: None.

ABSTENTIONS: None.

ABSENT: Councilmember Lopez

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 39-10**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on April 6, 2010.