

MEASURE C

"Shall all ordinances approved by the voters be amended and/or repealed only by the voters?"

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE C

Measure C, if enacted, would only allow the residents of East Palo Alto to change, modify, amend, or repeal laws that they approved by the ballot process.

If Measure C is enacted, the City Council will not be able to amend, change or repeal laws or ordinances that the people have passed.

This measure will require the scheduling of an election and a popular vote prior to changing, amending, or repealing any clause or section within an ordinance which had been previously approved by a popular vote.

/s/ Reginald Crowell
City Attorney

ARGUMENT IN FAVOR OF MEASURE C

PROTECT THE RIGHT OF THE VOTERS
VOTE Yes on Measure "C"

In 1987, offers were made by the landlord organization PAPA and great pressure was brought upon the City Council to take actions that would have directly undermined the Rent Stabilization Law, which had been previously approved by the voters of the city.

Measure "C" reaffirms the principle that any law approved by the people may be amended or repealed ONLY by a vote of the people. The city council must not usurp that right from the voters. On the other hand, Measure "C" in no way interferes with the power of the city council to adopt laws that are deemed necessary to govern the city. In effect, most laws are enacted in this manner. What Measure "C" will do is protect the Rent Law and ANY other law that the voters may approve in the future.

For example, let's suppose that at a future date a city council were to place on the ballot a law controlling the transportation of toxic substances thru the streets of our city, and let's also assume that this proposed law was approved by the voters. Some interest group could pressure the council and possibly succeed in changing such a law. Measure "C" makes it clear that the will of the voters must be respected.

The conduct of the landlords in 1987, attempting to intimidate the city council into changing a law approved by the voters, or similar conduct by any other interest group is an insult to our community and to the voters. Measure "C" ensures that no precedent of 'selling' or trading laws is set in East Palo Alto.

VOTE YES on "C"

SAFEGUARD THE INTEGRITY OF THE LAW-PROCESS IN OUR CITY.

/s/ Ruben Abrica Date: February 5, 1988
Council Member
City of East Palo Alto

/s/ Barbara A. Mouton Date: February 5, 1988
Council Member

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE C

The present ordinance which imposes rental controls in the city also guarantees the right to modification, amendments, and changes that must be approved by a vote of citizens. This vote will occur by either regular or special elections. What you are being asked by Council members that have repeatedly used the divisions between renters and homeowners is to continue the battle. This law, if approved, would make it extremely difficult for this ordinance or any other voter initiated ordinance to be improved to better service the needs of the City.

A NO vote ensures that the battle between renters and property owners can begin a normal process of settlement.

/s/ John Bostic Date: February 19, 1988

ARGUMENT AGAINST MEASURE C

This measure would result in costly, cumbersome, and complicated delays to the City's elected representatives' ability to either modify or correct an ordinance approved by the voters.

At present, only one ordinance would be affected. The City's representatives have already been asked to amend this ordinance by fifteen different changes. If this measure is not rejected, more than 2500 voters would have to sign a circulated petition for each future change or correction that may be needed to improve the ordinance.

Voters would be called to special and costly elections for even minor changes. This would be a restrictive measure to good city government and an economic hardship to future laws and ordinance approved by the voters.

I recommend a NO vote to Measure "C"

/s/ John B. Bostic
Council Member
City of East Palo Alto

Date: February 4, 1988

REBUTTAL TO ARGUMENT AGAINST MEASURE C

PROTECT THE RIGHTS OF THE VOTERS
VOTE Yes on Measure "C"

A city council must not take away from the voters their right to amend or repeal an ordinance that the voters themselves have previously approved at the polls.

Measure "C" does not tie the hands of the city's elected representatives nor complicate their responsibility to pass whatever laws are necessary to govern the city. What Measure "C" does is clarify the limits of the council's legislative powers.

The figure of '2500 voters' is only an approximation for East Palo Alto of the percent of voters that the state election codes require for a local Initiative or Referendum. But no petition by 2500 or by any number of voters is required for amendments. Amendments may be proposed thru the city council and placed on the ballot for voter approval.

The basic point is that the city council cannot outright make amendments or repeal a law previously approved by the voters of the city.

The Palo Alto Park Association (PAPA) tried in 1987 to do away with the Rent Law, by making offers to and threats against the city council. But the majority of the council rejected this attempt at extortion and upheld a precedent of integrity and respect for the right of voters. However, had the make-up of the council been any different, the precedent instead might have been an arrogant disregard for the voters.

SAFEGUARD THE INTEGRITY OF THE LAW-MAKING PROCESS IN OUR CITY.

VOTE YES on "C"

/s/ Ruben Abrica Date: February 19, 1988
Council Member
City of East Palo Alto

/s/ Barbara A. Mouton Date: February 19, 1988
Council Member
City of East Palo Alto