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# OFFICE OF THE CITY CLERK

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# REPORT

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To The Honorable Mayor and City Council

DATE: January 23, 1997

REPORT NO.: 97-01

SUBJECT: DOCKETING OF STADIUM EXPANSION ON THE BALLOT  
REFERENDARY PETITION

Between December 27, 1996 and January 9, 1997, the Stadium Expansion on the Ballot committee filed with my office a referendary petition to repeal Ordinance O-18365 relating to a contractual agreement between the City of San Diego and the San Diego Chargers. The petition was filed within the prescribed time period of 30 days following final adoption of the ordinance by Council.

On January 22, 1997, the Registrar of Voters completed the petition signatures verification by use of a random sampling method and provided us formal certification of the results. The petition was found to contain the valid signatures of over five percent of the City's registered voters as required by the Charter for direct submission to the voters (see attached City Clerk Certificate).

Action by Council for referendum petition is set forth in Municipal Code Section 27.2615:

"If the petition is presented to the Council by the Clerk, the Council must within ten days reconsider the legislative act in question."

Further, Municipal Code Section 27.2616 provides:

"If the Council refuses to grant the petition to repeal the legislative act in question or fails to reconsider the act within ten days after presentation by the Clerk, the Council shall forthwith adopt a resolution of intention to submit the matter to the people at a special election. However, if any other election or elections for any purpose at which all the voters are entitled to vote are scheduled to be held within eleven months from the date the referendary petition is presented to the

Council, then the Council may at its discretion submit the proposed legislative act at any one of such other elections.

When the petition is presented to Council, the Council may take any of three actions:

1. Repeal the legislative act in question; or
2. Reject the petition to repeal the legislative act and direct the City Clerk to prepare a resolution listing alternative dates for a special election at which the matter will be submitted to the people. In no event shall these dates be later than eleven (11) months from the date the petition is presented to Council; or
3. Take no action, in which case the Council has ten (10) days from the date the petition is presented to Council to repeal the legislative act; after that date, the Council must adopt a resolution of its intent to submit the matter to the voters in a special election.

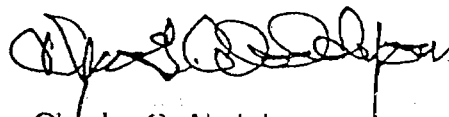
Regarding a special election, the Registrar of Voters has indicated that he prefers a minimum of 88 days to organize a City-wide election; however, it may be possible to shorten that time-frame by as much as several weeks.

It should also be noted that June 3, 1997 is a regularly scheduled election day, although there are no elections being held on that date at this time. The next regularly scheduled election day is November 4, 1997. Again, there are no elections being held on that date at this time.

The last possible date to schedule a special election on this matter is eleven (11) months from the date the petition is presented to Council.

We are estimating a cost of \$1 million to hold a City-wide special election. It is likely that consolidating polling places would lessen the costs and help shorten the time the Registrar of Voters needs to organize the special election.

If you have questions, please contact Elections Analyst Bonnie Stone at 533-4060.



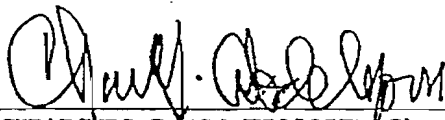
Charles G. Abdelnour  
City Clerk

OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

CERTIFICATE OF CITY CLERK

I, CHARLES G. ABDELNOUR, City Clerk of The City of San Diego, California, DO HEREBY CERTIFY the following results of the examination of the petition filed by the Stadium Expansion on the Ballot committee beginning December 27, 1996 and ending January 9, 1997, EXHIBIT A, attached.

- (a) That the petition contained 59,093 signatures.
- (b) That three (3) percent or 1,773 signatures in a random sampling were examined and 1,410 signatures of qualified electors of the City of San Diego were found to be contained in the sample for an indicated petition validity of 79.53 percent.
- (c) That the projected number of valid signatures for the petition was  $79.53\% \times 59,093 = 46,979$ .
- (d) That for qualification, a referendary petition shall be signed by at least five (5) percent of the registered electors in the City at the last preceding General Municipal Election. The basic qualification criterion for this petition is 28,046 signatures.
- (e) That for qualification of a petition by random sampling the projected number of valid signatures must be at least 110 percent of the basic qualification criterion, or  $110\% \times 28,046 = 30,851$ .
- (f) That since the 46,979 projected number of valid signatures on the petition is greater than the 28,046 basic qualification criterion, the petition qualifies for submission to the voters of the City.

  
CHARLES G. ABDELNOUR, City Clerk

(SEAL)

Dated at San Diego, California  
this 22<sup>nd</sup> day of January, 1997