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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: August 24, 2000

REPORT NO.: 00-06

SUBJECT: DOCKETING OF "THE SAN DIEGO TAXPAYERS PROTECTION ACT OF 2000" CHARTER AMENDMENT PETITION

On June 29, 2000, proponents of the "San Diego Taxpayers Protection Act of 2000" filed with my office a Charter Amendment petition which would amend the City Charter by adding Section 76.2, "General Taxes," to require that any increase in an existing general tax or imposition of any new general tax be levied by the Council only if the proposed levy has been approved by a two-thirds vote of the qualified electors of the City. The petition was filed within the prescribed time period for filing a Charter Amendment petition.

On August 11, 2000, the Registrar of Voters completed the petition signatures verification and provided us formal certification of the results. The petition was found to contain the valid signatures of over 15 percent of the City's registered voters according to the Registrar of Voters' last official report of registration to the Secretary of State, as required by state law for direct submission to the voters (see attached City Clerk Certificate).

Action by the Council for a qualified Charter Amendment petition is set forth in Government Code Section 9255, which states that "...city and county charter proposals shall be submitted to the voters at either a special election called for that purpose, at any established municipal election date, or at any established election date ... provided that there are at least 88 days before the election..." Additionally, Municipal Code Section 27.2808 (Charter Initiative Elections to Conform to Other Elections) provides in part that the conduct of the charter amendment initiative election shall be conducted in a manner conforming to other initiative elections. Municipal Code Section 27.1040 (Time for Special Election for Initiated Legislative Act) provides further that "a special election for an initiated legislative act may be consolidated with the next City-

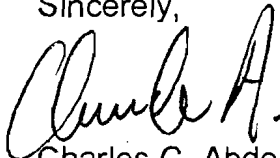
R-293814

wide Primary or City-wide General Election at which the matter can be placed on the ballot; or a separate special election may be called for the purpose of voting on the matter.”

The petition is scheduled to be presented to the City Council at the meeting of September 11. At that time the Council will have the option of placing the matter on the next City-wide primary election, which is scheduled for March 5, 2002, consolidated with the state primary election, or calling a City-wide special election at which the matter may be presented to the voters.

If you have questions, please call Deputy Director Joyce Lane of my staff at 533-4024.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles G. Abdelnour". The signature is written in a cursive style with a large initial "C" and "A".

Charles G. Abdelnour  
City Clerk

Attachment (City Clerk's Certificate)

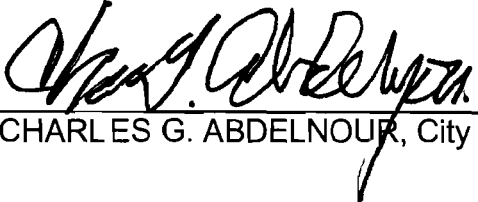
cc: City Attorney  
City Manager

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 proponents of "The San Diego Taxpayer Protection Act of 2000" on June 29, 2000, EXHIBIT A, attached.

- (a) That the petition contained 131,302 signatures.
- (b) That for qualification, a Charter amendment petition shall be signed by at least fifteen (15) percent of the registered electors in the City according to the Registrar of Voters most recent official report of registration to the Secretary of State. The basic qualification criterion for this petition is 85,237 signatures.
- (c) That the petition was found to contain 85,261 valid signatures.
- (d) That since the number of valid signatures on the petition is greater than the basic qualification criterion of 85,237 signatures, the petition qualifies for submission to the voters of the City.

  
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CHARLES G. ABDELNOUR, City Clerk

(SEAL)

Dated at San Diego, California  
this 16<sup>th</sup> day of August, 2000