



OFFICE OF THE CITY CLERK

REPORT

TO THE HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL

DATE: July 11, 2016

REPORT NO.: 16-03

SUBJECT: DOCKETING OF INITIATIVE PETITION – SAN DIEGO INTEGRATED CONVENTION CENTER EXPANSION/STADIUM AND TOURISM INITIATIVE

On June 10, 2016, the proponent filed with my office an initiative petition pertaining to San Diego Integrated Convention Center Expansion/Stadium and Tourism Initiative. The petition was filed on time and in compliance as required by San Diego Municipal Code sections 27.1019 and 27.1020.

Upon completion of a prima facie review, the petition was accepted as filed, in accordance with Municipal Code section 27.1021, and delivered to the Registrar of Voters for signature verification.

On Saturday, July 9, 2016, the Registrar of Voters completed its verification of three percent of the signatures selected at random from the petition in accordance with Municipal Code section 27.1022. For direct submission of a measure to the people, Charter section 23 mandates that the petition must be signed by ten percent of the registered voters of the City at the last general City election; in this instance, 66,447 valid signatures are required. Based on the three percent random sample conducted by the Registrar, the projected number of valid signatures on the petition exceeded the basic qualification criterion of 66,447 signatures, and by greater than 110%. Consequently, in accordance with California Elections Code section 9115, no further signature verification is required, and the petition qualifies for submission to the voters of the City.

The initiative petition involves a tax increase, which eliminates the Council's option to adopt the ordinance outright as generally permitted for initiatives by Municipal Code section 27.1034. Under the California Constitution, the legislative body does not have authority to adopt the initiative measure because it includes a tax increase and instead must submit it to the voters for consideration. Municipal Code section 27.1035 provides that if the City Council rejects the

legislative act, or fails to act within the prescribed time frame, the Council shall, within ten business days of the date of refusal or of the deadline for action, whichever is earlier: (a) adopt a resolution of intention to submit the matter to the voters at a special election; and (b) direct the City Attorney to prepare an ordinance calling a special election to place the matter on the ballot.

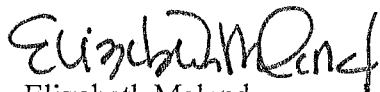
The timing of such a special election is discussed in Municipal Code section 27.1037. That section specifies a *special election* for an initiated legislative act may be consolidated with the next *City-wide Primary* or *City-wide General Election* at which the matter can be placed on the ballot; or a separate *special election* may be called for the purpose of voting on the matter. The next City-wide election is scheduled to be held November 8, 2016.

In summary, the Council may, within ten business days:

1. Adopt a resolution of intention to hold a special election, and direct the City Attorney to prepare an ordinance calling an election to place the matter on the ballot. The election can be consolidated with the next scheduled city-wide election; or
2. Take no action within ten business days of the Clerk's presentation of the petition to the Council at a Council meeting. If this occurs, the Council has ten business days from the date of its refusal of the initiative petition or its deadline to take action to reconsider the act, to then adopt a resolution of intention to submit the matter to the voters, and direct the City Attorney to prepare an ordinance to call a special election.

If you have questions, please contact me at (619) 533-4080 or my Deputy Director, Bonnie Stone, at 533-4060.

Sincerely,



Elizabeth Maland
City Clerk

Attachment (City Clerk's Certificate)

cc: City Attorney
Chief Operating Officer