



OFFICE OF THE CITY CLERK

REPORT

TO THE HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL

DATE: July 13, 2016

REPORT NO.: 16-04

**SUBJECT: DOCKETING OF INITIATIVE PETITION – THE CITIZENS’ PLAN FOR
 THE RESPONSIBLE MANAGEMENT OF MAJOR TOURISM AND
 ENTERTAINMENT RESOURCES (CITIZENS’ PLAN)**

On April 27, 2016, the proponent filed with my office an initiative petition pertaining to The Citizens’ Plan for the Responsible Management of Major Tourism and Entertainment Resources (Citizens’ Plan). 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 Wednesday, May 27, 2016, the Registrar of Voters completed its verification of the random sample petition signatures and provided me with formal certification of the random sample results. The sample showed that the projected number of valid signatures fell within 95% to 110% of the number of signatures needed to declare the petition sufficient. Consequently, pursuant to California Election Code 9115, a signature-by-signature examination and verification began of the 101,895 signatures filed.

On July 12, 2016, the Registrar of Voters certified that the petition contained the requisite number of valid signatures; that is, ten percent of the City’s registered voters at the last general election, as required by Charter section 23. In this case, the requisite number of signatures was 66,447.

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 that 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. On July 11, 2016, the Council called a special election for the November 8 election date, for the purpose of submitting one or more ballot measures to City voters.


Elizabeth Maland
City Clerk

Attachment (City Clerk's Certificate)

cc: City Attorney
Chief Operating Officer