



OFFICE OF THE CITY CLERK

REPORT

TO THE HONORABLE INTERIM MAYOR AND CITY COUNCIL

DATE: February 24, 2014

REPORT NO.: 14-03

SUBJECT: Docketing of Referendary Petition – Ordinance O-20333 and Resolution R-308648 (relating to the Housing Impact Fees)

On January 22, 2014, a representative for the proponent Regional Chamber of Commerce filed with my office a referendary petition to repeal Ordinance O-20333 and Resolution R-308648, an ordinance and resolution pertaining to the Housing Impact Fees. The petition was filed “within thirty calendar days after the exercise of the final legislative act by the City Council,” as required by Municipal Code section 27.1117.

Upon completion of a prima facie review, the petition was accepted as filed, in accordance with Municipal Code section 27.1119, and delivered to the Registrar of Voters for signature verification. From the point that the petition was accepted as filed, Ordinance O-20333 and Resolution R-308648 are suspended per Municipal Code section 27.1130(a).

On Friday, February 14, 2014, the Registrar of Voters completed its verification of the petition signatures and provided the City Clerk with formal certification of the results. The Registrar of Voters found the petition contained the valid signatures of at least five percent of the City’s registered voters at the last general election, as required by Charter Section 23. This qualified the legislative act for either: (1) repeal by the City Council, or (2) direct submission to the electorate at a special election.

The Council’s possible actions on a referendary petition are set forth in Municipal Code section 27.1131. That section states in part that if the petition is presented to the City Council by the City Clerk at a Council meeting, the City Council “shall within ten business days reconsider the legislative act in question.” Municipal Code section 27.1132 provides that if the City Council refuses to grant the referendary petition to repeal the legislative act, or fails to reconsider the 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 27.1133. That section specifies that, "A special election for a referended legislative act shall be consolidated with the next City-wide Primary or City-wide General Election at which the matter can be placed on the ballot; or at a separate special election called prior to that time for the purpose of voting on the matter." The next City-wide election is the June Primary, which is scheduled to be held June 3, 2014. The deadline to submit ballot material for the election is March 7, 2014. The next election this item can appear on the ballot is the November General, which is scheduled to be held on November 4, 2014.

Cost Estimate

Based on the most recent estimate from the Registrar of Voters received December 4, 2013, the cost of a 5-page ballot measure placed on the June 3, 2014 ballot would be between \$157,000 - \$200,000. The cost to place a 5-page ballot measure on the November 4, 2014 ballot would be between \$150,000 - \$190,000.


Elizabeth Maland
City Clerk

Attachment (City Clerk's Certificate)

cc: City Attorney
Chief Operating Officer