OFFICE OF THE CITY CLERK

REPORT

DATE: October 16, 2014

REPORT NO.: 14-08

SUBJECT: Docketing of Referendary Petition – Ordinance O-20390 (an Ordinance relating to earned sick leave and minimum wage to be provided to employees working in the City of San Diego).

On September 16, 2014, Bradley W. Hertz on behalf of Betsy Ann Kinner filed with my office a referendary petition to repeal Ordinance O-20390 (an Ordinance relating to earned sick leave and minimum wage to be provided to employees working in the City of San Diego). 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-20390 were suspended per Municipal Code section 27.1130(a).

On Thursday, October 16, 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 2, 2016, Primary Election.

Cost Estimate

The Registrar of Voters (ROV) is not able to provide accurate cost projections for the June 2016 election this far in advance since key information necessary to make those cost projections is not yet available. The ROV will be entering into a new ballot printer contract as early as January 2015, and it is unknown at this point whether ballot costs will increase, decrease or stay the same as a result of this new contract. In addition the ROV factors-in information regarding the number of registered voters, participating jurisdictions and the number of potential ballot measures when projecting potential costs.

Elizabeth Maland
City Clerk

Attachment (City Clerk's Certificate)

cc: City Attorney
       Chief Operating Officer

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

CERTIFICATE OF CITY CLERK

I, ELIZABETH MALAND, City Clerk of The City of San Diego, California, DO HEREBY
CERTIFY the following results of the examination of the petition filed on behalf of Betsy Ann
Kinner on September 16, 2014, which are on file at the City Clerk's Office.

(a)   That the petition contained 56,103 signatures.

(b)   That, a verification of 42,960 signatures was completed to reach the required
        number of 33,866 sufficient signatures.

(c)   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 33,866
        signatures.

(d)   That since the number of valid signatures on the petition meets the basic
        qualification criterion, the petition qualifies for submission to the voters of the
        City.

_____
ELIZABETH MALAND, City Clerk

(SEAL)

Dated at San Diego, California
This 16th day of October, 2014