

## CITY OF SAN DIEGO

### Proposition F

(This proposition will appear on the ballot in the following form.)

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**PROP F** AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY ADDING SECTION 226, SUPER MAJORITY VOTE REQUIREMENTS. Shall the City Charter be amended to provide that, in order to be adopted or effective, any Charter amendment, ballot proposal, initiative, statute, law or regulation requiring a greater than simple majority vote of the electorate, and which is proposed to be adopted on or after the date of this election, must be adopted by the same proportionate vote of the electorate?

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Full text of this proposition follows the arguments.

### Official Title and Summary Prepared by the City Attorney

#### FAIRNESS IN VOTING

Shall the City Charter be amended so that any Charter amendment, ballot proposal, initiative, statute, law or regulation that imposes a vote requirement of more than a simple majority, and which is proposed to be adopted on or after the date of this election, must itself be adopted by the same proportionate vote of the electorate?

#### CITY ATTORNEY'S IMPARTIAL ANALYSIS

Current law allows a simple majority of City voters to approve changes to the City Charter, including measures that would impose super majority vote requirements on future actions of the voters. A super majority vote requirement is one which requires approval of a measure by more than a simple majority of the voters.

If passed by a majority of the voters, Proposition F would add section 226 to the City Charter, which would require any action seeking to impose a super majority vote requirement on future voters to itself be approved by the same proportionate super majority vote. For example, a measure seeking to impose a two-thirds vote requirement would only take effect if approved by a two-thirds vote. This requirement would apply to any Charter amendments, ballot proposals, initiatives, statutes, laws or regulations seeking to impose a super majority vote requirement.

This super majority vote requirement would apply to any matter proposed to be adopted during this election, as well as in future elections. For that reason, the passage of Proposition F will change the vote requirement for Proposition E on this ballot. If Proposition F is approved by a majority of the voters, Proposition E will have to be approved by two-thirds of the City's voters to become effective, because Proposition E seeks to impose a two-thirds super majority voting requirement for new or increased general taxes. However, if Proposition F is not passed by a majority of the voters, Proposition E will become effective if approved by a simple majority of the voters.

#### CITY MANAGER'S FISCAL ANALYSIS

If Proposition F is approved there will be no direct fiscal impact.

## ARGUMENT IN FAVOR OF PROPOSITION F

### Vote YES on Prop F

San Diego Police Officers Association, San Diego City Firefighters, the San Diego Regional Chamber of Commerce and Mayor Dick Murphy urge you to vote YES on Proposition F.

Proposition F means "Majority Rules." It stands for Fairness in voting.

#### UNDER CURRENT LAW:

- A simple majority of voters (50% plus 1 vote) may vote to require a super majority (for example 66<sup>2</sup>/<sub>3</sub>%) voter approval for future actions.

This gives extraordinary power to the minority. Is it fair for a little more than 1/3 of the voters to prevent laws for the City of San Diego, even if the remaining 2/3 agree with the laws? **Under this system, a vote of the minority counts twice as much as a vote of the majority. It destroys the basic democratic concept of "Majority Rules."**

#### UNDER PROPOSITION F:

- A super majority of votes would be required to impose a super majority vote requirement on ballot measures in San Diego.

What does that mean? If, for example, someone proposes a law requiring a 2/3 super majority of voters to increase the amount of money spent on police or fire services, then 2/3 of the voters would have to vote yes on that measure. **In short, any law requiring a super majority would require that same super majority to pass.**

**Proposition F is good government. It's fair. Most importantly, it will protect the time-honored principles of democracy – "Majority Rules."**

### Vote YES on Proposition F

BILL FARRAR  
President  
San Diego Police Officers Assn.

JESSIE J. KNIGHT, JR.  
President & CEO  
S.D. Chamber of Commerce

RONALD L. SAATHOFF  
President  
SD City Firefighters

DICK MURPHY  
Mayor  
City of San Diego

## ARGUMENT AGAINST PROPOSITION F

San Diego City Council politicians placed this "Super Majority Vote Requirement" on the ballot to preserve their ability to tax unmercifully, and to thwart the will of the 130,000 San Diegans who signed petitions for the Taxpayer Protection Act, which would limit the politicians taxing power.

The politicians' scheme is to get a majority vote on this measure, which would require two-thirds voter approval of the Taxpayer Protection Act. Their goal is to keep the Taxpayer Protection Act from becoming law even if it gets more votes than the politicians "Super Majority" measure.

Confusing? You bet it is. It was designed to confuse. The *San Diego Union Tribune* reported that "City Attorney Casey Gwinn conceded that the strategy of the rival ballot measure is confusing." The Executive Director of the County Taxpayers Association called the measure "kind of goofy."

Political trickery, aided and abetted by sly lawyers! What a way to run a City!

By putting this measure on the ballot, the politicians have proven that they will go to any length to defeat a Charter Amendment requiring greater fiscal responsibility and accountability. Their legal trickery, designed to support tax increases, should be defeated.

Don't be fooled by the phony arguments advanced by the politicians to support their tricks. Without the requirement of a two-thirds majority vote for tax increases, politicians will continue to use our taxes to fund such improprieties as the Charger ticket guarantee, and a subsidized ball park for the benefit of private interests.

The "Super Majority Vote" measure was designed to frustrate enactment of a two-thirds majority vote requirement for tax increases. This measure will only protect the politicians in imposing tax increases without full voter scrutiny or approval.

Defeat political trickery. Vote NO on Super Majority Vote Requirement

DOUGLAS F. MANCHESTER  
President  
Taxpayer Protection Assoc., Inc.

RICHARD V. GIBBONS  
President  
Manchester Resorts

C. TERRY BROWN  
President  
Atlas Hotels, Inc.

PETER J. SEPP  
V.P. Communications  
National Taxpayers Union

GROVER NORQUIST  
President, Americans For Tax Reform

## PROPOSED CHARTER AMENDMENT

The portions of the charter to be added are underlined  
and the portions to be deleted are printed in ~~strike-out~~ type.

### **SEC. 226 SUPER MAJORITY VOTE REQUIREMENTS**

(a) Notwithstanding any other provision of this Charter, any amendment of this Charter, ballot proposal, initiative, statute, law or regulation of any type, whether proposed to be adopted by the electorate, the City Council, or any other body acting pursuant to this Charter or the Municipal Code, that requires a vote of the electorate in excess of a simple majority for any matter, must itself be approved by a vote of the electorate in the same proportion as proposed, in order to be adopted, valid or otherwise effective.

(b) This section may be adopted by a simple majority vote, and shall be applicable to any amendment of this Charter, ballot proposal, initiative, statute, law or regulation of any type, as set forth in Subsection (a), proposed to be adopted at the municipal election by which this Charter Section 226 is approved by the electorate, or otherwise adopted on or after the date of that municipal election, and shall not be applicable to any matter adopted or approved prior to the date of such municipal election.