

RESOLUTION NUMBER R- **309274**

DATE OF FINAL PASSAGE **OCT 20 2014**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING AN INTENTION TO SUBMIT TO THE VOTERS A REFERENDARY PETITION AGAINST ORDINANCE NO. O-20390 RELATING TO SAN DIEGO MUNICIPAL CODE AMENDMENTS ASSOCIATED WITH EARNED SICK LEAVE AND MINIMUM WAGE, AND DIRECTING THE CITY ATTORNEY TO PREPARE AN ORDINANCE CALLING A SPECIAL ELECTION TO PLACE THE MEASURE ON THE BALLOT.

WHEREAS, August 18, 2014, is the date of final passage by the Council of the City of San Diego (Council), of an ordinance amending the San Diego Municipal Code relating to earned sick leave and minimum wage for employees working in the City of San Diego, which ordinance is on file in the Office of the City Clerk as Ordinance No. O-20390 (Ordinance); and

WHEREAS, on September 16, 2014, an authorized representative of proponent Betsy Ann Kinner submitted a referendary petition against the Ordinance to the City Clerk, and on that same day, the City Clerk accepted the referendary petition as filed, thereby suspending the Ordinance; and

WHEREAS, the City Clerk submitted the referendary petition to the San Diego County Registrar of Voters (Registrar of Voters) for signature verification; and

WHEREAS, the Registrar of Voters conducted a legally required verification and found the petition to contain the valid signatures of more than five percent of the City's registered voters at the last general election, sufficient to qualify the measure for direct submission to the voters as required by Charter section 23; and

WHEREAS, on October 16, 2014, the City Clerk certified that the referendary petition was sufficient and qualified for submittal to the voters; and

WHEREAS, on October 20, 2014, in compliance with San Diego Municipal Code (Municipal Code) section 27.1125, the City Clerk presented the petition and a certification of the sufficiency of its signatures to the City Council; and

WHEREAS, in compliance with Charter section 23 and Municipal Code section 27.1131, the City Council shall, within ten business days of the date of the Clerk's presentation, reconsider the legislative act; and

WHEREAS, Municipal Code sections 27.1131 and 27.1132 require the City Council to reconsider the Ordinance and either: (1) grant the referendary petition to repeal the Ordinance, or (2) adopt a resolution of intention to submit the matter to the voters at a special election, and direct the City Attorney to prepare an ordinance calling a special election to place the matter on the ballot; and

WHEREAS, a special election for a referendum may be consolidated with the next Citywide Primary Election or Citywide 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; and

WHEREAS, the Council has reconsidered the Ordinance in light of the referendary petition; and

WHEREAS, the Council has decided not to repeal the Ordinance, but to submit the referendary petition against Ordinance No. O-20390 to the electorate at a special election; and

WHEREAS, pursuant to Charter section 295(b), the Council's resolution of intention related to matters to submit to City voters at a Municipal Special Election is not subject to veto, and thus the date of its passage by the Council shall be deemed the date of its final passage;

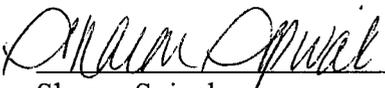
NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the Council declares its intention to submit to the electorate of the City of San Diego, at a special election to be held in June 2016, the referendary petition against Ordinance No. O-20390.

2. That the Council directs the City Attorney to prepare an ordinance calling a special election to place the matter on the ballot in June 2016.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Sharon Spivak
Deputy City Attorney

SBS:CMB:sc
10/16/2014
10/20/2014 REV.
Or.Dept:City Clerk
Doc. No.: 879391

Passed by the Council of The City of San Diego on OCT 20 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 20 2014

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By  Deputy

Office of the City Clerk, San Diego, California

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