

ORDINANCE NUMBER O- 20707 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 03 2016

AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO, AT THE MUNICIPAL SPECIAL ELECTION CONSOLIDATED WITH THE CALIFORNIA STATE GENERAL ELECTION TO BE HELD ON NOVEMBER 8, 2016, ONE BALLOT MEASURE TO ASK WHETHER TO INCREASE BY 38,680 UNITS THE LIMIT ON THE NUMBER OF AFFORDABLE HOUSING UNITS THE CITY AND OTHER PUBLIC AGENCIES ARE ALLOWED TO HELP DEVELOP, CONSTRUCT, OR ACQUIRE IN THE CITY.

WHEREAS, due to a provision of the California Constitution adopted by ballot measure in 1950, certain public agencies (including the City of San Diego, the Housing Authority of the City of San Diego, and the San Diego Housing Commission) are prohibited from providing assistance, financial or otherwise, to help “develop, construct, or acquire” housing units for those who cannot afford “decent, safe, and sanitary dwellings, without overcrowding” unless the public agency first receives voter approval; and voters may, in granting such approval, approve a maximum number of units rather than voting on each specific unit or development project; and, whereas, in San Diego, voters previously approved several increases to the limit, and the current limit is 10,500 units; and

WHEREAS, the San Diego Housing Commission recently informed the City Council that there are approximately 3,247 units remaining until the limit is reached and that the identified need for housing affordable to people of low income exceeds that number; and

WHEREAS, the City Council considered this issue at committee and Council hearings and voted to ask San Diego voters to consider a ballot measure that would increase by 38,680 units the limit on the number of affordable housing units the City and other public agencies may help develop, construct, or acquire in the City; and

WHEREAS, by Ordinance No. O-20671, introduced and adopted on July 11, 2016, the Council called a Municipal Special Election to be consolidated with the California State General Election to be held November 8, 2016, for the purpose of submitting to the qualified voters of the City one or more ballot propositions; and

WHEREAS, the Council now desires to submit to the voters at the Municipal Special Election one ballot measure that would increase by 38,680 units the limit on the number of affordable housing units the City and other public agencies may help develop, construct, or acquire in the City; NOW, THEREFORE,

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

Section 1. That one ballot measure to ask whether to increase by 38,680 units the limit on the number of affordable housing units the City and other public agencies may help develop, construct, or acquire in the City is hereby submitted to the qualified voters at the Municipal Special Election to be held on November 8, 2016, and consolidated with the California State General Election to be held on the same date, with the measure to read as follows:

MEASURE

AFFORDABLE HOUSING: INCREASING THE LIMIT ON THE NUMBER OF UNITS THE CITY AND CERTAIN PUBLIC AGENCIES ARE ALLOWED TO HELP DEVELOP.

The voters approve increasing by 38,680 the maximum number of housing units the City and certain other public agencies are allowed to help develop, construct, or acquire for people with low incomes. Increasing this limit does not approve specific housing units,

provide funds for development, remove requirements that otherwise apply, or take any other action regarding specific housing units.

END OF MEASURE

Section 2. The measure shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out in Section 3 of this ordinance.

Section 3. On the ballot to be used at this Municipal Special Election, in addition to any other matters required by law, there shall be printed substantially the following:

MEASURE ____ . AFFORDABLE HOUSING: INCREASING THE LIMIT ON THE NUMBER OF UNITS THE CITY AND CERTAIN PUBLIC AGENCIES ARE ALLOWED TO HELP DEVELOP.	YES	
Shall the voters increase by 38,680 the maximum number of housing units the City and certain other public agencies are allowed to help develop, construct, or acquire for people with low incomes, without this ballot measure approving specific housing units, providing funds for development, removing requirements that otherwise apply, or taking any other action?	NO	

Section 4. An appropriate mark placed in the voting square after the word “Yes” shall be counted in favor of the adoption of this measure. An appropriate mark placed in the voting square after the word “No” shall be counted against the adoption of the measure.

Section 5. Passage of this measure requires the affirmative vote of a majority of those qualified electors voting on the matter at the Municipal Special Election.

Section 6. The City Clerk shall cause this ordinance or a digest of this ordinance to be published once in the official City newspaper following this ordinance's adoption by the City Council.

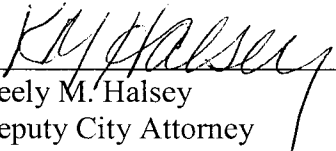
Section 7. Pursuant to San Diego Municipal Code section 27.0402, this measure will be available for public examination for no fewer than ten calendar days prior to being submitted for printing in the sample ballot. During the examination period, any voter registered in the City may seek a writ of mandate or an injunction requiring any or all of the measure to be amended or deleted. The examination period will end on the day that is 75 days prior to the date set for the election. The Clerk shall post notice of the specific dates that the examination period will run.

Section 8. A full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 9. This ordinance may be passed by the Council on the date of introduction pursuant to Charter section 275(c) and shall take effect upon final passage pursuant to Charter sections 295(a) and 295(d).

APPROVED: JAN I. GOLDSMITH, City Attorney

By


Keely M. Halsey
Deputy City Attorney

KMH:als
07/19/2016
Or.Dept:Council
Document No.: 1319239_4

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 26 2016 .

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/3/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 26 2016, by the following vote:

Council Members	Yeas	Nays	Not Present	Recused
Sherri Lightner	<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"/>
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"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 AUG 03 2016.

AUTHENTICATED BY:

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

(Seal)

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

By *Mary Stroman*, Deputy

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on JUL 26 2016, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

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

By *Mary Stroman*, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 20707