



CITY OF CARLSBAD – AGENDA BILL

AB#	22.057	CERTIFICATION OF THE RESULTS OF THE COUNTY OF SAN DIEGO REGISTRAR OF VOTER'S SUFFICIENCY	DEPT.
MTG.	8/18/15	EXAMINATION OF THE PETITION FILED FOR THE AGUA HEDIONDA SOUTH SHORE SPECIFIC PLAN	DIRECTOR <i>STB</i>
DEPT.	CLERK		CITY ATTY. <i>OB</i>
			CITY MGR. <i>KD</i>

RECOMMENDED ACTION:

Adopt Resolution No. 2015-208 certifying the results of the County of San Diego Registrar of Voter's sufficiency examination of the petition filed for the Agua Hedionda South Shore Specific Plan.

ITEM EXPLANATION:

On May 12, 2015, Edmond W. (Bill) Dominquez, Maureen Simons and Carlton Lund (Proponents) delivered a Notice of Intent to Circulate a Petition to the City of Carlsbad City Clerk for a proposed citizen-led initiative measure for the "Agua Hedionda 85/15 Specific Plan." On May 26, 2015, the initiative proponents received the Ballot Title and Summary written by the City Attorney, which were published, along with the Notice of Intent, in The San Diego Union-Tribune newspaper (May 28, 2015) and the Coast News newspaper (May 29, 2015) and posted in five (5) public places in the City of Carlsbad where the city regularly posts public notices (May 28, 2015). A proof of publication was delivered to the City Clerk on May 29, 2015.

The petition was circulated for signatures and was filed with the City Clerk on July 8, 2015, with 20,479 signatures. The City Clerk completed a prima facie review of the petition and delivered the petition to the County of San Diego Registrar of Voters on July 8, 2015. As allowed by the Elections Code, the County of San Diego Registrar of Voters had up to 30 working-days (until August 18, 2015) to examine the filed petition and from the records of voter registration ascertain whether or not the petition was signed by the requisite number of registered voters in the City of Carlsbad. On August 13, 2015, the Registrar of Voters completed its review and delivered a certificate of the results to the Carlsbad City Clerk (Exhibit A to Resolution No. 2015-208). The certification indicates that the Registrar of Voters has verified the petition is sufficient under the provisions of Elections Code section 9211, and was signed by not less than 15% of the registered voters of the city pursuant to Elections Code section 9214. The Elections Code provides that the City Clerk shall certify the results of the review of the Registrar of Voters examination to the City Council at its next regular meeting. Resolution No. 2015-208 is provided to the City Council for consideration and adoption. (Exhibit 1)

DEPARTMENT CONTACT: Shelley Collins 760-434-2808 shelley.collins@carlsbadca.gov

FOR CITY CLERKS USE	APPROVED <input checked="" type="checkbox"/>	CONTINUED TO DATE SPECIFIC <input type="checkbox"/>	
COUNCIL ACTION:	DENIED <input type="checkbox"/>	CONTINUED TO DATE UNKNOWN <input type="checkbox"/>	
	CONTINUED <input type="checkbox"/>	RETURNED TO STAFF <input type="checkbox"/>	
	WITHDRAWN <input type="checkbox"/>	COUNCIL RECEIVED THE REPORT/PRESENTATION <input type="checkbox"/>	
	AMENDED <input type="checkbox"/>	OTHER – SEE MINUTES <input type="checkbox"/>	

Under the Elections Code, the City Council must meet to consider its actions on the initiative within 10 days of adopting the resolution certifying the results of the County of San Diego Registrar of Voters examination of the petition. At the August 25, 2015, City Council meeting, the City Council will receive a presentation on the Elections Code 9212 Report and will consider whether to adopt the initiative without alteration or to put the initiative on the ballot and call a special election, as authorized by Elections Code section 9214.

FISCAL IMPACT:

Due to the timing and requirements of the Elections Code, if the City Council decides to put the initiative on the ballot it would occur as a Special Election. The date of that special election would be determined at a future date by the County of San Diego Registrar of Voters. According to the Registrar of Voters, a stand-alone special election would cost between \$450,000 and \$550,000. With a stand-alone election, the city would be responsible for paying 100 percent of the cost. Election costs are typically budgeted from the General Fund in the City Clerk's Office budget.

ENVIRONMENTAL IMPACT:

Adoption of the resolution certifying the results of the County of San Diego Registrar of Voters sufficiency examination of the petition is not a project subject to environmental review. An Elections Code 9212 report provides the exclusive means for assessing environmental impacts of a qualified citizen initiative and the 9212 Report ordered by the City Council on the citizen-led Agua Hedionda South Shore Specific Plan initiative will be presented to the City Council at a future meeting scheduled for August 25, 2015.

EXHIBITS:

1. City Council Resolution No. 2015-208, certifying the results of the County of San Diego Registrar of Voter's sufficiency examination of the petition filed for the Agua Hedionda South Shore Specific Plan.

RESOLUTION NO. 2015-208

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, CERTIFYING THE RESULTS OF THE COUNTY OF SAN DIEGO REGISTRAR OF VOTERS SUFFICIENCY EXAMINATION OF THE PETITION FILED FOR THE AGUA HEDIONDA SOUTH SHORE SPECIFIC PLAN

WHEREAS, on July 8, 2015, The Agua Hedionda South Shore Specific Plan petition was filed with the City of Carlsbad City Clerk with 20,479 signatures;

WHEREAS, the City of Carlsbad City Clerk completed a prima facie review of the petition and delivered the petition to the County of San Diego Registrar of Voters on July 8, 2015, to examine the petition and from the records of voter registration ascertain whether or not the petition was signed by the requisite number of registered voters in the City of Carlsbad; and

WHEREAS, on August 13, 2015, the Registrar of Voters completed its review and delivered its results to the Carlsbad City Clerk, attached as Exhibit A hereto; and

WHEREAS, the Registrar of Voters has verified the petition is sufficient under the provisions of Elections Code section 9211, and was signed by not less than 15% of the registered voters of the city pursuant to Elections Code section 9214.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

SECTION 1. That the above recitations are true and correct.

SECTION 2. That the number of registered City of Carlsbad voters is 65,221, as of a report dated February 10, 2015, from the Secretary of State.

SECTION 3. That the number of signatures from registered City of Carlsbad voters required to qualify was 15% or 9,784.

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SECTION 4. That the County of San Diego Registrar of Voters has verified the petition is sufficient under the provisions of Elections Code section 9211, and was signed by not less than 15% of the registered voters of the city pursuant to Elections Code section 9214.

SECTION 5: That the City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the file of original resolutions.

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PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the 18th day of August, 2015, by the following vote:

AYES:
NOES:
ABSENT:

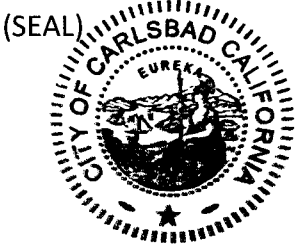


MATT HALL, Mayor

ATTEST:



Barbara Engleson, City Clerk





County of San Diego

MICHAEL VU
Registrar of Voters

REGISTRAR OF VOTERS
County Operations Center Campus

CYNTHIA L. PAES
Assistant Registrar of Voters

5600 Overland Avenue, Suite 100, San Diego, California 92123-1266

Telephone: (858) 565-5800 Toll-free: 1 (800) 696-0136 TDD: (858) 694-3441
Facsimile: (858) 694-2955 Web Address: www.sdvote.com

August 13, 2015

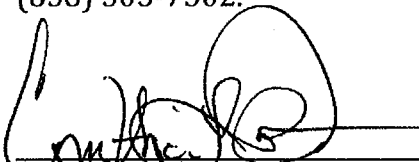
Barbara Engleson, City Clerk
City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Re: Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail.

The "Agua Hedionda South Shore Specific Plan" was filed with the Registrar of Voters on July 8, 2015. As directed by your office, we have conducted a verification of 9,784 valid signatures of 20,479 signatures submitted. Results of the verification process are as follows:

- Number of sections submitted.....652
- Number of signatures submitted 20,479
- Number of signatures verified 12,331
- Number of signatures found sufficient.....9,784
- Number of signatures found NOT sufficient..... 2,547
(Includes 36 duplicates and 5 matched withdrawn signatures)
- Number of signatures required 9,784
- Number of registered voters in subject territory 65,221
(Secretary of State Voter Report of February 10, 2015)

If you have questions, please contact Cynthia Paes at (858) 505-7202 or Norma Westbrook at (858) 505-7302.



CYNTHIA L. PAES
Assistant Registrar of Voters

Verification of Initiative Signatures by the Registrar of Voters

Number of Signatures Submitted	20,479
Number of Signatures Verified	12,331
Number of Signatures found NOT Sufficient	2,547
Number of Signatures found Sufficient	9,784
Number of Signatures Required (15% of 65,221 required for a Special Election)	9,784
Number of Registered Voters in Carlsbad (as of February 10, 2015 Secretary of State report)	65,221



Recommended Action

Adopt Resolution No. 2015-208 certifying the results of the County of San Diego Registrar of Voter's sufficiency examination of the petition filed for the Agua Hedionda South Shore Specific Plan.

