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## City Attorney's Impartial Analysis

The City Council placed this measure on the ballot in response to recommendations from the Carlsbad Tomorrow: Growth Management Citizens Committee. The measure seeks voter approval to amend the city charter and municipal code to raise the spending limit for using city funds for real property acquisition or improvement projects.

The current spending limit, established by voters in 1982, is \$1 million. The measure raises the limit to \$3.09 million – the 1982 limit adjusted for inflation as of December 2023 using the regional construction cost index. The measure requires the city to adjust the limit each January 1 using this same index.

The measure also excludes public safety facilities from the spending limit. "Public safety facilities" include facilities for law enforcement services, fire rescue and prevention services, lifeguard services, emergency medical services and emergency operations, and training for staff providing these services.

The measure requires approval by a simple majority (50% plus one vote) to pass.

### **WHY A VOTE IS REQUIRED:**

In 1982, voters passed Proposition H (found in Chapter 1.24 of the municipal code and referenced in Article 4, Section 400 of the city charter). The proposition prohibits the city from spending more than \$1 million in city funds for real property acquisition or improvement projects, excluding routine maintenance and repairs, without voter approval.

"City funds" are primarily money received from general taxes. "City funds" do not include money received from developer fees, assessments, or city enterprises (e.g., the golf course and water district).

Because Proposition H was adopted by the voters, it can only be amended by the voters.

### **WHAT A "YES" OR "NO" VOTE MEANS:**

A "yes" vote means the city may not spend more than \$3.09 million in city funds (adjusted annually for inflation) on a real property acquisition or improvement project without voter approval. A "yes" vote also means spending city funds to acquire or improve public safety facilities would not require voter approval.

A "no" vote means the existing \$1 million spending limit remains in place.

### **EFFECTS OF THE MEASURE:**

The measure does not authorize spending for any specific project.

The measure does not change how the cost of projects are determined – generally by appraised fair market value for real property acquisitions and by competitive bidding for real property improvements.

The measure will not eliminate the need for voter approval for most future planned real property acquisition or improvement projects as they are expected to exceed the measure's adjusted spending limit. However, the measure allows the amount of city funds that can be spent before needing voter approval to reflect the original \$1 million spending limit adjusted for inflation.

Excluding public safety projects from the spending limit reduces their completion time by the time required to obtain voter approval.



Cindie K. McMahon  
City Attorney, City of Carlsbad

**The above statement is an impartial analysis of Ordinance or Measure B. If you desire a copy of the ordinance or measure, please call the City Clerk's Office at 442-339-2808 and a copy will be mailed to you at no cost.**