



Legislation Text

File #: 18-0668, **Version:** 1

Recommendation to request City Council to receive and file the Letter of Completion for the Hotel Workplace Requirements and Restrictions petition and approve one of three alternative actions, as required by the California Elections Code Section 9215 and the Long Beach City Charter Section 2000:

- 1) Adopt the Initiative Ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; or
- 2) Submit the ordinance, without alteration, to the voters pursuant to Section 1405, and adopt resolutions a) and b).
 - a) Adopt resolution calling for the placement of an initiative measure to amend the Long Beach Municipal Code to add Hotel Workplace Requirements and Restrictions, directing the City Attorney to prepare an impartial analysis of the measure, and providing for the filing of primary and rebuttal arguments and setting rules for the filing of written arguments regarding said measure to be submitted at the November 6, 2018 Special Municipal Election; and

On May 22, 2018, proponents of the Hotel Workplace Requirements and Restrictions petition submitted 4,966 sections and 46,084 signatures. As the elections official, the City Clerk made the determination to conduct a random draw of 3 percent or 1,383 signatures. The results fell within 95 percent - 110 percent of the number of signatures needed to declare the petition sufficient. Per California Elections Code Section 9115 (b), a 95 percent - 110 percent validity rate requires a full check of signatures until sufficiency is met.

On June 28, 2018, the City Clerk requested the signature verification services of the Los Angeles Registrar-Recorder/County Clerk (LARRCC). LARRCC was asked to verify signatures until sufficiency was met (27,462 valid signatures). On Friday, July 27, 2018, LARRCC notified the City Clerk that sufficiency was met and provided a Certificate of Completion.

Upon receipt of the Certificate of Completion, the California Elections Code Section 9215 and Charter Section 2000 provides that City Council shall take one of the following actions:

- Alternative 1 Adopt the Initiative Ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented;
- Alternative 2 Submit the Initiative Ordinance, without alteration, to the voters on November 6, 2018; or
- Alternative 3 Order a report pursuant to California Elections Code Section 9212 at the regular meeting at which the certification of the petition is presented; and when the report is presented to the legislative body, the legislative body shall either adopt the Initiative Ordinance within 10 days or order an election.

On August 7, 2018, as required by California Elections Code Section 9215, the City Council shall execute Alternative 1, Alternative 2, or Alternative 3 as mentioned above.

If Alternative 1 is adopted, the measure must be adopted as written, without alteration.

Approval of Alternative 2 will result in the Initiative Ordinance appearing on the Statewide General Election ballot to be held on November 6, 2018. With approval of Alternative 2, the necessary election consolidation resolutions and date milestones for the appointment of argument writers and argument submission deadlines must also be adopted. Resolutions calling upon the Los Angeles County Registrar-Recorder/County Clerk to consolidate our election with the Statewide General Election must be adopted by the City Council no later than August 7, 2018.

Approval of Alternative 3 invokes provisions of California Elections Code Section 9212, which provides that the City Council may refer the proposed Initiative Ordinance to any City agency or agencies for a report on any or all of the following:

- 1) Its fiscal impact;
- 2) Its effect on the internal consistency of the City's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under Section 65008 of the Government Code and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65919) of Division 1 of Title 7 of the Government Code;
- 3) Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs;

- 4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses;
- 5) Its impact on the community's ability to attract and retain business and employment;
- 6) Its impact on the uses of vacant parcels of land;
- 7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization; or
- 8) Any other matters the legislative body requests to be in the report.

If this alternative is chosen, the measure would not be placed on the November 6, 2018 ballot due to insufficient time. The measure would either be placed on a next regular election in 2020 or the City Council could call a special election after receiving the report.

This letter was reviewed on July 30, 2018 by Deputy City Attorney Amy Webber and Budget Officer Rhutu Amin Gharib.

A single ballot question placed on the November 6, 2018 ballot, is expected to cost approximately \$470,000, with each additional ballot question costing about \$45,000. The FY 19 Proposed Budget does include one-time estimated costs for several November ballot items. At this time the total number of ballot questions on the November ballot are unknown.

The cost of a study pursuant to Elections Code Section 9212 cannot be determined at this time.

Approve recommendation.

[Enter Body Here]

MONIQUE DE LA GARZA
CITY CLERK