

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA AMENDING CHAPTER 2 (GENERAL  
GOVERNMENT FEES) OF THE MASTER FEE SCHEDULE  
TO ESTABLISH A FEE TO FILE A NOTICE OF INTENT TO  
CIRCULATE AN INITIATIVE PETITION

WHEREAS, pursuant to City Charter section 903 and California Elections Code section 9201, electors of the City may submit proposed ordinances to the City Council by filing a petition with the city clerk that contains the required number of signatures and is compliant with applicable law; and

WHEREAS, prior to circulating a petition for signatures, the proponents must file a notice of intent to circulate a petition (“notice of intent”) with the City Clerk; and

WHEREAS, California Elections Code section 9202(b) provides that, “Any person filing a notice of intent with the elections official shall pay a fee to be established by the legislative body not to exceed two hundred dollars (\$200) to be refunded to the filer if, within one year of the date of filing the notice of intent, the elections official certifies the sufficiency of the petition”; and

WHEREAS, the City has never established a fee to file a notice of intent to circulation a petition; and

WHEREAS, once the notice of intent is filed, the City Clerk is obligated to process the matter and the City Attorney must provide a ballot title and summary of the proposed measure, pursuant to Elections Code section 9203(a); and

WHEREAS, staff has prepared a cost estimate (Exhibit 1) based on the amount of time it would take to process a filed notice of intent, including providing the required ballot title and summary of the proposed measure, which resulted in an estimated cost of \$2,242; and

WHEREAS, the City Clerk recommends that a fee of \$200 be established, since the actual cost of processing a notice of intent exceeds the maximum fee allowed by the Elections Code; and

WHEREAS, the proposed fees do not exceed the reasonable cost of providing the associated services; and

WHEREAS, proposed amendments to Chapter 2 (General Government Fees) of the City’s Master Fee Schedule (Exhibit 2) reflect the proposed filing fee of \$200 to file a notice of intent to circulate a petition; and

WHEREAS, Article XIII C of the California Constitution requires a vote of the electorate to increase any levy, charge, or exaction imposed by a local government, unless specifically exempted; and

WHEREAS, pursuant to the provisions of Article XIII C, the proposed fees are exempt from the vote requirement; and

WHEREAS, the proposed amendments to Chapter 2 of the Master Fee Schedule shall become effective upon adoption of this Resolution by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it does hereby amend certain sections of Chapter 2 (General Government) of the City's Master Fee Schedule, to establish a fee of \$200 to file a notice of intent to circulate an initiative petition, as reflected in Exhibit 2 to this Resolution.

Presented by

Approved as to form by

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Donna R. Norris, CMC  
City Clerk

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Glen R. Googins  
City Attorney