



## San Diego City Attorney Mara W. Elliott

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# League of California Cities Backs Initiative Challenges

*Tells court Soccer City and SDSU West measures are invalid and should not go on ballot*

The League of California Cities has joined San Diego's efforts to prevent the Soccer City and SDSU West citizens' initiatives from appearing on the November 2018 ballot.

In amicus letters to the Fourth District Court of Appeal, the League said the San Diego measures were "invalid" under state law in the opinion of its Legal Advisory Committee. The committee, composed of 24 city attorneys from around the state, monitors litigation and identifies cases of statewide significance.

The letters were filed yesterday in support the City of San Diego's emergency writs, also filed this week, to remove the measures from the November ballot.

The two San Diego initiatives are unprecedented, the League wrote, as they "would require the City to lease and/or sell city owned property for essentially private purposes at terms unfavorable to the City and would interfere with essential municipal functions."

"To the League's knowledge, no initiative has ever tried to force a sale or lease of public property in the guise of an ordinance," the League's Deputy General Counsel, Alison E. Leary, wrote.

The League is an association of 474 California cities dedicated to protecting and restoring local control to provide for the public health, safety, and welfare of their residents, and to enhancing the quality of life for all Californians.

Last month, the California Supreme Court removed the "Three Californias" initiative from the ballot because of unresolved questions about its validity. The League said pre-election review of the San Diego initiatives will prevent other California cities from facing "the same substantial questions as to such initiatives' validity" that are posed by Soccer City and SDSU West.

Citing legal precedent, the League said that allowing invalid measures to go on the ballot "will confuse some voters and frustrate others, and an ultimate decision that the measure is invalid, coming after the voters have voted in favor of the measure, tends to denigrate the legitimate use of the initiative process."

**"The League of California Cities understands the statewide implications of allowing special interests to force the sale of public property on terms that they alone dictate,"** City Attorney Mara W. Elliott said. **"I believe the Court of Appeal will give great weight to the views expressed in this letter."**

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