



COUNTY OF SAN DIEGO  
2018 JUL 19 PM 3:43  
CLERK OF THE BOARD  
OF SUPERVISORS

**DIANNE JACOB**  
**VICE-CHAIRWOMAN**  
SUPERVISOR, SECOND DISTRICT  
SAN DIEGO COUNTY BOARD OF SUPERVISORS

**AGENDA ITEM**

**DATE:** July 24, 2018

**20**

**TO:** Board of Supervisors

**SUBJECT**

**PROPOSED SAN DIEGO COUNTY CHARTER AMENDMENT ENTITLED:  
STRENGTHENING AND STREAMLINING COUNTY ELECTIONS (DISTRICTS: ALL)**

**OVERVIEW**

In 2017, Assembly Bill 901, authored by California State Assemblymember Todd Gloria, permitted the charter of the County of San Diego to be amended by ballot proposition by either the County Board of Supervisors or petition signed by a percentage of qualified electors to require candidates for any countywide office to be elected in the November general election.

If changes are made, an opportunity exists to put a proposal before the voters that maximizes participation, protects precious taxpayer money and reduces wasteful campaign spending in County elections.

Today's action would place a charter amending measure on the November 2018 ballot that would enhance the current election process for County elected positions.

**RECOMMENDATION(S)**

**VICE-CHAIRWOMAN DIANNE JACOB**

1. Adopt a Resolution entitled RESOLUTION OF THE BOARD OF SUPERVISORS PROPOSING AMENDMENTS TO THE CHARTER OF THE COUNTY OF SAN DIEGO ENTITLED "STRENGTHENING AND STREAMLINING COUNTY ELECTIONS."
2. Approve the Introduction (first reading), read title and waive further reading of an Ordinance entitled:

AN ORDINANCE CALLING A SPECIAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE VOTERS AMENDMENTS TO THE SAN

**SUBJECT:** PROPOSED SAN DIEGO COUNTY CHARTER AMENDMENT ENTITLED:  
STRENGTHENING AND STREAMLINING COUNTY ELECTIONS  
(DISTRICTS: ALL)

DIEGO COUNTY CHARTER ENTITLED "STRENGTHENING AND  
STREAMLINING COUNTY ELECTIONS."

3. Designate up to two members of the Board to file a ballot argument (and any rebuttal) on behalf of the Board of Supervisors in support of the proposed amendments to the County Charter, and authorize the designated Board member(s) to determine which other voters or associations may join in signing the argument/rebuttal.

**If on July 24, 2018, the Board takes the action in recommendation 2 above, then, on August 7, 2018 (Second Reading):**

Consider and adopt the Ordinance set forth in recommendation 2.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2018-19 CAO Adopted Operational Plan in the Registrar of Voters. If approved, this request will not result in changes to net General Fund cost or additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ADVISORY BOARD STATEMENT**

N/A

#### **BACKGROUND**

In 2017, Assembly Bill 901, authored by California State Assemblymember Todd Gloria, permitted the charter of the County of San Diego to be amended by ballot proposition by either the County Board of Supervisors or petition signed by a percentage of qualified electors to require candidates for any countywide office to be elected in the November general election.

More specifically, this means that the highest two candidates receiving votes in the primary election would move onto the general election. If there are two or less candidates, then they would both automatically qualify for the November general election.

If changes are made, an opportunity exists to put a proposal before the voters that maximizes participation, protects precious taxpayer money and reduces wasteful campaign spending in County elections.

The proposal before the Board would make the following changes:

- A primary election will take place when there are more than two candidates, and the top two candidates will be on the November general election when any candidate fails to get more than 50% of the vote in the primary.

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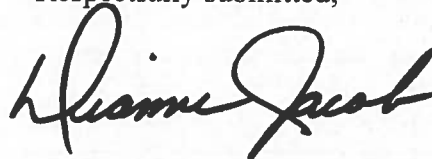
- Any county elected position with only two candidates will bypass the primary and be decided in the November general election.
- If there are two or less candidates, then they would both qualify for the November general election.
- In the event a candidate achieves a decisive win by securing more than 50% of the vote in a primary election against 2 or more opponents, said candidate wins the election outright without the need for a contest in the November general election.

Today's action would place a charter amending measure on the November 2018 ballot that would enhance the current election process for County elected positions.

**LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN**

N/A

Respectfully submitted,



DIANNE JACOB  
Supervisor, Second District

**ATTACHMENT(S)**

Attached Resolution (Strikeout)

Attached Ordinance

Attached Resolution (Clean)

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**AGENDA ITEM INFORMATION SHEET**

**REQUIRES FOUR VOTES:**       Yes     No

**WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED**  
 Yes     No

**PREVIOUS RELEVANT BOARD ACTIONS:**

**BOARD POLICIES APPLICABLE:**

**BOARD POLICY STATEMENTS:**

**MANDATORY COMPLIANCE:**

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION  
NUMBER(S):**

**ORIGINATING DEPARTMENT:** District 2 – Board of Supervisors

**OTHER CONCURRENCE(S):**

**CONTACT PERSON(S):**

Jeff Collins

\_\_\_\_\_  
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**RESOLUTION OF THE BOARD OF SUPERVISORS  
PROPOSING AMENDMENTS TO THE CHARTER OF THE COUNTY OF SAN DIEGO  
ENTITLED "STRENGTHENING AND STREAMLINING COUNTY ELECTIONS"**

On motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_,  
the following resolution is adopted:

IT IS RESOLVED AND ORDERED by the Board of Supervisors of the County of San Diego pursuant to California Constitution, Art. XI, sections 3(a) and 3(b) and Articles 2 and 3 (commencing at section 23720) of Chapter 5, Division 1, Title 3 of the Government Code, that the Charter of the County of San Diego (San Diego County Charter) be amended by revising sections 401.3, 600 and 603.1 as set forth herein, and that the proposed amendments be submitted to the eligible registered voters in San Diego County for approval or rejection at a special election to be consolidated with the statewide general election to be held on November 6, 2018 in San Diego County, State of California.

IT IS PROPOSED by the Board of Supervisors that the San Diego County Charter be amended by revising sections 401.3, 600 and 603.1 to read as follows:

**Section 401.3:** A candidate who receives a majority of all votes in the primary election is elected. When more than two candidates for one office qualify to participate in the primary, and no candidate is so elected, the two candidates who receive the highest number of votes in the primary are the candidates in the general election, and the one who receives the higher number of votes in the general election is elected. In these circumstances, write-in candidates are permitted to participate in the primary election in accordance with state general law. However, no write-in candidates are permitted to participate in the general election. In the event ~~there are~~ no more than two candidates qualify for one office, the office shall be voted upon at the primary general election and not at the primary election. In these circumstances, wWrite-in candidates are permitted to participate in the primary general election in accordance with state general law. However, no write-in candidates are permitted to participate in the general primary election.

**Section 600: Elective Officers.** In addition to Supervisors, the elective officers are:

- (a) Assessor/Recorder/County Clerk
- (b) District Attorney
- (c) Sheriff;
- (d) Treasurer/Tax Collector, and
- (e) Members of the Board of Education,

each of whom is nominated and elected according the general law and in the manner established for nominating and electing Supervisors set forth in section 401.3.

**INFORMATION COPY**

**Section 603.1:** At the completion of the present incumbent's term of office, each newly elected member of County Board of Education shall hold office for a four-year term beginning on the first Monday after January first following election, and continue to serve until the election and qualification of a successor. ~~For all elections involving members of the County Board of Education under this Section 603.1 and Section 603.2, write-in candidates are permitted to participate in the primary election in accordance with state general law. However, no write-in candidates are permitted to participate in the general election.~~

IT IS FURTHER RESOLVED AND ORDERED that the Registrar of Voters of the County of San Diego be and is hereby ordered and directed to cause to be printed upon the official ballot to be used at said special election to be held in San Diego County on November 6, 2018, the proposition for said proposed amendments to the San Diego County Charter as follows:

PROPOSED SAN DIEGO COUNTY CHARTER AMENDMENT ENTITLED "STRENGTHENING AND STREAMLINING COUNTY ELECTIONS"	
Shall the San Diego County Charter be amended so that only one election is held in November when there are just two candidates for a County position, and a second election is avoided when a candidate has a decisive primary win against multiple opponents?	YES
	NO

IT IS FURTHER RESOLVED AND ORDERED that the Clerk of the Board of Supervisors shall, without delay, forward a certified copy of this Resolution to the Registrar of Voters and that the Registrar of Voters shall cause the complete text of these proposed amendments to the San Diego County Charter to be printed and be mailed to each qualified elector in the County of San Diego not more than 40 nor less than 21 days prior to November 6, 2018, pursuant to Elections Code section 13303.

Approved as to Form and Legality

THOMAS E. MONTGOMERY, County Counsel

ORDINANCE NO. \_\_\_\_ (NEW SERIES)

AN ORDINANCE CALLING A SPECIAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE VOTERS AMENDMENTS TO THE SAN DIEGO COUNTY CHARTER ENTITLED "STRENGTHENING AND STREAMLINING COUNTY ELECTIONS"

The Board of Supervisors of the County of San Diego ordains as follows:

**Section 1.** Pursuant to California Constitution, Art. XI, sections 3(a) and 3(b) and Articles 2 and 3 (commencing at section 23720) of Chapter 5, Division 1, Title 3 of the Government Code, a special election is hereby called to be consolidated with the statewide general election to be held on Tuesday, November 6, 2018, for the purpose of submitting to the eligible registered voters of the County of San Diego the following proposition amending the Charter of the County of San Diego:

PROPOSED SAN DIEGO COUNTY CHARTER AMENDMENT ENTITLED "STRENGTHENING AND STREAMLINING COUNTY ELECTIONS"		
Shall the San Diego County Charter be amended so that only one election is held in November when there are just two candidates for a County position, and a second election is avoided when a candidate has a decisive primary win against multiple opponents?	YES	
	NO	

The complete text of the proposed amendments to the San Diego County Charter is set forth in a Resolution adopted by the Board of Supervisors on July 24, 2018, and will be mailed to each qualified elector in the County of San Diego by the Registrar of Voters not more than 40 nor less than 21 days prior to November 6, 2018, pursuant to Elections Code section 13303.

**Section 2.** Pursuant to Part 3 (commencing at section 10400) of Division 10 of the Elections Code, the special election to amend the San Diego County Charter to be held in the County of San Diego on November 6, 2018 shall be and is hereby ordered consolidated with the statewide general election to be held on said date.

**Section 3.** Within the County of San Diego, the election precincts, polling places therein and precinct board members and election officers for each such precinct for the special election hereby called shall be the same as those provided for the statewide general election to be held November 6, 2018 and said election shall be held in all



respects as if there were only one election and one form of ballot, namely the form of ballot used at such statewide general election shall be used.

**Section 4.** For the purposes of such consolidation, the proposition (which may be abbreviated on the ballot pursuant to Elections Code section 13247) shall appear on the ballot substantially as set forth in Section 1 of this ordinance.

**Section 5.** This ordinance shall become effective immediately upon adoption.

Approved as to Form and Legality

THOMAS E. MONTGOMERY, County Counsel

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Approved as to Form and Legality

THOMAS E. MONTGOMERY, County Counsel