

ORDINANCE NUMBER O- **22137** (NEW SERIES)

DATE OF FINAL PASSAGE **SEP 02 2026**

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 7,
DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTIONS 27.0103, 27.0104, AND 27.0108,
RELATING TO SAN DIEGO UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION DISTRICT ELECTIONS.

RECITALS

The Council of the City of San Diego (Council) adopts this Ordinance based on the following:

A. The San Diego Charter (Charter), San Diego Municipal Code (Municipal Code) and City Clerk's Administrative Guidelines establish the requirements and procedures for administering elections in the City of San Diego. Chapter 2, Article 7, Divisions 1 through 4 and 6 through 9 were comprehensively updated in February 2026.

B. Charter section 8 requires the Council to "adopt an election code ordinance, providing an adequate and complete procedure to govern municipal elections, including the nomination of candidates for all elective offices. All elections provided for by this charter . . . shall be conducted in the manner prescribed by said election code ordinance."

C. In the November 5, 2024 general election, the voters approved Measure C, which amended Charter section 66 related to elections for the Board of Education for the San Diego Unified School District (Board of Education). Measure C required the elimination of primary elections when there are two or fewer candidates for a Board of Education office.

D. The Registrar of Voters of San Diego County administers elections for the Board of Education. The proposed amendments align the Board of Education election procedures in the San Diego Municipal Code with Charter section 66. The amendments also allow the Registrar of Voters to set forth the nomination and write-in candidate procedures for the Board of Education.

E. These proposed amendments, if adopted, are expected to become effective before upcoming deadlines for the 2026 general election for San Diego Unified Board of Education.

F. The Office of the City Attorney prepared this Ordinance based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete and accurate.

ACTION ITEMS

Be it ordained by the Council of the City of San Diego:

Section 1. Chapter 2, Article 7, Division 1, of the San Diego Municipal Code is amended by amending sections 27.0103, 27.0104, and 27.0108 to read as follows:

§27.0103 Definitions

For purposes of this Article, defined terms appear in italics. The following definitions apply in this Article:

Ballot materials through *Ballot question* [No change in text.]

Board of Education Election means an election of the governing board of the San Diego Unified School District, also referred to as the Board of Education and includes *Board of Education General Elections* and *Board of Education Primary Elections*.

Board of Education General Election means an election at which members of the governing board of the San Diego Unified School District, also referred to as the Board of Education, are elected. *Board of Education General Election* may also include a special election to fill a vacancy. *Board of Education General Elections* are held at the same time as Municipal General Elections, as referenced in San Diego Charter section 66.

Board of Education Primary Election means an election at which members of the governing board of the San Diego Unified School District, also referred to as the Board of Education, are nominated for the *Board of Education General Election*.

Board of Education Primary Elections are held at the same time as Municipal Primary Elections, as referenced in San Diego Charter section 66.

Board of Supervisors through Write-in candidate [No change in text.]

§27.0104 Elections to be Conducted under this Article; Effect of State Law

(a) [No change in text.]

(b) The procedures, including nomination and write-in candidate procedures, for seating members of the governing board of the San Diego Unified School District shall be set forth by the *Registrar*, unless otherwise set forth in the Charter or this Article, or the governing board, at its option, adopts a resolution to have nominations and write-in candidate procedures conducted under other law.

(c) The procedures for the recall of members of the governing board of the San Diego Unified School District shall be set forth by the *Registrar*, unless otherwise set forth in the Charter or this Article, or the governing board, at its option, adopts a resolution to have recall elections conducted under other law.

(d) [No change in text.]

§27.0108 Effect of Vote at Primary Election

(a) through (c) [No change in text.]

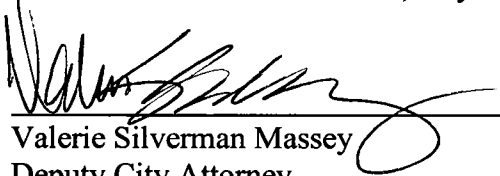
- (d) If two or fewer candidates, including write-in candidates, qualify for the ballot in a *Board of Education Primary Election* for a particular Board of Education office, the election for that office shall be voted upon at the *Board of Education General Election*, and not the *Board of Education Primary Election*. The names of only those two or fewer candidates shall be printed upon the ballot to be used for the *Board of Education General Election* for that office.

Section 2. The Council dispenses with a full reading of this Ordinance before its passage because a written copy of this Ordinance was made available to the Council and the public before the date of its passage.

Section 3. This Ordinance will take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: HEATHER FERBERT, City Attorney

By


Valerie Silverman Massey
Deputy City Attorney

VSM:jdf:at:amt
06/16/2026
Or.Dept: City Clerk
Doc. No. 4463254

I certify that the Council of the City of San Diego adopted this Ordinance at a meeting held on
AUG 25 2026.

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 9/2/26
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~

NEW LANGUAGE: Double Underline

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DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY
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BOARD OF EDUCATION DISTRICT ELECTIONS.

Article 7: Elections, Campaign Finance, and Lobbying

Division 1: Elections – General

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San Diego Charter section 66.

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Board of Supervisors through Write-in candidate [No change in text.]

§27.0104 Elections to be Conducted under this Article; Effect of State Law

- (a) [No change in text.]
- (b) The procedures, including nomination and write-in candidate procedures, for seating members of the governing board of the San Diego Unified School District shall be ~~the same as those for electing or appointing members of the Council under this Article~~ set forth by the Registrar, unless otherwise set forth in the Charter or this Article, or the governing board, at its option, adopts a resolution to have nominations and write-in candidate procedures conducted under other law.
- (c) The procedures for the recall ~~or removal for cause of~~ members of the governing board of the San Diego Unified School District shall be ~~the same as those for the recall or removal for cause of members of the Council provided by this Article~~ set forth by the Registrar, unless otherwise set forth in the Charter or this Article, or the governing board, at its option, adopts a resolution to have recall ~~elections~~ elections conducted under other law.

(d) [No change in text.]

§27.0108 Effect of Vote at Primary Election

(a) through (c) [No change in text.]

(d) If two or fewer candidates, including write-in candidates, qualify for the ballot in a *Board of Education Primary Election* for a particular Board of Education office, the election for that office shall be voted upon at the *Board of Education General Election*, and not the *Board of Education Primary Election*. The names of only those two or fewer candidates shall be printed upon the ballot to be used for the *Board of Education General Election* for that office.

VSM:jdf:at:amt
06/16/2026
Or.Dept: City Clerk
Doc. No. 4463260

Passed by the Council of The City of San Diego on **August 25, 2026**, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Stephen Whitburn	☒	☐	☐	☐
Henry L. Foster III	☒	☐	☐	☐
Marni von Wilpert	☒	☐	☐	☐
Kent Lee	☒	☐	☐	☐
Raul A. Campillo	☐	☐	☒	☐
Vivian Moreno	☒	☐	☐	☐
Sean Elo-Rivera	☒	☐	☐	☐

Date of final passage SEP 02 2026.

(Please note: When an ordinance is approved by the Mayor, the date of final passage is the date the approved ordinance was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By , Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUL 14 2026

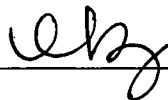
SEP 02 2026

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Ordinance Number **O-22137**