OFFICE OF THE CITY CLERK

REPORT

REPORT TO THE ECONOMIC DEVELOPMENT AND INTERGOVERNMENTAL RELATIONS COMMITTEE

DATE: March 24, 2014 REPORT NO.: 14-01

SUBJECT: Timeline of Remaining Updates to Elections-related San Diego Municipal Code and Charter Sections

ISSUE

In continuing last year's review of the various elections-related sections of the Municipal Code and the City Charter that would benefit from examination and possible update, the timeline for calendar year 2014 is proposed below.

Municipal Code

Issue:

Recall (Article 7, Division 27)

In August 2013, the City Council directed the City Clerk and City Attorney to collaborate on potential updates to Article 7, Division 27 of the Municipal Code: Recall.

There are a number of areas where the recall provisions could be improved by clarifying and making procedures consistent with other City petition processes, and by updating the code based on changes in state law.

Clarification of existing provisions and articulation of certain procedures will provide better guidance in the administration of the process. Most of the proposed changes are housekeeping in nature, but there are potentially more substantive issues. The City Attorney will research legal aspects and the City

Clerk will gather best practices and procedural information for this Committee to consider. Preliminary discussions between the City Clerk and City Attorney have already begun.

Suggested timeframe: Draft changes to be brought to Economic Development & Intergovernmental Relations Committee in July 2014.

Charter and Municipal Code

Issue:

Redistricting

In 1992, the City of San Diego voters approved a Charter amendment that empowered a citizen Redistricting Commission with sole authority for approving City Council boundaries. The City of San Diego has undergone two complete redistricting processes with little change to the 1992 Charter amendment. Changes were made in 2010 to accommodate Strong Mayor Form of Government and the addition of a 9th Council District, but there has never been a comprehensive review of the Charter and the reflective and more detailed local law in the Municipal Code that drive this process.

- Charter Sections 5 and 5.1 will be reviewed for legality, consistency and with an eye toward implementing any appropriate improvements suggested by the 2000 and 2010 Redistricting Commissions and the 2012 Grand Jury Report.

- Article 7: Elections, Campaign Finance and Lobbying, Division 14: Procedure for Making Appointments to the Redistricting Commission will undergo similar review, but will also be streamlined where appropriate so that details of various procedures can be captured in policy form to allow for more regular and consistent review and update.

- Some specific examples of areas in need of review:

    - Update to the process for selecting the Appointing Authority, to be consistent with current law.

    - Potential changes to the period in which applications are accepted with an eye toward expanding the timeframe if appropriate.

    - Potential changes to the timeframe during which the City Clerk can advertise the commission nomination period to allow for additional public noticing opportunities.

- Potential changes to application information requirements (college transcripts, requesting Social Security #).

- Clarifying what information on the application is public record and when it can be made available to the public.

Suggested timeframe: Charter changes to be brought forward for placement on the June 2016 ballot; Municipal Code changes will be completed if appropriate following the election and chaptering of results.

CONCLUSION

With an eye toward maintaining the momentum of last year's proposed elections-related changes and factoring in both requests and direction with regard to prioritization, the timeframe presented above provides a reasonable set of goals for calendar year 2014.

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City Clerk

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