

# Alliance San Diego Mobilization Fund

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May 23, 2016

SAN DIEGO, CALIF.

San Diego City Council  
Attn: Honorable Sherri Lightner, Council President and Rules Committee Chair  
Attn: City Clerk  
City of San Diego, 202 "C" Street  
San Diego, CA 92101

**Re: Proposed Charter Amendment to Maximize Voter Participation on Ballot Measures**

Dear Council President Lightner:

The Alliance San Diego Mobilization Fund submits the attached proposed amendment for consideration by the San Diego City Council and the June 15th Rules Committee meeting for placement on the November 2016 ballot. The amendment, tentatively entitled, "Maximizing Voter Participation on Ballot Measures Act," would align local law with state law to maximize voter participation on ballot measures that affect us all.

Democracy functions best when the most voters participate. High-stakes decisions like ballot measures that change laws for everyone in the City of San Diego should be made when the majority of San Diegans vote. In the last 20 years, voter participation in primary elections has been significantly lower than general elections. With only one exception, turnout in primary elections has been less than 50 percent. This means that too few of us are making decisions on local ballot measures that affect all of us. This is true even in presidential years.

Year	SD Turnout in Primary	SD Turnout in General
2012	37%	77%
2008	34%	84%
2004	46%	76%

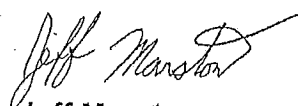
By placing high-stakes decisions in the primary elections, the City of San Diego is undermining full voter participation on the issues that affect our communities. Across the country and throughout most of California, primary elections are not intended to be decisive. San Diego is an outlier in asking voters to decide ballot questions in primary elections.

San Diego election law is currently out of alignment with state law as to when ballot measures can be submitted to voters. State law limits ballot measures to general elections and limited-purpose special elections, and does not allow for ballot measures to be brought in primary elections.

To bring the City of San Diego into conformity with state law and maximize voter participation on the issues that affect us all, we ask City Council to amend the City Charter to limit local ballot measures to general elections and limited-purpose special elections. We propose the attached amendment to be added to Article III of the City Charter.



Andrea Guerrero, Esq.  
Alliance San Diego Mobilization Fund



Jeff Marston  
Co-Chair, Independent Voter Project

## Proposed Title and Summary

### **Maximizing Voter Participation on Ballot Measures Act. Charter Amendment.**

In order to align local and state law, and maximize voter participation on local ballot measures that affect all San Diegans, shall the City Charter be changed to limit local ballot measures to general elections and limited-purpose special elections when voter participation is at its highest?

## Proposed Charter Amendment

### ARTICLE III

#### **Section 23.1: Scheduling Non-Candidate Elections to Maximize Voter Participation**

The other terms and provisions of this Charter notwithstanding:

(a) Every initiative, referendum, or recall measure that meets the requirements of Section 23 of Article III of this Charter shall be submitted to the voters either (i) at the next general election held at least 131 days after the measure has been determined by the City Clerk to have satisfied Section 23's requirements, or (ii) at any special City-wide election held for the purpose of voting on such measure prior to that general election.

(b) Every matter not specified in paragraph (a) of this Section that may or must be approved by the electorate under this Charter or any other controlling legal authority shall be submitted to the voters either (i) at the next general election held at least 131 days after the matter has received the requisite approval of the Mayor, the City Council, or both and has become final, or (ii) at any special City-wide election held for the purpose of voting on such matter prior to that general election.

(c) As used in this Section, "general election" means only the election held throughout the State of California on the first Tuesday after the first Monday in November of each even numbered year.

(d) There is no limit under this Section on the number of initiative, referendum, or recall measures or other matters that may be the subject of a single special City-wide election.

(e) The purpose of this Section is to ensure that subjects requiring voter approval are presented to the electorate at elections that are likely to have higher voter turnout than primary elections. The timing of presentation under this Section is consistent with Sections 8(c) and 9(c) of Article 2 of the California Constitution, which govern state-wide Initiative and referendum measures and serve to ensure higher voter participation at elections.

(f) The other terms and provisions of this Section notwithstanding, nothing in this Section shall apply to the election of a candidate for elective office.