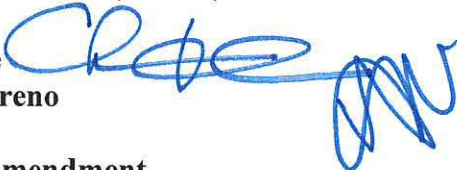




**CITY OF SAN DIEGO
M E M O R A N D U M**

DATE: April 24, 2019

TO: Council President Georgette Gomez, Chair, Rules Committee

FROM: Councilmember Chris Cate 
Councilmember Vivian Moreno

SUBJECT: City Charter Article XVI Amendment

In November 2016, nearly 88 percent of San Diego voters approved Measure E. This successful ballot measure amended the process by which City elected officials are removed from office. Prior to Measure E, City elected officials could only be removed through resignation or recall.

Article XVI of the City Charter now includes a process by which the City Council can initiate a special removal election for the following causes: by conviction of a felony or other serious crime, if determined to be physically or mentally incapacitated, and/or for dereliction of official duties. This Charter section currently only applies to the Mayor, Councilmembers, and the City Attorney.

Election rules for the San Diego Unified School District (SDUSD) are defined in Article VI, Section 66 of the San Diego City Charter. Article XI, section 16(a) of the California State Constitution grants charter cities the authority to determine not only election rules for boards of education, but the process of removal for board members. To ensure consistency within the City Charter, the Rules Committee should consider an amendment that will broaden the application of Article XVI to include board members of SDUSD.

Additionally, the City's Municipal Code should be reviewed to ensure that the process for recall of elected officials outlined in Section 27.2701 specifically includes conditions for the recall of a SDUSD board member.

I respectfully request this item be heard in conjunction with the process for the Committee's consideration of placing City-sponsored measures on the March 2020 ballot.

CC:ic

cc: Jessica Lawrence, Director of Finance Policy & Council Affairs, Office of the Mayor
Felipe Monroig, Deputy Chief of Staff, Office of the Mayor