



**OFFICE OF COUNCILMEMBER TODD GLORIA  
CITY OF SAN DIEGO**

**M E M O R A N D U M**

**DATE:** May 4, 2015  
**TO:** Council President Sherri Lightner  
**FROM:** Councilmember Todd Gloria *Todd Gloria*  
**SUBJECT:** Update on Referendum Process Reform Measures

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On January 8, 2015, I submitted a memorandum to you requesting to bring forward an informational item in early 2015 to the Charter Review Committee to explore potential measures that the City Council could consider to reform the referendum process. Thank you for your consideration of this request and for scheduling the item at the Committee on May 14, 2015.

Since January, I have been working with our City Attorney's Office, City Clerk and Ethics Commission to further explore the local reforms proposed in my January 8, 2015 memorandum to make the referendum process more transparent.

As such, I request the Charter Review Committee provide the following direction in order to make progress on these local reforms:

1. Request the Ethics Commission return to Committee with revisions to the City's Election Campaign Control Ordinance to ensure more timely and heightened disclosure of campaign funders, with consideration given to the following revisions:
  - a. Expand the current law requiring "paid for by" disclosures on local campaign advertisements to include petitions circulated for voter signatures. With respect to committees primarily formed to support a measure, the "paid for by" disclosure should also include the identity of the top two major donors of \$10,000 or more;
  - b. Require California Form 496, also known as independent expenditure report, to be filed during the signature gathering period, as is required in the 90 days before an election;
  - c. Require California Form 497, also known as the 24-hour contribution report, to be filed during the signature gathering period, as is required in the 90 days before an election; and
  - d. Require California Form 460, also known as the campaign comprehensive statement, to be filed with City Clerk ten (10) calendar days after the referendum petition begins circulating.
2. Direct the City Attorney's Office to work with the City Clerk and the District Three Office to draft and return to Committee with an ordinance updating Municipal Code

Article 7, Division 11 to ensure consistency, clarity and correctness to reflect the current state of the law, including:

- a. General updates to the language;
- b. Moving the petition formatting section to the City Clerk Administrative Guidelines to be consistent with recent updates to Municipal Code recall section and to allow for easier and more timely updates of material;
- c. Updates and clarification of language in Section 27.1116: Withdrawal of Signature from Referendary Petition;
- d. Clarification of language in Section 27.1117: Time for Submitting Referendary Petition to Clerk; and
- e. Clarification of timeline related to Council action on sufficient petitions.

I welcome additional feedback and direction from the Committee that will help to achieve the goals of transparency and additional disclosure to preserve the true intent of this important process, and I look forward to working with you on these policies.

cc: Honorable Mayor Kevin Faulconer  
Honorable City Councilmembers  
Honorable Jan Goldsmith, City Attorney  
Liz Maland, City Clerk  
Stacey Fulhorst, Ethics Commission Executive Director  
Andrea Tevlin, Independent Budget Analyst

TG:jl