



**COUNCILMEMBER CHRISTOPHER WARD**  
**COUNCIL PRESIDENT PRO TEM BARBARA BRY**

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

DATE: January 22, 2018

TO: Council President Myrtle Cole

FROM: Councilmember Christopher Ward *Ch Ward*  
Council President Pro Tem Barbara Bry *Barbara Bry*

SUBJECT: Proposed Amendments to Charter Section 12: *The Council*

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We respectfully request that an item be docketed at the soonest possible Rules Committee meeting for discussion and consideration of the following question for placement on the June or November 2018 ballot.

Potential Ballot Question:

Shall Section 12 of the City of San Diego City Charter be amended as below, to clarify that the scope of term limits applies equally to all Councilmembers?

Section 12: The Council

(c) Notwithstanding any other provision of this Charter, no person shall serve more than two consecutive four-year terms as a Council-member ~~from any particular district~~. If for any reason a person serves a partial term as Councilmember ~~from a particular district~~ in excess of two (2) years, that partial term shall be considered a full term for purposes of this term limit provision.

Rationale:

Because redistricting can, from time to time, cause a change in district number assignment due to the residency requirements set forth under Charter Section 12, the opportunity exists for an individual to serve more than two consecutive full terms. Not only does this afford a special opportunity for some but not other Councilmembers to qualify for additional terms, it robs some San Diego voters of an equal protection because they would not have the opportunity for a change in representation after two full terms free of the influences of incumbency like other San Diegans. The current legal interpretation of Charter Section 12 allows for just that. Term limit laws should apply equally to all. This change will help

address this loophole and be consistent with term limit laws instituted at other levels of government.

Thank you for your consideration.

cc:

Mara W. Elliott, City Attorney

Marisa Berumen, Rules Committee Consultant

Erin Demorest, Director of Legislative Affairs