

COUNTY OF SAN DIEGO

(This Measure will appear on the ballot in the following form.)

MEASURE A

PROPOSED “CLEAN-UP” AMENDMENTS TO THE SAN DIEGO COUNTY CHARTER

Shall the Charter of the County of San Diego be amended for purposes of making “clean-up” amendments including amendments necessary to assure compliance with state and federal laws?

This measure requires approval of a simple majority (50% plus 1) of those voting on the measure.
Full text of this measure follows the argument in favor.

COUNTY COUNSEL IMPARTIAL ANALYSIS

This measure was placed on the ballot by the San Diego County Board of Supervisors. If approved by a majority of the voters voting on the measure, this measure will amend the San Diego County Charter to “clean-up” several sections of the Charter to bring them into conformance with state and federal laws and to accurately reflect the administrative structure of the County.

This measure will change timelines respecting elections which may be held in filling vacancies on the Board of Supervisors. The changes will bring the timelines into compliance with Federal and State laws setting forth timing requirements for the mailing of military and overseas ballots. This measure will also amend the Charter to recognize the Fire Authority as an organizational unit within the Office of the Chief Administrative Officer.

ARGUMENT IN FAVOR OF MEASURE A

Measure A makes “clean-up” changes to the County Charter

The San Diego County Charter establishes the structure of County government, and defines how County government operates in order to best serve the County’s residents.

Any change to the Charter must be approved by the voters of San Diego County.

A review by County officials identified several outdated provisions in the County Charter. Since the last “clean-up” revisions in the Charter in 2006, there have been changes to federal and state law and other modifications affecting County government operations that have rendered several provisions of the County Charter outdated. Those provisions need to be revised.

Measure A will update and preserve the accuracy of the County Charter

Among provisions in need of amendments is an addition that references the San Diego County Fire Authority in the organizational structure of the County. The San Diego County Fire Authority was established in 2008 to support the delivery of high quality emergency medical and fire services to a 1.5 million-acre area of unincorporated San Diego County. Since it has been 12 years since the last “clean-up” of the County Charter the County Fire Authority should be referenced.

Measure A’s proposed revisions do not alter the substantive meaning of any Charter provision.

An additional provision proposed to be updated in the County Charter would modify election timelines to permit compliance with federal and state legal requirements. For example, the current timelines for filling a vacancy on the Board of Supervisors do not provide sufficient time for the Registrar of Voters to meet legal requirements, such as mailing of military and overseas ballots.

These proposed changes will keep San Diego County’s Charter up-to-date and accurate!

Please join us in voting Yes on A!

Kristin Gaspar
Chairwoman
San Diego County Board of Supervisors

Dianne Jacob
Vice-Chairwoman
San Diego County Board of Supervisors

ARGUMENT AGAINST MEASURE A

No argument against the measure was filed in the office of the Registrar of Voters.

FULL TEXT OF MEASURE A

RESOLUTION OF THE BOARD OF SUPERVISORS PROPOSING AMENDMENTS TO THE CHARTER OF THE COUNTY OF SAN DIEGO FOR THE PURPOSE OF MAKING “CLEAN-UP” CHANGES TO SEVERAL CHARTER SECTIONS

IT IS RESOLVED AND ORDERED by the Board of Supervisors of the County of San Diego pursuant to California Constitution, Art. XI, sections 3(a) and 3(b) and Articles 2 and 3 (commencing at section 23720) of Chapter 5, Division 1, Title 3 of the Government Code, that the Charter of the County of San Diego (San Diego County Charter) be amended by revising sections 401.4, 703 and 703.6 as set forth herein, and that the proposed amendments be submitted to the eligible registered voters in San Diego County for approval or rejection at a special election to be consolidated with the statewide general election to be held on November 6, 2018 in San Diego County, State of California.

IT IS PROPOSED by the Board of Supervisors that the San Diego County Charter be amended by revising sections 401.4, 703 and 703.6 to read as follows:

Section 401.4: In the event a vacancy occurs in the office of supervisor, the remaining members of the Board shall within thirty (30) days of the vacancy fill the vacancy either by appointment for the unexpired term, by appointment until the qualification of a successor elected at a special election or by calling a special election. If the remaining members of the Board fail to fill the vacancy within such thirty (30) day period, the remaining members of the Board shall immediately cause a special election to be held to fill such vacancy. A special election to fill a vacancy in the office of Supervisor shall consist of a special primary election and if necessary, a special general election. A special primary election shall be held in the Supervisorial district in which the vacancy occurred on a Tuesday, at least 76 days, but not more than 90 days, following the adoption of the resolution calling the special election, except that any such special primary election may be conducted within 180 days following the adoption of such resolution in order that the special primary election or special general election may be consolidated with the next regularly scheduled statewide election.

Candidates at the special primary election shall be nominated in the manner set forth in the Elections Code for the nomination of candidates for a nonpartisan office for a direct primary election, except that nomination papers shall not be circulated prior to the adoption of the resolution calling the special election and shall be filed with the Registrar of Voters for examination no later than 14 days after the adoption of the resolution calling the special primary election.

If only one candidate qualifies for the special primary election, that candidate shall be appointed to the vacancy by the remaining members of the Board for the unexpired term, shall serve exactly as if elected to such vacancy, and no special primary election or special general election to fill the vacancy shall be held. A candidate who receives a majority of all votes in the special primary election is elected to fill the vacancy for the unexpired term, and no special general election shall be held. In the event there are no more than two candidates for a vacancy, the office shall be voted upon at the special primary election, and no special general election shall be held.

When no candidate receives a majority of all votes in the special primary election, a special general election shall be held on the twelfth Tuesday after the date of the special primary election. The two candidates who received the highest number of votes in the special primary election shall be the candidates in the special general election, and the one who receives the higher number of votes in the special general election is elected to fill the vacancy for the unexpired term. Write-in candidates are permitted to participate in the special primary election in accordance with state general law. However, no write-in candidates are permitted to participate in the special general election.

FULL TEXT OF MEASURE A (CONTINUED)

In a special election to fill a vacancy in the office of supervisor, the Board may authorize either the special primary election or the special general election, or both, to be conducted wholly by mail, provided that the special primary election or the special general election to be conducted by mail does not occur on the same date as the statewide election with which it has been consolidated. In no event may a special primary election or a special general election be conducted on the day after a state holiday.

Section 703: Chief Administrative Officer. The Chief Administrative Officer exercises the Board's administrative supervision over affairs of the County delegated to that officer, over all organizational units within the Office of the Chief Administrative Officer, and over all departments, except the Civil Service Commission and the offices of Assessor/Recorder/County Clerk, District Attorney, Sheriff, and the Treasurer/Tax Collector. The Fire Authority is an organizational unit within the Office of the Chief Administrative Officer, not a department. The Chief Administrative Officer is responsible to the Board for the proper administration of such affairs of the County.

Section 703.6: For assistance in carrying out official duties, the Chief Administrative Officer may call upon officers and employees in departments or organizational units under the Chief Administrative Officer's supervision, so long as that assistance falls within the legally authorized scope of their activities.