News from

Councilmember Todd Gloria

City of San Diego – District Three

NEWS RELEASE

For immediate release: January 8, 2015 Contact: Katie Keach, 619-847-8274

Councilmember Gloria Recommends Referendum Reforms

Deceitful Referendum Efforts of 2014 Make Changes Necessary

SAN DIEGO (January 8, 2015) – San Diego City Councilmember Todd Gloria today called for a review of San Diego's referendum process to correct the deceitful practices demonstrated in efforts last year. In a memo sent to Council President Sherri Lightner, Councilmember Gloria proposed four components of the local process that warrant exploration for changes, as well as three issues related to state law to examine with state legislators. The memo is attached.

"The documented deceit of the paid signature gatherers raises concerns over our referendum process that are worth examining. Referendums are meant to be a legitimate check and balance by the people and not means for special interests with deep pockets to buy results that could not be attained through the public legislative process," said Councilmember Gloria.

Among the changes proposed by Councilmember Gloria are

- More timely disclosure of referendum campaign funders;
- Permission for referendum proponents and opponents to be present for the signature counting and verification process;
- Regulation of the information required on a petition;
- Disclosure of and/or limitation of financing of paid signature gatherers; and
- Raising the percentage of signatures required for referendums.

Councilmember Gloria requested Council President Lightner docket an information item related to this matter at the Charter Review Committee in early 2015.

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OFFICE OF COUNCILMEMBER TODD GLORIA
CITY OF SAN DIEGO

MEMORANDUM

DATE: January 8, 2015

TO: Council President Sherri Lightner

FROM: Councilmember Todd Gloria

SUBJECT: Referendum Process Reform Measures

On Monday, October 20, 2014, the San Diego City Council approved placing a measure to increase the minimum wage and allow workers to earn sick leave before voters in June 2016.

Corporate interests opposing the measure went to extreme lengths through a well funded referendum effort to keep hard working San Diegans in poverty. Tactics used included telling potential signers outrageous lies like the petition was to increase the minimum wage, and paying out of town signature gatherers up to $12 per signature. However, thanks to the work of our community partners, hundreds of people rescinded their signatures after learning the true purpose of the petition, and thousands were educated not to sign.

The documented deceit of the paid signature gatherers raises concerns over our referendum process that are worth examining. Referendums are meant to be a legitimate check and balance by the people and not means for a special interests with deep pockets to buy results that could not be attained through the public legislative process.

As such, I am calling for a careful review of the referendum process to ensure that it is functioning as a truly direct public process, and intend to explore the following issues with our state legislators:

1. Disclosure of and/or limitation of financing of paid signature gatherers;
2. Raising the percentage of signatures required per California Elections Code 9236(b); and
3. Regulating how and what information must be provided on the petition and ensuring petition gatherers use factual statements to attract potential signers.

While these reforms will require advocacy at the state level, there are also significant changes that can be made at the local level to make the referendum process more transparent. Initial components of the local process that warrant further discussion include:

1. Providing more timely disclosure of referendum campaign funders for the benefit of the public;
2. Providing the opportunity for proponents and opponents to be present during the Registrar of Voters signature verification process;

3. Review of City of San Diego Charter Section 23: Initiative, Referendum and Recall, including local signature gathering requirements; and
4. Review of Municipal Code Article 7, Division 11: Referendum, including:
    a. General updates to language for consistency, clarity and correctness;
    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 respectfully request to bring forward an informational item in early 2015 to the Charter Review Committee to explore these potential measures that the City Council can consider to reform the referendum process. I would like to directly involve the City Clerk, the Ethics Commission, the City Attorney's office and the Independent Budget Analyst in this work, and look forward to input and direction from the Charter Review Committee.

Thank you for your consideration of this request.

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