

**ORDINANCE NO. 1754 (2026 SERIES)**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, ADDING CHAPTER 2.38, TITLED “CITYWIDE SINGLE VOTE METHOD OF ELECTING CITY COUNCILMEMBERS” TO THE SAN LUIS OBISPO MUNICIPAL CODE, IMPLEMENTING A NEW METHOD FOR ELECTIONS OF CITY COUNCILMEMBERS AND ADOPTING REGULATIONS PROVIDING FOR THE ADMINISTRATION OF CITY COUNCIL ELECTIONS BY CITYWIDE SINGLE VOTE BEGINNING IN NOVEMBER 2026**

**WHEREAS**, the City of San Luis Obispo is a charter city duly established by the voters of the City of San Luis Obispo pursuant to Article XI of the Constitution of the State of California, and governed by its duly adopted Charter, including Article III (“Elections”) and Article IV (“The Council”); and

**WHEREAS**, pursuant to the California Constitution, Charter cities have broad plenary powers to make and enforce all ordinances and regulations regarding municipal affairs, which supersede any conflicting state laws that may otherwise apply to municipal affairs; and

**WHEREAS**, the California Constitution, Article XI, Section 5(b) expressly and specifically establishes “conduct of city elections” as a municipal affair over which the City has plenary constitutional authority to regulate “...the manner in which, the method by which, the times at which, and the terms for which the several municipal officers and employees whose compensation is paid by the city shall be elected or appointed”; and

**WHEREAS**, the San Luis Obispo City Charter, Section 402 provides that “The Council Members shall be elected at the general municipal election from the City at large, two being selected biennially”; and

**WHEREAS**, on February 17, 2023, the Southwest Voter Registration Education Project (“SVREP”) served the City with a letter asserting that the City’s existing at-large election system may violate the California Voting Rights Act (CVRA), Elections Code sections 14025 et. seq. and demanding that the City transition to district elections, which are not provided by the City Charter; and

**WHEREAS**, following settlement negotiations, the City and SVREP entered into Pre-Litigation settlement agreement and a Stipulated Judgment in San Luis Obispo County Superior Court, Case No. 24CV-0797, requiring the City to transition to a new election method known as “Citywide Single Vote”, which is consistent with the City Charter and within the remedial authority of the superior court pursuant to California Elections Code Section 14029 (see *Pico Neighborhood Assn. v. City of Santa Monica* (2023) 15 Cal.5th 292); and

**WHEREAS**, pursuant to the Stipulated Judgment, beginning with the November 2026 election, the City shall implement a new method for the election of City Councilmembers utilizing Citywide Single Vote, whereby each voter in the 2026 City Council election, in order to elect the two City Council seats, will cast a single vote for City Council, and the two candidates receiving the highest number of single votes will be elected; and

**WHEREAS**, the City Council has determined it to be necessary and efficient to adopt an ordinance formally providing for the establishment and implementation of Citywide Single Vote.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of San Luis Obispo as follows:

**SECTION 1. Findings.** The recitals set forth hereinabove are hereby adopted as the findings of the City Council and the City Council makes the following additional findings of fact, and interpretations of City Charter and Municipal Code, in support of its adoption of this Ordinance:

- a) Implementation of the Citywide Single Vote method of elections for San Luis Obispo City Councilmembers is consistent with the City Charter's requirement that Councilmembers be elected "at-large" and does not require a Charter amendment.
- b) San Luis Obispo City Charter Section 301 provides that, "***Unless otherwise provided by ordinance hereafter enacted***, all elections shall be held in accordance with the provisions of the [Elections Code](#) of the State of California, as the same now exists or may hereafter be amended" (emphasis added);
- c) San Luis Obispo Charter Section 301, and the California Constitution, expressly authorize the City Council to adopt ordinances providing for the conduct of its local municipal elections in a manner and pursuant to regulations that differ from otherwise applicable provisions of the California Elections Code.
- d) Adopting an ordinance providing for the implementation and administration of Citywide Single Vote and codifying this ordinance in the Municipal Code advances public transparency, compliance with the Stipulated Judgment, and clarity for voters, candidates, and election officials as to the manner and method of election of San Luis Obispo City Councilmembers and the direction of the Council as to applicable regulations for the conduct of elections for San Luis Obispo City Councilmembers under the Citywide Single Vote election method.
- e) The regulations adopted herein are intended to be and shall be applied and interpreted, as directed by the City Council of the City of San Luis Obispo, by the City Clerk/Elections Official, the County Registrar of Voters/County

Elections Official (to the extent authorized by the County Board of Supervisors pursuant to Elections Code Section 10002), and/or any other elections official or personnel administering City of San Luis Obispo Council elections by or on behalf of the City of San Luis Obispo.

**SECTION 2.** Addition to Municipal Code. Chapter 2.38, "CITYWIDE SINGLE VOTE METHOD OF ELECTING CITY COUNCIL MEMBERS" is hereby added to the San Luis Obispo Municipal Code to read as follows:

**Chapter 2.38**  
**CITYWIDE SINGLE VOTE METHOD OF ELECTING CITY COUNCIL**  
**MEMBERS**

**Section. 2.38.010 - Purpose**

**Section. 2.38.020 - City Council Elections by Citywide Single Vote Established**

**Section. 2.38.030 - Mayor to Remain Separately Elected**

**Section 2.38.040 - Ballot Format and Instructions to Voters**

**Section 2.38.050 - Authority as a Charter City**

**Section 2.38.060 - Liberal Construction and Severability**

**Section 2.38.070 City Council Clarification or Technical Modification**

**Section. 2.38.010 Purpose.**

The purpose of this chapter is to establish and provide the means and methods for administration for the Citywide Single Vote election method for the election of City Councilmembers, consistent with the California Constitution, Article XI, the City Charter Articles III and IV, the California Voting Rights Act (Elections Code §§ 14025 et seq.), and the Stipulated Judgment entered in *Southwest Voter Registration Education Project v. City of San Luis Obispo* (San Luis Obispo Superior Court Case No. 24CV-0797, as it currently exists or may hereafter be amended from time to time, referred to as "Stipulated Judgment", herein).

**Section. 2.38.020 City Council Elections by Citywide Single Vote Established.**

- A. Notwithstanding any law to the contrary, beginning with the November 2026 general municipal election, and for all subsequent elections, unless subsequently modified by Charter amendment, court order, or Council action pursuant to this chapter and the Stipulated Judgment, elections for City Councilmembers shall be conducted using Citywide Single Vote, as set forth in this section.
- B. The method of election for City Councilmembers shall be Citywide Single Vote as follows:
  1. Each qualified voter in the City shall be entitled to cast one vote for one candidate from the group of qualified candidates for City Council.
  2. The two candidates receiving the highest number of votes shall be elected.

**Section. 2.38.030 Mayor to Remain Separately Elected.**

There shall be no changes to the manner and method of election of the Mayor. Pursuant to City Charter Sections 402 and 404, the Mayor shall continue to be elected at-large by all City voters every two years, for a two-year term, and each qualified voter shall be entitled to cast one vote for Mayor.

**Section 2.38.040 Ballot Format and Instructions to Voters.**

- A. Notwithstanding any law to the contrary, for City Council elections, the ballots shall be printed as follows:
1. The group of candidates to be voted on shall be preceded by the designation of office for which they seek election, stated as "San Luis Obispo City Council Member"
  2. Following the designation of office to be voted on, but preceding the group of candidates for the office, the ballot shall include the instruction "vote for only one"
  3. Under the group of candidates shall be printed one blank space, defined by a light line, so as to permit one write-in candidate as an alternative to selecting a candidate from the group listed on the ballot.
- B. The City shall prepare materials for the official voter information guide to be presented to the elections official responsible for administration of the City Council election, whether separate or consolidated, that explain the Citywide Single Vote method of voting, including the limitation to vote for one candidate, that the two candidates receiving the most single votes will be elected, and that voting for more than one candidate will result in an "overvote" and will preclude the ballot with an overvote from being counted.

**Section 2.38.050 Authority as a Charter City.**

Pursuant to its authority as a Charter City, this Chapter is intended to and shall govern the presentation of candidates and voter instructions for San Luis Obispo City Council municipal elections, notwithstanding Elections Code Section 13210 or any other elections statute or regulation that would otherwise govern the subject matter of a City Council election, or that may conflict with this Chapter or otherwise interfere with or preclude the conduct of the Citywide Single Vote method of electing City Councilmembers as provided by this Chapter.

**Section 2.38.060 Liberal Construction and Severability.**

This chapter shall be liberally construed to promote its objects and the intention and direction of the City Council to implement and support the administration of its City

Council elections by the Citywide Single Vote method of election. No error, omission or irregularity shall invalidate an election if there has been substantial compliance with this chapter as determined by the City Council. If any section, subsection, sentence, or clause of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

**Section 2.38.070 City Council Clarification or Technical Modification.**

The City Council may, by ordinance or resolution, provide such clarification, technical or procedural modification, or minor wording changes as may be deemed necessary or convenient to support and facilitate the administration of the Citywide Single Vote method of City Council elections, in consultation with the elections official administering City Council elections.

**SECTION 4.** A summary of this ordinance, together with the names of Council members voting for and against, shall be published at least five (5) days prior to its final passage, in The New Times, a newspaper published and circulated in this City. This ordinance shall go into effect at the expiration of thirty (30) days after its final passage.

**INTRODUCED** on the 13<sup>th</sup> day of January, 2026, **AND FINALLY ADOPTED** by the Council of the City of San Luis Obispo on the 20th day of January, 2026, on the following vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
Mayor Erica A. Stewart

ATTEST:

\_\_\_\_\_  
Teresa Purrington  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
J. Christine Dietrick  
City Attorney

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on \_\_\_\_\_.

\_\_\_\_\_  
Teresa Purrington  
City Clerk