

ORDINANCE NUMBER O- 19001 (NEW SERIES)

ADOPTED ON NOV 5 2001

AN ORDINANCE CALLING A SPECIAL MUNICIPAL ELECTION IN THE CITY OF SAN DIEGO ON MARCH 5, 2002, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY ONE OR MORE BALLOT PROPOSITIONS; AND CONSOLIDATING THE SPECIAL MUNICIPAL ELECTION WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THE SAME DATE.

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. Pursuant to Section 23 of the San Diego City Charter and Section 27.0107 of the San Diego Municipal Code, the Council of the City of San Diego hereby calls a Special Municipal Election to be held in the City of San Diego on March 5, 2002.

Section 2. Pursuant to Section 223 of the San Diego City Charter, section 3(b) of Article 11 of the California Constitution, and Section 9255(a) of the California Elections Code, all dealing with charter amendments; and, pursuant to Section 23 of the San Diego Charter and Chapter 2, Article 7, of the San Diego Municipal Code, the Council of the City of San Diego by separate ordinances may submit to the qualified voters of the City one or more ballot propositions at the March 5, 2002, Special Municipal Election.

Section 3. The propositions shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out in the separate ordinances placing the propositions

on the March 5, 2002, ballot. An appropriate mark placed in the voting square after the word "YES" shall be counted in favor of the adoption of any proposition. An appropriate mark placed in the voting square after the word "NO" shall be counted against adoption of any proposition.

Section 4. The propositions submitted by separate ordinances for placement on the March 5, 2002, ballot, if any, shall be designated on the ballot by a letter printed on the left margin of the square containing the description of the proposition as provided in California Elections Code section 13116.

Section 5. City propositions to be submitted to the voters at the March 5, 2002, Special Municipal Election, if any, shall appear, pursuant to San Diego Municipal Code section 27.0507, on the ballot in the following order:

(a) Initiative measures, including both measures placed on the ballot by petition and measures placed on the ballot by action of the City Council pursuant to San Diego Municipal Code section 27.1001, in the order in which the ordinances placing the initiatives on the ballot are adopted by the City Council;

(b) Bond measures in the order in which the ordinances placing them on the ballot are adopted by the City Council;

(c) Charter amendments in the order in which the ordinances placing them on the ballot are adopted by the City Council;

(d) Other legislative measures in the order in which the ordinances placing them on the ballot are adopted by the City Council;

(e) Referendum measures in the order in which the ordinances placing them on the ballot are adopted by the City Council; and

(f) Advisory matters in the order in which the ordinances placing them on the ballot are adopted by the City Council.

Section 6. The polls for this Special Municipal Election shall be open from 7 a.m. (local time) on March 5, 2002, and remain open continuously until 8 p.m. (local time) on the same day. The polls shall close at 8 p.m., except as provided in California Elections Code section 14401.

Section 7. The Special Municipal Election called for March 5, 2002, in the City of San Diego is hereby ordered consolidated with the Statewide Primary Election to be held on the same date. Within the City of San Diego precincts, polling places and officers of the election for the Special Municipal Election shall be the same as those provided for the Statewide Primary Election.

Section 8. The Registrar of Voters of the County of San Diego is hereby authorized to canvass returns of this Special Municipal Election. The Registrar of Voters shall communicate the results of the canvass to the San Diego City Clerk, who shall in turn certify the results to the Council of the City of San Diego. The City Council shall then declare the results of the Special Municipal Election by resolution.

Section 9. Within the City of San Diego only one form of ballot shall be used.

Section 10. Since this election is to be consolidated with the Statewide Primary Election, and since the County Registrar of Voters is authorized to canvass the returns of this Special Municipal Election, and since only one form of ballot is authorized, the method of voting upon the propositions shall be provided in the California Elections Code.

Section 11. Except as otherwise provided in this ordinance, the Special Municipal Election called for March 5, 2002, shall be conducted as provided by law for other municipal elections in the City of San Diego.


Section 12. The City Clerk shall cause this ordinance to be published once in the official newspaper. No other notice of the election need be given.

Section 13. A full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 14. Pursuant to Section 17 of the Charter of the City of San Diego, this ordinance relating to elections shall take effect on NOV 5 2001, which is the day of its introduction and passage.

Section 15. If no propositions are approved by the City Council for placement on, or if no propositions otherwise qualify for placement on the March 5, 2002, ballot by 5 p.m. on December 7, 2001, then this ordinance shall become null and void and shall have no force or effect.

APPROVED: CASEY GWINN, City Attorney

By:   
Cristie C. McGuire  
Deputy City Attorney

CCM:vl  
10/22/01  
Or.Dept:Clerk  
Aud.Cert: 2200472  
O-2002-48

The City of San Diego  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2200472

ORIGINATING DEPT. NO.: 035

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ \_\_\_\_\_ Fund \_\_\_\_\_  
 Purpose \_\_\_\_\_  
 Date \_\_\_\_\_ By: \_\_\_\_\_  
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILFY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ 1,516,500  
 Vendor Registrar of Voters  
 Purpose To authorize the expenditure of funds for the Municipal Primary Election in the City of San Diego on March 5, 2002  
 Date October 25, 2001

By: Albert Cuevas  
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	60011	088	100	4222	008855				\$356,000.00
2	0	100	601	2350	4222	002350				\$1,035,811.27
3	0	10001	901		4222	016013				\$124,688.73
TOTAL AMOUNT										\$1,516,500.00

FUND OVERRIDE

0-19001