

ORDINANCE NUMBER O- 19305 (New Series)

ADOPTED ON JUL 26 2004

AN ORDINANCE CALLING A MUNICIPAL SPECIAL ELECTION IN THE CITY OF SAN DIEGO ON NOVEMBER 2, 2004, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY ONE OR MORE BALLOT PROPOSITIONS; AND CONSOLIDATING THE MUNICIPAL SPECIAL ELECTION WITH THE CALIFORNIA STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

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

Section 1. A Municipal Special Election is hereby called and ordered to be held in the City of San Diego on November 2, 2004.

Section 2. Pursuant to Section 223 of the Charter of the City of San Diego, Section 3(b) of Article XI of the Constitution of the State of California, and Section 9255(a)(2) of the California Elections Code, all dealing with Charter Amendments; and, pursuant to Section 23 of the Charter of the City of San Diego and Section 27.1001 of the San Diego Municipal Code pertaining to initiative measures submitted by petition or by action of the City Council, 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 November 2, 2004 Municipal Special 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 November 2, 2004, 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 November 2, 2004, 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 November 2, 2004, Municipal Special 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 Municipal Special Election shall be open from 7:00 a.m. (local time) on November 2, 2004, and remain open continuously until 8:00 p.m. (local time) on

the same day. The polls shall close at 8:00 p.m., except as provided in California Elections Code section 14401.

Section 7. The Municipal Special Election called for November 2, 2004, in the City of San Diego is hereby ordered consolidated with the California State General Election to be held on the same date. Within the City of San Diego precincts, polling places and officers of the election for the Municipal Special Election shall be the same as those provided for the California State General Election.

Section 8. The Registrar of Voters of the County of San Diego is hereby authorized to canvass returns of this Municipal Special 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 Municipal Special 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 California State General Election, and since the County Registrar of Voters is authorized to canvass the returns of this Municipal Special 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 Municipal Special Election called for November 2, 2004, 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 of the City of San Diego. No other notice of the election need be given.

Section 13. Pursuant to Section 17 of the Charter of the City of San Diego, this ordinance relating to elections shall take effect on JUL 26 2004, which is the day of its introduction and passage.

APPROVED: CASEY GWINN, City Attorney

By *Catherine M. Bradley*
Catherine M. Bradley
Deputy City Attorney

CMB:jab
07/13/2004
Or.Dept: Clerk
O-2004-8