ORDINANCE NUMBER O- 20670 (NEW SERIES)

11.12: 77.16

DATE OF FINAL PASSAGE JUL 11 2016

AN ORDINANCE CALLING A MUNICIPAL GENERAL ELECTION IN THE CITY OF SAN DIEGO ON TUESDAY, NOVEMBER 8, 2016, AND CONSOLIDATING THE MUNICIPAL GENERAL ELECTION WITH THE CALIFORNIA STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, San Diego Charter section 10 provides that, commencing with the year 1996, the Municipal General Elections for the offices of Councilmember for Districts 1, 3, 5, and 7 shall be held on the same date in each election year as the California State General Election; and

WHEREAS, San Diego Charter section 10 provides that, commencing with the year 2012, the Municipal General Election for the office of Councilmember for District 9 also shall be held on the same date in each election year as the other odd-numbered districts, and as the California State General Election; and

WHEREAS, San Diego Charter section 10 also directs that, commencing with the year 1984, elections to the offices of Mayor and City Attorney shall be held every four years, with the Municipal General Elections to those offices to be held on the same date in each election year as the California State General Election; and

WHEREAS, in the year 2016, the California State General Election will be held on Tuesday, November 8, 2016; and

WHEREAS, calling the Municipal General Election for the same date as the California

State General Election is mandated by San Diego Charter section 10 and, therefore, is not subject to veto by the Mayor; and

WHEREAS, at a meeting held on ______JUL 11___, 2016, the City Council of the City of San Diego passed Resolution Number R-____310583, requesting that the Board of Supervisors of the County of San Diego approve the consolidation of the Municipal General Election to be held on November 8, 2016 with the California State General Election to be held on the same date; and

WHEREAS, San Diego Charter section 10 also provides that, in the event one candidate has received the majority of votes cast for all candidates for nomination to a particular elective office in the Municipal Primary Election, that the candidate shall be deemed to be, and declared by the Council to be, elected to such office; and, if not, the top two vote-getters will advance to a Municipal General Election; and

WHEREAS, for the following offices, a candidate received the majority of votes cast for all candidates for nomination in the Municipal Primary Election, and thus there will not be runoff elections for these offices: Mayor, Councilmember for District 3, Councilmember for District 5, and Councilmember for District 7; and

WHEREAS, for the following offices, no candidate received a majority of votes cast for all candidates for nomination in the Municipal Primary Election, and thus the top two votegetters for these offices will advance to the Municipal General Election: City Attorney, Councilmember for District 1 and Councilmember for District 9; NOW, THEREFORE,

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

Section 1. It is hereby ordered that a Municipal General Election will be held in the City of San Diego on Tuesday, November 8, 2016, for the purpose of electing candidates for the following offices:

CITY ATTORNEY

four-year term

COUNCILMEMBER for District No. 1

four-year term

COUNCILMEMBER for District No. 9

four-year term

Section 2. The Board of Supervisors of the County of San Diego is hereby requested to consent and agree to the consolidation of the Municipal General Election in the City of San Diego with the California State General Election to be held on Tuesday, November 8, 2016, pursuant to local procedures authorized under California Elections Code section 10402 and the City's Elections Code. Within the City of San Diego precincts, polling places and officers of the election for the Municipal General Election shall be the same as those provided for the California State General Election.

Section 3. For the purpose of this election, the election precincts shall be the precincts established by the Board of Supervisors for the County of San Diego; provided, however, that certain precincts shall be consolidated in the manner indicated on the list of consolidated precincts on file in the Office of the City Clerk.

Section 4. The Board of Supervisors for the County of San Diego, through the Registrar of Voters of the County of San Diego, is hereby authorized to canvass returns of this Municipal General Election, in compliance with San Diego County Code of Administrative Ordinances section 439.1 and San Diego Municipal Code section 27.0111. 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 General Election by resolution.

(O-2016-116)

Section 5. The polls for this Municipal General Election shall be open from 7:00 a.m. on

November 8, 2016, and remain open continuously until 8:00 p.m. on the same day. The polls

shall close at 8:00 p.m., except as provided in California Elections Code section 14401.

Section 6. The City Clerk is hereby directed to cause this ordinance to be published once

in the official newspaper of the City of San Diego.

Section 7. A full reading of this ordinance is dispensed with prior to its passage, a

written or printed copy having been made available to the City Council and the public prior to

the day of its passage.

Section 8. Pursuant to San Diego Charter sections 275(c), 295(b) and 295(d), this

ordinance relating to elections may be passed by the City Council on the date of introduction,

which date shall be deemed the date of final passage, and is not subject to veto by the Mayor.

APPROVED: JAN I. GOLDSMITH, City Attorney

Sharon B. Spivak

Deputy City Attorney

SBS:idf

06/16/16

Or.Dept:City Clerk

Doc.No.: 1278872

Passed by the Council of The City of San Diego on		JUL 11 2016 , 1		y the following vote:	
Councilmembers	Yeas	Nays	Not Present	Recused	
Sherri Lightner	Ø				
Lorie Zapf	\square				
Todd Gloria	otin oti				
Myrtle Cole	$ ot\!\!\!/$				
Mark Kersey	$ ot \hspace{-1em} \square$				
Chris Cate	$ ot\!\!\!/$				
Scott Sherman	Ż				
David Alvarez					
Marti Emerald	Ø Ø				
Date of final passage	11 2016				
		KEVIN L. FAULCONER			
AUTHENTICATED BY:		M	ayor of The City of	San Diego, Califo	ornia.
(Seal)	City	ELIZABETH Glerk of The City	S. MALAND of San Diego, Cal	ifornia, Deputy	
I HEREBY CERTIFY t	hat the foregoing ordi	nance was pa	assed on the day of	its introduction, to	wit, on
JUL 11 2016	said	l ordinance h	eing of the kind and	d character author	ized for
passage on its introduction by S				d character dather	1200 101
I FURTHER CERTIFY dispensed with by a vote of five available to each member of the (Seal)	members of the Cour	icil, and that	a written copy of the day of its passage. A ELIZABETH'S.	e ordinance was i	nade
		Office of th	e City Clerk, San	·	a
	Ordina	ince Numbe	er O 206	70	