ORDINANCE NUMBER O-_____**21213**_____ (NEW SERIES)

DATE OF FINAL PASSAGE ___**JUL 07 2020**___

AN ORDINANCE CALLING A MUNICIPAL GENERAL
ELECTION IN THE CITY OF SAN DIEGO ON TUESDAY,
NOVEMBER 3, 2020, 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

1984, elections for the offices of Mayor and City Attorney shall be held every four years, with

the Municipal General Election for those offices to be held on the same date as the California

State General Election for that year; and

WHEREAS, San Diego Charter section 10 also provides that, commencing with the year

1996, the Municipal General Election for the offices of Councilmember for Districts 1, 3, 5, and

7 shall be held on same date in each election year as the California State General Election; and

WHEREAS, San Diego Charter section 10 also provides that, commencing with the

municipal elections following the redistricting occurring after the 2010 national decennial

census, and every four years thereafter, the municipal primary and general elections for the office

of Councilmember for District 9 shall be held; and

WHEREAS, in this election year, the California State General Election will be held on

Tuesday, November 3, 2020; 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 ___July 7___, 2020, the City Council of the City of San Diego passed Resolution Number R-___313143___, 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 3, 2020 with the California State General Election to be held on the same date; and

WHEREAS, San Diego Charter section 10 provides that candidates for Mayor, City Attorney and Councilmember shall be nominated at the Municipal Primary Election, which was held this election year on March 3, 2020, and the top two vote-getters receiving the highest number of votes in that election for a particular elective office shall advance to the Municipal General Election; and

WHEREAS, the top two vote-getters for the following elective offices will advance to the Municipal General Election: Mayor, City Attorney, Councilmember for District 1, Councilmember for District 3, Councilmember for District 5, Councilmember for District 7, 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 3, 2020, for the purpose of electing candidates for the following offices:

MAYOR	four-year term
CITY ATTORNEY	four-year term
COUNCILMEMBER for District No. 1	four-year term
COUNCILMEMBER for District No. 3	four-year term
COUNCILMEMBER for District No. 5	four-year term

COUNCILMEMBER for District No. 7   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 3, 2020, 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.   This election is to be conducted in compliance with governing state law, including related state orders that may be in effect for this election, and those procedures enacted as part of the California Elections Code by California Assembly Bill No. 860, approved by the Governor on June 18, 2020, and filed with the Secretary of State on June 18, 2020. The California Elections Code amendments provide in part that county elections officials will mail a ballot to every registered voter for the November 3, 2020 statewide general election and extend the deadline for the county's receipt of mail ballots. The distribution of vote by mail ballots to all registered voters does not prevent a voter from voting in person at a polling place, vote center, or other authorized location.

Section 4.   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 5.   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.

Section 6. The polls for this Municipal General Election shall be open from 7:00 a.m. on November 3, 2020, 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. The poll hours provision shall follow state laws in effect as of the date of the election, which may include orders or laws enacted after the date of this resolution.

Section 7. 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 8. 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 9. 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: MARA W. ELLIOTT, City Attorney

By _____/s/ Sharon B. Spivak_____
        Sharon B. Spivak
        Senior Deputy City Attorney

SBS:jdf
06/23/2020
Or.Dept:City Clerk
Doc.No.: 2343380

Passed by the Council of The City of San Diego on _____ JUL 07 2020 _____, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Chris Ward	☒	☐	☐	☐
Monica Montgomery	☒	☐	☐	☐
Mark Kersey	☒	☐	☐	☐
Chris Cate	☒	☐	☐	☐
Scott Sherman	☒	☐	☐	☐
Vivian Moreno	☒	☐	☐	☐
Georgette Gómez	☒	☐	☐	☐

Date of final passage _____ JUL 07 2020 _____.

AUTHENTICATED BY:

_____ KEVIN L. FAULCONER _____
Mayor of The City of San Diego, California.

(Seal)

_____ ELIZABETH S. MALAND _____
City Clerk of The City of San Diego, California.

By _____, Deputy

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____ JUL 07 2020 _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 275 of the Charter.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

_____ ELIZABETH S. MALAND _____
City Clerk of The City of San Diego, California.

By _____, Deputy

Office of the City Clerk, San Diego, California

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