

10/31/23

(O-2024-31)

ORDINANCE NUMBER O- 21742 (NEW SERIES)DATE OF FINAL PASSAGE OCT 31 2023

AN ORDINANCE CALLING A MUNICIPAL PRIMARY ELECTION IN THE CITY OF SAN DIEGO ON TUESDAY, MARCH 5, 2024, AND CONSOLIDATING THE MUNICIPAL PRIMARY ELECTION WITH THE CALIFORNIA STATE PRESIDENTIAL PRIMARY ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, San Diego Charter section 10 provides that the Municipal Primary Elections in the City of San Diego (City) for the offices of Mayor, City Attorney, and City Councilmember for Districts 1, 3, 5, 7, and 9, respectively, shall be held on the same date in each election year as the California State Presidential Primary Election; and

WHEREAS, in 2024, the California State Presidential Primary Election will be held on Tuesday, March 5, 2024; and

WHEREAS, actions related to calling the Municipal Primary Election for the same date as the California State Presidential Primary Election are mandated by San Diego Charter section 10 and, therefore, are not subject to veto by the Mayor; and

WHEREAS, at a meeting held on October 31, 2023, the City Council passed Resolution Number R- 315189, requesting that the Board of Supervisors of the County of San Diego approve the consolidation of the Municipal Primary Election to be held on March 5, 2024, with the California State Presidential Primary Election to be held on the same date; and

WHEREAS, San Diego Charter section 10 also provides that all elective officers of the City shall be nominated at the Municipal Primary Election, and the top two vote-getters for each particular office will advance to a Municipal General Election; and

WHEREAS, if only one candidate qualifies for the ballot for a particular office in the Municipal Primary Election, the sole qualified candidate receiving votes shall be deemed to be, and declared by the City Council to be, elected to such office after the Municipal Primary Election results are certified;

WHEREAS, the Office of the City Attorney has drafted this Ordinance based on the information provided by City staff including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

Section 1. A Municipal Primary Election is hereby called and ordered to be held in the City of San Diego on Tuesday, March 5, 2024, to nominate 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 Primary Election in the City of San Diego with the California State Presidential Primary Election to be held on Tuesday, March 5, 2024, pursuant to local procedures authorized under the California Elections Code, including sections 10402, 10403, 10411, and 10418, and the City's Elections Code, set forth in

Chapter 2, Article 7 of the San Diego Municipal Code. The election shall be held in all respects as if there were only one election. Only one form of ballot shall be used. Within the City of San Diego precincts, vote centers, and officers of the election for the Municipal Primary Election shall be the same as those provided for the California State Presidential Primary 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 Primary 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 City Council. The City Council shall then declare the results of the Municipal Primary Election by resolution.

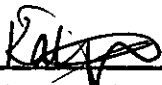
Section 5. The vote centers for this Municipal Primary Election shall be open from 7:00 a.m. on March 5, 2024, and remain open continuously until 8:00 p.m. on the same day. The vote centers shall close at 8:00 p.m., except as provided in California Elections Code section 14401.

Section 6. The City Clerk shall 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: MARA W. ELLIOTT, City Attorney

By \_\_\_\_\_  
Kathy J. Steinman  
Deputy City Attorney

KJS:jvg  
10/11/23  
Or.Dept: City Clerk  
Doc. No.: 3444971

Passed by the Council of The City of San Diego on OCT 31 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 31 2023

AUTHENTICATED BY:

(Seal)

TODD GLORIA  
Mayor of The City of San Diego, California.

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Krystle Medina, Deputy

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on OCT 31 2023, 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)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Krystle Medina, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21742