

ORDINANCE NUMBER O- 21743 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 31 2023

AN ORDINANCE CALLING A MUNICIPAL SPECIAL ELECTION IN THE CITY OF SAN DIEGO ON TUESDAY, MARCH 5, 2024, TO SUBMIT ONE OR MORE BALLOT MEASURES TO THE QUALIFIED VOTERS OF THE CITY; AND CONSOLIDATING THE MUNICIPAL SPECIAL ELECTION WITH THE CALIFORNIA STATE PRESIDENTIAL PRIMARY ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, the Council of the City of San Diego (City Council), by separate ordinances, may submit to the qualified voters of the City of San Diego (City) one or more ballot measures at a Municipal Special Election; and

WHEREAS, the City Council is authorized to place ballot measures that include Charter amendments on a Municipal Special Election ballot pursuant to San Diego Charter section 223, Article XI, section 3(b) of the Constitution of the State of California, and section 9255(a)(2) of the California Elections Code; and

WHEREAS, the City Council is authorized to place other ballot measures on a Municipal Special Election ballot pursuant to San Diego Municipal Code section 27.0502; and

WHEREAS, the City Council now desires to call a Municipal Special Election, and order it to be held in the City of San Diego on March 5, 2024, for the purpose of submitting one or more ballot measures to the qualified voters of the City of San Diego; and

WHEREAS, at a meeting held on October 31, 2023, the City Council passed Resolution Number R-315190, requesting that the Board of Supervisors of the County of San Diego approve the consolidation of the Municipal Special Election to be held on March 5, 2024, with the California State Presidential Primary Election to be held on the same date; and

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 Special Election is hereby called and ordered to be held in the City of San Diego on Tuesday, March 5, 2024, to submit one or more ballot measures to the qualified voters of the City, if any are submitted by separate ordinances for placement on that ballot.

Section 2. The measures 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 measures on the March 5, 2024 ballot.

Section 3. The measures submitted by separate ordinances for placement on the March 5, 2024 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 4. City measures to be submitted to the voters at the March 5, 2024 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 5. The Board of Supervisors of the County of San Diego is hereby requested to consent and agree to the consolidation of the Municipal Special 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 Special Election shall be the same as those provided for the California State Presidential Primary Election.

Section 6. 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 7. The vote centers for this Municipal Special 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 8. Except as otherwise provided in this Ordinance, the Municipal Special Election called for March 5, 2024, shall be conducted as provided by law for other municipal elections in the City of San Diego. The method of voting on the measures shall be provided in the California Elections Code.

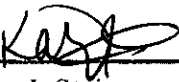
Section 9. The Board of Supervisors for the County of San Diego, through the Registrar of Voters of the County of San Diego, is hereby authorized to canvass returns of this Municipal Special Election, in compliance with San Diego County Code of Administrative Ordinances section 439.1 and San Diego Municipal 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 Special Election by resolution.

Section 10. The City Clerk shall cause this Ordinance to be published once in the official newspaper of the City of San Diego.

Section 11. 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 12. 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.: 3444973

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 Kristell 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 Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21743