

ORDINANCE NUMBER O- 21214 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 07 2020

AN ORDINANCE CALLING A MUNICIPAL SPECIAL ELECTION IN THE CITY OF SAN DIEGO ON TUESDAY, NOVEMBER 3, 2020, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY ONE OR MORE BALLOT MEASURES; AND CONSOLIDATING THE MUNICIPAL SPECIAL ELECTION WITH THE CALIFORNIA STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, the Council of the City of San Diego (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 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 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, at a meeting held on July 7, 2020, the Council passed Resolution No. R- 313144, requesting that the Board of Supervisors of the County of San Diego approve the consolidation of the Municipal Special Election to be held on November 3, 2020 with the California State General Election to be held on the same date; 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 Special Election will be held in the City of San Diego on Tuesday, November 3, 2020, for the purpose of submitting to the qualified

voters of the City one or more ballot measures, 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 November 3, 2020 ballot.

Section 3. The measures submitted by separate ordinances for placement on the November 3, 2020 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 November 3, 2020 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 Council;
- (b) Bond measures, in the order in which the ordinances placing them on the ballot are adopted by the Council;
- (c) Charter amendments, in the order in which the ordinances placing them on the ballot are adopted by the Council;
- (d) Other legislative measures, in the order in which the ordinances placing them on the ballot are adopted by the Council;

- (e) Referendum measures, in the order in which the ordinances placing them on the ballot are adopted by the Council; and
- (f) Advisory matters, in the order in which the ordinances placing them on the ballot are adopted by the 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 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 Special Election shall be the same as those provided for the California State General Election.

Section 6. 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 7. 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 8. The Board of Supervisors of 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 the 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. The Council shall then declare the results of the Municipal Special Election by resolution.

Section 9. Since this election is to be consolidated with the California State General Election, and since the Board of Supervisors is authorized to canvass the returns of this Municipal Special Election, and as only one form of ballot is authorized, the method of voting upon the measures shall be as provided in the California Elections Code.

Section 10. The polls for this Municipal Special 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 9. 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 10. A full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the Council and the public prior to the day of its passage.

Section 11. Pursuant to San Diego Charter sections 275(c), 295(b) and 295(d), this ordinance relating to elections may be passed by the 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.: 2343379

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	<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"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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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