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12/12/2022

(R-2023-327)

RESOLUTION NUMBER R- 314520

DATE OF FINAL PASSAGE DEC 12 2022

A RESOLUTION DECLARING THE RESULTS OF THE
MUNICIPAL GENERAL ELECTION AND THE MUNICIPAL
SPECIAL ELECTION HELD IN THE CITY OF SAN DIEGO
ON NOVEMBER 8, 2022.

WHEREAS, a Municipal General Election was held in the City of San Diego on Tuesday, November 8, 2022; and pursuant to the provisions of Ordinance No. O- 21505 (New Series), introduced and adopted on Monday, July 25, 2022, for the purpose of electing candidates to the offices of Councilmember for Districts 2, 4, 6, and 8, respectively; and

WHEREAS, a Municipal Special Election was held in the City of San Diego on Tuesday, November 8, 2022, pursuant to the provisions of Ordinance No. O- 21506 (New Series), introduced and adopted on Monday, July 25, 2022, for the purpose of submitting ballot measures to the qualified voters of the City of San Diego, with the ballot measures described as follows:

- 1) One measure amending the San Diego Municipal Code by amending Chapter 6, Article 6, Division 1, Section 66.0127, related to solid waste management services (Measure B);
- 2) One measure amending People's Ordinance No. 10960 (New Series), as amended, to remove the Midway-Pacific Highway Community Plan area from the 30-foot limit on building height in the Height Limit Ordinance (Measure C);
- 3) One measure to amend the San Diego Municipal Code, Chapter 2, Article 2, Division 44, to preserve the City's ability to receive state infrastructure funding by allowing the use of project labor agreements on City construction projects (Measure D);

- 4) One measure amending Article V, Section 55 of the San Diego City Charter, to authorize childcare in recreational facilities and buildings on dedicated parkland (Measure H).

WHEREAS, the measures, as stated in the ordinances placing them on the ballot, are:

MEASURE B AMENDS SAN DIEGO MUNICIPAL CODE SECTION 66.0127 RELATED TO SOLID WASTE MANAGEMENT SERVICES. Shall the San Diego Municipal Code be amended so that all City residents receive comparable trash, recycling, and other solid waste management services, by allowing the City to recover its cost of providing these services to eligible residential properties, which could allow the City to provide additional services, such as weekly recycling, bulky item pickup, and curbside container replacement and delivery, at no extra charge?	YES	
	NO	
MEASURE C REMOVING 30-FOOT HEIGHT LIMIT IN MIDWAY-PACIFIC HIGHWAY COMMUNITY PLAN AREA. Shall people's Ordinance O-10960 be amended to exclude the Midway-Pacific Highway Community Plan area, which includes the Sports Arena, from the 30-foot height limit on buildings in the Coastal Zone, with any future development still required to comply with other governing laws?	YES	
	NO	
MEASURE D CONTRACTING UPDATES. PROJECT LABOR AGREEMENTS FOR STATE FUNDING ELIGIBILITY. Shall the San Diego Municipal Code be amended to provide that the City of San Diego may preserve its ability to receive State infrastructure funding by allowing the use of Project Labor Agreements on City Construction Projects; requiring provisions in the agreements to prohibit employment discrimination and ensure open competition; expanding public disclosure; tracking local hiring requirements; and establishing a Citizens' Oversight Board?	YES	
	NO	
MEASURE H CHARTER AMENDMENT REGARDING ARTICLE V, SECTION 55. Shall Article V, Section 55 be amended to authorize childcare on dedicated parkland property with "childcare" meaning any State-licensed facility, other than in-home family day care, in which nonmedical care and supervision is provided for children under age 18 in a group setting for less than 24 hours per day, excluding educational or instructional use provided by public, private, home, or charter schools?	YES	
	NO	

and;

WHEREAS, a copy of the certificate of the Registrar of Voters of San Diego County canvassing the returns of the Municipal General Election and Municipal Special Election, as certified to the City Clerk, has been duly received; and

WHEREAS, a canvass of this election has been completed and the City Clerk has certified the results to the City Council; and

WHEREAS, the Office of the City Attorney has drafted this resolution 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; and

WHEREAS, declaring the results of the election as certified by the Registrar of Voters and the City Clerk is a ministerial act required by California Elections Code section 10263 and, therefore, is not subject to veto by the Mayor; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council finds and determines, pursuant to the provisions of Section 27.0411 of the San Diego Municipal Code, as follows:

The City of San Diego had 800,192 registered voters eligible to vote in the November 8, 2022 election. The total number of votes cast in the City for various Citywide ballot measures ranged from a low of 379,231 votes to a high of 402,607 votes.

II

The total vote received by each municipal candidate in the City of San Diego at the Municipal General Election is as follows:

A. FOR COUNCIL DISTRICT 2 (four-year term)

JENNIFER CAMPBELL	28,379 votes (56.49%)
LINDA LUKACS	21,854 votes (43.51%)
Total	50,233 votes (100.0 %)

JENNIFER CAMPBELL, having received a majority of all votes cast, is hereby declared elected to the office of Councilmember, District No. 2.

B. FOR COUNCIL DISTRICT 4 (four-year term)

MONICA MONTGOMERY STEPPE	17,878 votes (68.79%)
GLORIA EVANGELISTA	8,112 votes (31.21%)
Total	25,990 votes (100.0 %)

MONICA MONTGOMERY STEPPE, having received a majority of all votes cast, is hereby declared elected to the office of Councilmember, District No. 4.

C. FOR COUNCIL DISTRICT 6 (four-year term)

KENT LEE	22,040 votes (60.52%)
TOMMY HOUGH	14,380 votes (39.48%)
Total	36,420 votes (100.0 %)

KENT LEE, having received a majority of all votes cast, is hereby declared elected to the office of Councilmember, District No. 6.

D. FOR COUNCIL DISTRICT 8 (four-year term)

VIVIAN MORENO	13,194 votes (63.30%)
ANTONIO MARTINEZ	7,651 votes (36.70%)
Total	20,845 votes (100.0 %)

VIVIAN MORENO, having received a majority of all votes cast, is hereby declared elected to the office of Councilmember, District No. 8.

III

The number of votes cast for and against each of the four measures which appeared on the Municipal Special Election ballot as Measures B, C, D, and H, and the total number of votes cast upon each measure, are as follows:

MEASURE B

FOR	203,223 votes (50.48%)
AGAINST	199,384 votes (49.52%)
Total	402,607 votes (100.0%)

This measure required a majority vote. Measure B received the affirmative vote of a majority of the qualified voters in the City of San Diego voting on the measure and is hereby declared to have been approved.

MEASURE C

FOR	204,238 votes (51.14%)
AGAINST	195,156 votes (48.86%)
Total	399,394 votes (100.0%)

This measure required a majority vote. Measure C received the affirmative vote of a majority of the qualified voters in the City of San Diego voting on the measure and is hereby declared to have been approved.

MEASURE D

FOR	221,282 votes (57.77%)
AGAINST	161,766 votes (42.23%)
Total	383,048 votes (100.0%)

This measure required a majority vote. Measure D received the affirmative vote of a majority of the qualified voters in the City of San Diego voting on the measure and is hereby declared to have been approved.

MEASURE H

FOR	260,432 votes (68.67%)
AGAINST	118,799 votes (31.33%)
Total	379,231 votes (100.0%)

This measure required a majority vote. Measure H received the affirmative vote of a majority of the qualified voters in the City of San Diego voting on the measure and is hereby declared to have been approved.

IV

The number of votes cast in each precinct for each candidate, and for and against the measures, is recorded in the Election Returns Book, which book is authorized and is considered to be a part of the record of this Council.

V

The City Clerk is directed to file the charter amendments with the California Secretary of State in accordance with California Government Code section 34460.

VI

The City Clerk shall make public the results of the canvass of the election by publication of a copy of this resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Kathy J. Steinman
Kathy J. Steinman
Deputy City Attorney

KJS:jvg
December 8, 2022
Or.Dept: City Clerk
CC No. N/A
Doc. No. 3126334

Passed by the Council of The City of San Diego on DEC 1 2 2022, 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"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 1 2 2022

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

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

(Seal)

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

By Connie Patterson, Deputy
for Gilbert Sanchez

Office of the City Clerk, San Diego, California

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