

REPORT TO THE HONORABLE
MAYOR AND CITY COUNCIL
ANALYSIS OF BALLOT PROPOSITIONS "H" AND "J" -
NOVEMBER 1988 ELECTION

Following the November 8 election, City Clerk Charles Abdelnour requested the County Registrar of Voters to consider a review of the ballots cast against Propositions "H" and "J" to ascertain how many voters, if any, voted against both propositions.

By a letter dated November 15, 1988, a copy of which is attached as Enclosure (1), the Registrar indicated that she had been advised by the County Counsel and attorneys from the Secretary of State's office that such a review is precluded by provisions of the State Elections Code. Mr. Abdelnour has requested our view of the matter.

We have reviewed the statutory authority cited by the Registrar. Senior members of my staff have discussed the issues with the Registrar and representatives of the County Counsel.

Based on this review and discussion, I am satisfied that there has been no abuse of discretion by the Registrar in declining to conduct the review requested by the City Clerk and by a copy of this report I am so advising the City Clerk.

Respectfully submitted,
JOHN W. WITT
City Attorney

CMF:js:930.63(x043.1)

Enclosure (1)

cc City Clerk

RC-88-55