

RESOLUTION NUMBER R- 296287

ADOPTED ON APR 09 2002

A RESOLUTION DECLARING THE RESULTS OF THE
MUNICIPAL PRIMARY ELECTION AND THE SPECIAL
MUNICIPAL ELECTION HELD IN THE CITY OF SAN DIEGO
ON MARCH 5, 2002

WHEREAS, a municipal primary election was held in the City of San Diego on Tuesday, March 5, 2002, pursuant to the provisions of Ordinance No. O-19000 (New Series), for the purpose of nominating candidates and, if any candidate received a majority of all votes cast, for the purpose of electing that candidate; and

WHEREAS, a special municipal election was held in the City of San Diego on the same date, pursuant to the provisions of Ordinance No. O-19001 (New Series) adopted November 5, 2001, which special election was consolidated with the state primary election for the purpose of submitting to the qualified voters of the City of San Diego one or more ballot propositions; and

WHEREAS, pursuant to six (6) separate ordinances, six (6) propositions were placed upon the March 5, 2002 ballot, which propositions are described as follows:

(1) One proposition amending the City of San Diego Charter [Charter] by adding subsection (d) to Section 41, granting subpoena power to the San Diego Ethics Commission, was placed on the ballot by Ordinance No. O-19002 (New Series) (adopted November 5, 2001) (Proposition "B");

(2) One proposition amending the Charter by amending Section 141, concerning changing the vesting requirement of the San Diego City Employees' Retirement System from

ten years to five years, was placed on the ballot by Ordinance No. O-19004 (New Series) (adopted November 5, 2001) (Proposition “C”);

(3) One proposition amending the Charter by adding Section 149, concerning public agency participation in the San Diego City Employees’ Retirement System, was placed on the ballot by Ordinance No. O-19005 (New Series) (adopted November 5, 2001) (Proposition “D”);

(4) One proposition relating to an initiative petition amending the Charter by adding Section 76.2 titled “General Taxes” was placed on the ballot by Ordinance No. O-19013 (New Series) (adopted November 19, 2001) (Proposition “E”);

(5) One proposition amending the Charter by adding Section 226, relating to super majority vote requirements, was placed on the ballot by Ordinance No. O-19014 (New Series) (adopted November 19, 2001) (Proposition “F”); and

(6) One proposition relating to a referendum petition to approve or reject an ordinance amending the San Diego Municipal Code section 56.54, pertaining to alcohol consumption in beach areas, was placed on the ballot by Ordinance No. O-19007 (New Series) (adopted November 5, 2001) (Proposition “G”); and

WHEREAS, these propositions read as follows:

<p>PROPOSITION B. AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY ADDING SUBSECTION (d) TO SECTION 41 GRANTING SUBPOENA POWER TO THE SAN DIEGO ETHICS COMMISSION.</p> <p>Shall the City Charter be amended to grant subpoena power to the San Diego Ethics Commission?</p>	YES	
	NO	

<p>PROPOSITION C. AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING SECTION 141 CONCERNING THE CITY EMPLOYEES' RETIREMENT SYSTEM.</p>	<p>YES</p>	
<p>Shall the City Charter be amended to change the vesting requirement of the City Employees' Retirement System from ten years to five years?</p>	<p>NO</p>	

<p>PROPOSITION D. AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY ADDING SECTION 149 CONCERNING PUBLIC AGENCY PARTICIPATION IN THE CITY EMPLOYEES' RETIREMENT SYSTEM.</p>	<p>YES</p>	
<p>Shall the City Charter be amended to allow public agencies other than the City to participate in the City Employees' Retirement System?</p>	<p>NO</p>	

<p>PROPOSITION E. AMENDS THE SAN DIEGO CITY CHARTER BY ADDING SECTION 76.2 REGARDING GENERAL TAXES.</p>	<p>YES</p>	
<p>Shall the City Charter be amended to require that any increase in an existing general tax or imposition of any new general tax be levied by the Council only in the proposed levy has been approved by a two-thirds vote of the qualified City electors voting on the proposition?</p>	<p>NO</p>	

<p>PROPOSITION F. AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY ADDING SECTION 226, SUPER MAJORITY VOTE REQUIREMENTS.</p> <p>Shall the City Charter be amended to provide that, in order to be adopted or effective, any Charter amendment, ballot proposal, initiative, statute, law or regulation requiring a greater than simple majority vote of the electorate, and which is proposed to be adopted on or after the date of this election, must be adopted by the same proportionate vote of the electorate?</p>	YES	
	NO	

<p>PROPOSITION G. AMENDS SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 56.54 PERTAINING TO ALCOHOL CONSUMPTION IN BEACH AREAS.</p> <p>Shall the San Diego Municipal Code be amended to prohibit alcohol consumption twenty-four hours per day in substantially all of Mission Beach and specified beach areas of Pacific Beach from June 1, 2001, through December 31, 2002?</p>	YES	
	NO	

; and

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

WHEREAS, a canvass of these elections has been completed and the City Clerk has certified the results to the City Council; 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 the San Diego Municipal Code section 27.0411, as follows:

I

The whole number of votes cast in the City was 189,301.

II

The total vote received by each municipal candidate at the Municipal Primary Election is as follows:

A. FOR COUNCILMEMBER, DISTRICT NO. 2 (four-year term)

MICHAEL ZUCCHET	9,705
KEVIN FAULCONER	9,063
WAYNE RAFFESBERGER	4,279
JIM BELL	2,829
CHUCK BAHDE	1,045
JIM MORRISON	841
WOODY GUTHRIE DECK	648

MICHAEL ZUCCHET and KEVIN FAULCONER are hereby declared to be the candidates for the Office of Councilmember, District No. 2, in the General Municipal Election.

[Corrected Page]

B. FOR COUNCILMEMBER, DISTRICT NO. 4 (four-year term)

CHARLES L. LEWIS	6,065
DWAYNE CRENSHAW	3,481
BUTCH HUBBLE	1,655
MARISSA ACIERTO	1,134
FULBERTO RODRIGUEZ	971
TONJA MC COY	593
ROBERT TAMBUZI	501
JAMES GALLEY	450
ORAN BROWN	196
MILTON GALE	97

CHARLES L. LEWIS and DWAYNE CRENSHAW are hereby declared to be the candidates for the Office of Councilmember, District No. 4, in the General Municipal Election.

C. FOR COUNCILMEMBER, DISTRICT NO. 6 (four-year term)

DONNA FRYE	17,136
THOMAS W. MARTIN	9,599

DONNA FRYE having received a majority of all votes cast is hereby declared elected to the Office of Councilmember, District No. 6.

D. FOR COUNCILMEMBER, DISTRICT NO. 8 (four-year term)

RALPH INZUNZA	6,103
YOLANDA ESCAMILLA	2,620

RALPH INZUNZA 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 in the City for and against each of the six (6) propositions which appeared on the ballot as Propositions B, C, D, E, F and G, and the total number of votes cast upon that proposition, are as follows:

PROPOSITION B:

For	107,663
Against	53,261
TOTAL	160,924

Proposition B received the affirmative vote of a majority of the qualified voters voting on such proposition and is hereby declared to have been approved.

PROPOSITION C:

For	78,253
Against	81,977
TOTAL	160,230

Proposition C did not receive the affirmative vote of a majority of the qualified voters voting on such proposition and is hereby declared to have failed.

PROPOSITION D:

For	91,703
Against	63,938
TOTAL	155,641

Proposition D received the affirmative vote of a majority of the qualified voters voting on such proposition and is hereby declared to have been approved.

PROPOSITION E:

For	88,616
Against	74,227
TOTAL	162,843

Proposition E did not receive the affirmative vote of two-thirds of the qualified voters voting on such proposition. Because Proposition F is declared to have been approved (see below), Proposition E was required to have received such two-thirds vote to be declared approved. Having not received such two-thirds vote, Proposition E is hereby declared to have failed.

PROPOSITION F:

For	79,678
Against	78,501
TOTAL	158,179

Proposition F received the affirmative vote of a majority of the qualified voters voting on such proposition and is hereby declared to have been approved.

PROPOSITION G:

For	83,718
Against	86,710
TOTAL	170,428

Proposition G did not receive the affirmative vote of a majority of the qualified voters voting on such proposition and is hereby declared to have failed.


IV

The number of votes cast in each precinct for and against the proposition is recorded in the Election Returns Book, which book is a part of the records of this Council.

V

The City Clerk shall make public the results of the canvass of the Special Municipal Election by publication of a copy of this Resolution.

APPROVED: CASEY GWINN, CITY ATTORNEY

By 
Lisa A. Foster
Deputy City Attorney

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