

RESOLUTION NUMBER R- 298566

ADOPTED ON NOV 03 2003

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO REQUESTING THE CONSOLIDATION OF MUNICIPAL PRIMARY ELECTION TO BE HELD IN THE CITY OF SAN DIEGO ON MARCH 2, 2004, WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, Section 10 of the Charter of the City of San Diego provides that commencing with the year 1984 the elections to the offices of Mayor and City Attorney shall be held every four (4) years, and that the Municipal Primary Election for these offices shall be held on the same date in each election year as the California State Primary Election; and

WHEREAS, Section 10 of the Charter of the City of San Diego provides that commencing with the year 1996 the Municipal Primary Elections to the offices of Councilmember of Districts 1, 3, 5, and 7 shall be held on the same date in each election year as the California State Primary Election, and the general municipal election for these offices shall be held on the same date as the California State General Election for that year; and

WHEREAS, at a meeting on NOV 03 2003, the City Council adopted Ordinance No. O- 19234 (N.S.), calling a Municipal Primary Election in the City of San Diego on Tuesday, March 2, 2004; and

WHEREAS, it is desirable that this Municipal Primary Election be consolidated with the Statewide Primary Election to be held on the same date and that within the City of San Diego the election precincts, polling places, voting booths, and election officials for the two elections be the same; and

WHEREAS, it is desirable that the Board of Supervisors of the County of San Diego be authorized to canvass the returns of the Municipal Primary Election; and

WHEREAS, it is desirable that this election and the Statewide Primary Election be held in all respects as if there were only one election; and

WHEREAS, in the year 2004, the Statewide Primary Election will be held on the 2nd day of March; and

WHEREAS, this Council within the time required by law has adopted, or will adopt, an ordinance calling for a Municipal Primary Election; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The Board of Supervisors of the County of San Diego is hereby requested to consolidate the Municipal Primary Election for the offices of Mayor, City Attorney, and Councilmember for Districts 1, 3, 5, and 7 to be held in the City of San Diego on March 2, 2004, with the Statewide Primary Election to be held on the same date.

2. That the Board of Supervisors of the County of San Diego is hereby authorized to canvass the returns of the Municipal Primary Election and is requested to conduct the election in all respects as if there were only one election using only one form of ballot.

3. That the Board of Supervisors of the County of San Diego is requested to issue to all officers of the County charged with duties pertaining to the Statewide Primary Election appropriate instructions to take any and all steps necessary for the holding of a consolidated election.

4. That the Board of Supervisors of the County of San Diego is hereby requested to authorize and direct the Registrar of Voters of the County of San Diego to perform the following:

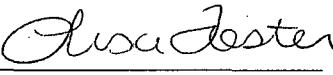
- (a) Furnish a tabulation of the number of registered voters in each Council district by precinct;

- (b) Examine and verify the signatures on nominating petitions;
- (c) Canvass the returns of the election, including absent voter ballots;
- (d) Furnish a tabulation of the number of votes given in each precinct; and
- (e) Furnish a tabulation of the number of votes given in each Council district by precinct.

That the City Clerk of the City of San Diego is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and Registrar of Voters of the County of San Diego.

BE IT FURTHER RESOLVED, that the City of San Diego agrees to indemnify and to save free and harmless the County, its officers, agents, and employees from expense or liability, including reasonable attorney fees, as the result of an election contest initiated pursuant to the California Elections Code sections 16000 through 16900.

APPROVED: CASEY GWINN, City Attorney

By 
Lisa Foster
Deputy City Attorney

LAF:jb
09/29/03
Or.Dept:Clerk
Aud.Cert:2400355
R-2004-378

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE


AC 2400355

ORIGINATING DEPT. NO.: 035

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$600,000.00 Fund: 10001

Purpose: Authorizing the expenditure of funds for the City of San Diego Municipal Primary Election and Municipal Special Election on March 2, 2004.

Date: September 26, 2003 By:  AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY/PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1	0	10001	901		4222	026012				\$352,560.19
2	0	10001	901		4222	036011				247,439.81
TOTAL AMOUNT										\$600,000.00
										FUND OVERRIDE <input type="checkbox"/>

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: _____

Vendor: _____

Purpose: _____

Date: _____ By: _____ AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY/PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										
										FUND OVERRIDE <input type="checkbox"/>

AC 2400355

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