

RESOLUTION NUMBER R- 300438

ADOPTED ON MAY 17 2005

A RESOLUTION REQUESTING THAT THE SAN DIEGO COUNTY REGISTRAR OF VOTERS CONDUCT A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF SAN DIEGO ON July 26, 2005 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY ONE OR MORE BALLOT PROPOSITIONS.

WHEREAS, at a meeting held on May 2, 2005, the City Council adopted Ordinance No. 0-19368 (N.S.), calling for a citywide Municipal Special Election to be held on July 26, 2005 for the purpose of electing a candidate for the office of Mayor to fill out the remainder of Mayor Murphy's unexpired four-year term of office; and

WHEREAS, at a meeting held on May 17, 2005 the City Council adopted Ordinance No. O- 19368 (N.S.) calling a Municipal Special Election to submit to the qualified voters of the City various propositions; and

WHEREAS, at a meeting(s) held on May 17, 05, the City Council adopted Ordinance No.(s) 0-19378 (N.S.), placing separate propositions on the July 26, 2005 ballot; and

WHEREAS, it is desirable that within the City of San Diego the election precincts, polling places, voting booths, and election officials for the elections be the same; and

WHEREAS, it is desirable that the Registrar of Voters of the County of San Diego be authorized to canvass the returns of the Municipal Special Election; NOW, THEREFORE,

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

1. The Board of Supervisors for the County of San Diego is hereby requested to conduct a Municipal Special Election for the consideration of ballot propositions to be held in the City of San Diego on July 26, 2005.

2. The exact form of the proposition(s) to be voted upon at the Municipal Special Election and as they are to appear on the ballot is as they are shown in Ordinance No(s). 0-19378 _____ (N.S.). Each proposition 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 Section 13116 of the Elections Code of the State of California.

3. That the Registrar of Voters is hereby authorized to canvass the returns of the Municipal Special Election and is requested to conduct the election in all respects as if there were only one election using only one form of ballot.

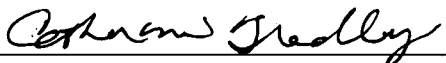
4. That the Registrar of Voters is requested to issue to all officers of the County charged with duties pertaining to the California State General Election appropriate instructions to take any and all steps necessary for the holding of a consolidated election.

5. 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 Auditor and Controller is authorized to reimburse the County of San Diego in full for the services performed by the Registrar of Voters for the City of San Diego in connection with the election services herein described, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

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's fees, as a result of an election contest initiated pursuant to the provisions of California Elections Code sections 16000 through 16900.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Catherine M. Bradley
Deputy City Attorney

CMB:jab
05/13/2005
Or.Dept: Clerk
Aud.Cert:
R-2005-1192