

RESOLUTION NUMBER R- 300797

ADOPTED ON SEP 06 2005

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE PROPOSED AMENDMENT TO THE PROCEDURES FOR THE FORMATION OF PROJECT AREA COMMITTEE FOR THE CENTRE CITY REDEVELOPMENT PROJECT.


WHEREAS, the City Council of the City of San Diego [Council] adopted the Procedures for the Formation of Project Area Committee [PAC] for the Centre City Redevelopment Project [Project] on November 20, 1990, by Resolution No. R-276892; and

WHEREAS, the PAC proposed amendment would reduce the burden of the voter and fulfill election guiding principles to facilitate a more inclusionary election and strengthen the integrity of the process; and

WHEREAS, PAC and CCAC voted 23 to 0 to approve the proposed amendment to add a voter registration roll eligibility requirement; NOW, THEREFORE,

BE IT RESOLVED, that the Council approves the amendment to section 700 of the PAC Procedures to allow for a Voter Registration Roll, attached hereto as Attachment A.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Rachel H. Witt
Chief Deputy City Attorney

RHW:als
08/22/05
Or.Dept:CCDC
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MMS#2389

Attachment A

VII. [§ 700] ELECTION PROCESS

A. [§ 701] Eligibility Requirements for Residents and Business Owners

In order to qualify to vote to elect members of the PAC, a person must present proof that he or she is at least 18 years of age or older and is a Resident or Business Owner within the Project Area and the District with respect to which he or she intends to vote. Proof of eligibility may include any of the following documents and materials, as applicable:

1. California Driver's License;
2. California identification card;
3. lease or rental agreement;
4. lease or rental receipt;
5. deed to real property;
6. property tax bill;
7. business license;
8. utility bill; or
9. any other documents or materials by a verifiable, independent source, which the Agency may deem acceptable.

Eligibility requirements for candidates are the same as for voters.

Voter Registration Roll Eligibility Requirements

The Agency may keep a voter registration roll that contains voter's information that was previously provided as proof of eligibility to vote. The voter registration roll must contain the following information: name, address, phone number and any information required for a specific membership category. Only voters who choose to be on the voter registration roll will be included.

Once placed on the voter registration roll, the voter only need to present a photo I.D. and sign a certification that the information previously provided has not changed. If the voter has changed membership category or if information previously provided has changed, then the voter shall fill out a new voter registration form and provide proof of eligibility to vote as required above.

B. [§ 702] Eligibility Requirements for Representatives of Existing Community Organizations

In order to determine the eligibility of a representative from an Existing Community Organization for membership on the PAC, the following evidence must be submitted:

1. existence of the organization at the time the Project Area boundaries were selected by the Planning Commission;
2. existence and operation within the Project Area, such as articles of incorporation, by-laws, non-profit status, business license or such other documentation;
3. a resolution or minutes of the organization's board of directors designating its representative and authorizing such person to act on its behalf; and
4. such other documentation, which the Agency may deem necessary to carry out the intent of this Section. Each Existing Community Organization shall be entitled to designate one person to: (a) vote on its behalf for the representative of Existing Community Organizations in its applicable category; and (b) be a candidate to become a member of the PAC in its applicable category.

C. [§ 703] Candidate Registration Forms

In order to facilitate the election of a representative PAC, any person desiring to serve must complete and provide the Agency with a "Candidate Registration Form" no later than the time set by the Agency, which shall be no less than one week after the public meeting to explain the PAC as provided for in Section 401 of this Procedure. Nominations for candidates will be taken from the floor at the PAC formation meeting(s) in accordance with parliamentary procedure. Any person nominated from the floor shall submit the Candidate Registration Form immediately after his or her nomination. Copies of Candidate Registration Forms will be made available at the PAC formation meeting(s) and will otherwise be available by request to the Agency.

The Candidate Registration Forms will call for the following information:

1. the name and address of the candidate; including "qualifying address," if different;
2. the membership category and District (if applicable) for which the candidate is running; and
3. a brief statement of the candidate's qualifications to be made available for the election meeting.

D. [§ 704] Pre-election Registration

Prior to the election, any person desiring to vote must register with the Agency by producing proof of eligibility to vote as provided for in Sections 701 and 702 of this Procedure. After a person is registered, he or she shall be given two ballots, one for the membership category for which he or she qualifies and the other for the three categories of representatives of Existing Community Organizations. The designated representative of an Existing Community Organization shall be given one ballot including its applicable category.

Any person eligible to vote or be a candidate in more than one membership category (other than voting for representatives of Existing Community Organizations) must choose one of the categories. Proof of eligibility must be provided for the category chosen. Businesses may not nominate more than one person; however, individual business owners, including partners, each have a vote.

E. [§ 705] Candidate Speeches

All candidates from each membership category and District shall be given a reasonable opportunity to make a speech at the public meeting prior to the applicable election. The Agency shall establish the period of time for each speech taking into consideration the number of candidates and other circumstances surrounding the election.

F. [§ 706] Balloting

Ballots shall be provided for each membership category and District. Voting shall be conducted by secret ballot. The Agency may set up private booths, but such booths are not required. The Agency staff shall make a reasonable effort to insure private voting. Simply folding the ballot and passing it to an authorized election assistant will suffice.

The tallying of ballots shall occur at the meeting, but in a manner so as not to disturb the rest of the election meeting. The public shall be invited to observe, but there shall also be a representative from the City Clerk's office to provide official verification.

G. [§ 707] Results; Runoffs

The Agency staff shall announce the winners of each category of membership as soon as possible after the balloting for each category. The candidate with the highest number of votes in the applicable category (or two or three highest when applicable) shall be elected. If a runoff is necessary because of a tie vote, it shall be announced as soon as possible in order to attempt to retain voters in the runoff category.

The Agency staff shall also announce that the election results (including ballots) will be kept for presentation to the City Council, in order to deal with any challenges. Any challenges to the election of any member to the PAC must be made in writing and submitted to the Agency within one week after the election. The Agency shall use its reasonable discretion to resolve any questions presented by the challenges.