

6010  
2/6/06

(R-2006-664)  
COR COPY

RESOLUTION NUMBER R- 301232

DATE OF FINAL PASSAGE FEB 06 2006

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 JUNE 6, 2006, 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 1998 the Municipal Primary Elections to the offices of  
Councilmember of Districts 2, 4, 6, and 8 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, in the year 2006, the Statewide Primary Election will be held on the 6th day  
of June;

WHEREAS, at a meeting on FEB 06 2006, the City Council passed Ordinance  
No. O- 19463 (N.S.), calling a Municipal Primary Election in the City of San Diego on  
Tuesday, June 6, 2006, 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, 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 Councilmember for Districts 2, 4, 6, and 8 to be held in the City of San Diego on June 6, 2006, 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) Provide minority language election materials in accordance with federal law;

- (d) Canvass the returns of the election, including absent voter ballots;
- (e) Furnish a tabulation of the number of votes given in each precinct, and
- (f) Furnish a tabulation of the number of votes given in each Council district by precinct.
- (g) Complete any and all tasks related to the legal conduct of this election as required of the City Clerk upon the request of the City Clerk or the City Council.

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 for the actual and direct cost of 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 fees, as the result of an election contest initiated pursuant to the California Elections Code sections 16000 through 16900

APPROVED MICHAEL J AGUIRRE, City Attorney

By Catherine M. Bradley  
Catherine M. Bradley  
Deputy City Attorney

CMB:jab  
01/31/2006  
02/01/2006COR COPY  
Aud.Cert. 2600571  
Or.Dept.Clerk  
R-2006-664

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of FEB 06 2005

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved Feb 09, 06  
(date)

[Signature]  
JERRY SANDERS, Mayor

Vetoed. \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2600571

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 \_\_\_\_\_

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

**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: \$200,000 00

Vendor San Diego County Registrar of Voters

Purpose To authorize the expenditure for June 6,2006 Municipal Primary Elections

Date January 26, 2006

By  \_\_\_\_\_  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG LINE	CY PY	FUND	DEPT	ORG	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	100	601	2350	4222	2350				\$200,000 00

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2600571

R-301232

O-19463

FEB 06 2006