

RESOLUTION NUMBER R- 301657

DATE OF FINAL PASSAGE AUG - 4 2006

A RESOLUTION REQUESTING THE CONSOLIDATION OF A MUNICIPAL SPECIAL ELECTION TO BE HELD IN THE CITY OF SAN DIEGO ON TUESDAY, NOVEMBER 7, 2006, FOR THE PURPOSED OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY ONE OR MORE BALLOT PROPOSTIONS, WITH THE CALIFORNIA STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, at a meeting on July 18, 2006, the City Council adopted Ordinance No. O- 19519 (N.S.), calling a Municipal Special Election in the City of San Diego on Tuesday, November 7, 2006, for the purpose of submitting to the qualified voters of the City one or more ballot propositions, and ordering that the special election be consolidated with the California State General Election on that same date; and

WHEREAS, at a meeting held on March 27, 2006 the City Council adopted Ordinance No.(s) O-19473 (N.S.) and O-19474 (N.S.), placing separate propositions on the November 7, 2006 ballot; and

WHEREAS, it is desirable that this Municipal Special Election be consolidated with the California State General 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 Registrar of Voters of the County of San Diego be authorized to canvass the returns of the Municipal Special Election; and

WHEREAS, it is desirable that this election and the California State General 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 Special Election for the purpose of submitting to the qualified voters of the City one or more ballot propositions to be held in the City of San Diego on November 7, 2006, with the California State General Election to be held on the same date.

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) O-19473 (N.S.) and O-19474 (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 of the County of San Diego 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 of the County of San Diego 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.

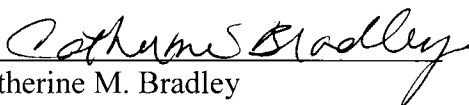
5. Because the Registrar of Voters of the County of San Diego is authorized to canvass the returns of this Municipal Special Election, the method of voting shall be as provided in the California Elections Code.

6. 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's 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
Chief Deputy City Attorney

CMB:jab
07/07/2006
Aud.Cert.: 2700007
Or.Dept: Clerk
R-2007-6

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~JUL 18 2006~~

ELIZABETH S. MALAND
City Clerk

By *E. Maland*
Deputy City Clerk

Approved: 8-4-06
(date)

JS
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2700007

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

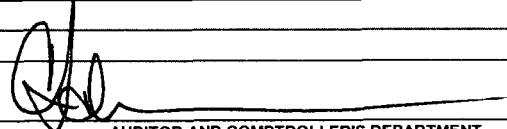
I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the 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: \$400,000.00

Vendor: San Diego County Registrar of Voters

Purpose: To authorize the expenditure for November 7, 2006 Municipal Special Elections.

Date: June 30, 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	002350				\$400,000.00

FUND OVERRIDE

AC 2700007

R-301657 JUL 18 2006

Passed by the Council of The City of San Diego on JUL 18 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG - 4 2006

AUTHENTICATED BY:

(Seal)

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By *Debbie Swenson-Cruz*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number

R-301657