

RESOLUTION NUMBER R- 303931

DATE OF FINAL PASSAGE JUL 15 2008

A RESOLUTION DECLARING THE RESULTS OF THE
MUNICIPAL PRIMARY ELECTION AND THE SPECIAL
MUNICIPAL ELECTION HELD IN THE CITY OF SAN DIEGO
ON JUNE 3, 2008.

WHEREAS, a municipal primary election was held in the City of San Diego on Tuesday, June 3, 2008, pursuant to the provisions of Ordinance No. O-19712 (New Series), adopted February 4, 2008, for the purpose of nominating candidates to the offices of Mayor, City Attorney and Councilmember for Districts 1, 3, 5, and 7, and, if any candidate received a majority of all votes cast, for the purpose of electing that candidate, and

WHEREAS, a special municipal election was held in the City of San Diego on Tuesday, June 3, 2008, pursuant to the provisions of Ordinance No. O-19713 (New Series), adopted February 4, 2008, for the purpose of submitting to the qualified voters of the City of San Diego three propositions, described as follows:

- 1) One proposition regarding whether or not the Charter should be amended to exempt from the Managed Competition process the core public safety services provided by police officers, firefighters, and lifeguards (Proposition A); and
- 2) One proposition regarding whether or not the Charter should be amended to require the Council to place on the June 2010 ballot Charter amendments related to making the Strong Mayor form of government permanent (Proposition B); and
- 3) One proposition regarding whether or not the Charter should be amended relating to the Chief Financial Officer, City Treasurer, Independent Budget Analyst, Audit Committee, and City Auditor (Proposition C); and

WHEREAS, these propositions read as follows:

PROPOSITION A. AMENDS THE CITY CHARTER TO EXEMPT FROM THE MANAGED COMPETITION PROCESS THE CORE PUBLIC SAFETY SERVICES PROVIDED BY PARTICIPANTS IN THE CITY'S SAFETY RETIREMENT SYSTEM. Shall the Charter be amended to exempt from the Managed Competition process the core public safety services provided by police officers, firefighters, and lifeguards who participate in the City's Safety Retirement System?	YES	
	NO	

PROPOSITION B. AMENDS CHARTER TO REQUIRE COUNCIL TO SUBMIT CHARTER AMENDMENTS TO VOTERS AT JUNE 2010 ELECTION RELATING TO STRONG MAYOR FORM OF GOVERNANCE. Shall the Charter be amended to require the City Council to submit to voters at the June 2010 election Charter amendments making the Strong Mayor form of government permanent; adding a Council seat; and, when the ninth seat is filled, increasing the Council votes required to override a mayor veto?	YES	
	NO	

PROPOSITION C. AMENDS CITY CHARTER RELATING TO CHIEF FINANCIAL OFFICER, CITY AUDITOR, INDEPENDENT BUDGET ANALYST, TREASURER, AND AUDIT COMMITTEE. Shall the Charter be amended to establish the positions, roles and responsibilities of Chief Financial Officer, City Auditor, and Independent Budget Analyst; modify the City Treasurer appointment process; and create an Audit Committee?	YES	
	NO	

; and

WHEREAS, a copy of the certificate of the Registrar of Voters of San Diego County canvassing the returns of the special municipal election, as certified to the City Clerk, has been duly received; and

WHEREAS, a canvass of this election has been completed and the City Clerk has certified the results to the City Council; and

WHEREAS, declaring the results of the election as certified by the Registrar of Voters and the City Clerk is a ministerial act required by California Elections Code section 10263 and, therefore, is not subject to veto by the Mayor; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council finds and determines, pursuant to the provisions of Section 27.0411 of the San Diego Municipal Code, as follows:

I

The whole number of votes cast in the City was 220,809.

II

The total vote received by each municipal candidate at the municipal primary election is as follows:

A.	FOR MAYOR (four-year term)	
	JERRY SANDERS	116,527
	STEVE FRANCIS	73,665
	FLOYD L. MORROW	13,620
	ERIC M. BIDWELL	8,368
	JAMES B. HART	2,392

JERRY SANDERS, having received a majority of all votes cast, is hereby declared elected to the office of Mayor.

B. FOR CITY ATTORNEY (four-year term)

JAN GOLDSMITH	68,326
MICHAEL J. AGUIRRE	61,257
SCOTT PETERS	43,295
BRIAN MAIENSCHIN	26,267
AMY J. LEPINE	12,687

JAN GOLDSMITH and MICHAEL J. AGUIRRE are hereby declared to be the candidates for the office of City Attorney in the General Municipal Election.

C. FOR COUNCIL DISTRICT NO. 1 (four-year term)

SHERRI S. LIGHTNER	12,708
PHIL THALHEIMER	11,777
MARSHALL MERRIFIELD	10,278

SHERRI S. LIGHTNER and PHIL THALHEIMER are hereby declared to be the candidates for the office of Councilmember, District No. 1, in the General Municipal Election.

D. FOR COUNCIL DISTRICT NO. 3 (four-year term)

TODD GLORIA	9,288
STEPHEN WHITBURN	6,543
JOHN HARTLEY	4,018
PAUL BROADWAY	1,428
ROBERT E. LEE	840
JAMES HARTLINE	739

TODD GLORIA and STEPHEN WHITBURN are hereby declared to be the candidates for the office of Councilmember, District No 3, in the General Municipal Election

E. FOR COUNCIL DISTRICT NO. 5 (four-year term)

CARL DEMAIO	19,461
GEORGE GEORGE	9,953

CARL DEMAIO, having received a majority of all votes cast, is hereby declared elected to the office of Councilmember, District No. 5.

F. FOR COUNCIL DISTRICT NO. 7 (four-year term)

APRIL BOLING	13,794
MARTI EMERALD	13,392
DAVID TOS	1,442
BILL DANIEL	1,004

APRIL BOLING and MARTI EMERALD are hereby declared to be the candidates for the office of Councilmember, District No. 7, in the General Municipal Election.

III

The number of votes cast in the City for and against each of the three propositions which appeared on the ballot as Propositions A, B and C, and the total number of votes cast upon each proposition, are as follows:

PROPOSITION A

For	130,108
Against	61,386
TOTAL	191,494

Proposition A received the affirmative vote of a majority of the qualified voters voting on such proposition and is hereby declared to have been approved.

PROPOSITION B

For	148,672
Against	44,887
TOTAL	193,559

Proposition B received the affirmative vote of a majority of the qualified voters voting on such proposition and is hereby declared to have been approved.

PROPOSITION C

For	122,065
Against	71,680
TOTAL	193,745

Proposition C received the affirmative vote of a majority of the qualified voters voting on such proposition and is hereby declared to have been approved.

IV

The number of votes cast in each precinct for and against the propositions is recorded in the Election Returns Book, which book is authorized and is considered to be a part of the record of this Council.

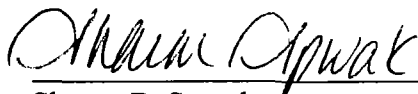
V

The City Clerk is directed to file the charter amendments with the California Secretary of State in accordance with Government Code section 34460.

VI

The City Clerk shall make public the results of the canvass of the special municipal election by publication of a copy of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 

Sharon B. Spivak
Deputy City Attorney

SBS:als
07/01/08
Or.Dept:City Clerk
R-2009-6