

MEET

RESOLUTION NUMBER R- 304517

ADOPTED ON DEC 02 2008

A RESOLUTION DECLARING THE RESULTS OF THE MUNICIPAL GENERAL ELECTION AND THE MUNICIPAL SPECIAL ELECTION HELD IN THE CITY OF SAN DIEGO ON NOVEMBER 4, 2008.

WHEREAS, a municipal general election was held in the City of San Diego on Tuesday, November 4, 2008, pursuant to the provisions of Ordinance No. O-19771 (New Series), adopted July 15, 2008, for the purpose of electing a candidate to the office of City Attorney, and the offices of Councilmember in Districts One (1), Three (3), and Seven (7); and

WHEREAS, a municipal special election was held in the City of San Diego on Tuesday, November 4, 2008, pursuant to the provisions of Ordinance No. 19770 (New Series), adopted July 15, 2008, for the purpose of submitting to the qualified voters of the City of San Diego two ballot propositions, described as follows:

- (1) One proposition amending the City Charter for the City of San Diego [Charter] by adding Section 55.2 was placed on the ballot by Ordinance No. O-19776, adopted on July 28, 2008 (Proposition C); and
- (2) One proposition amending Chapter 5, Article 6, Division 0 of the San Diego Municipal Code, by amending Section 56.54, was placed on the ballot by Ordinance No. O-19779, adopted on July 29, 2008 (Proposition D); and

WHEREAS, these propositions read as follows:

<b>PROPOSITION C. AMENDS THE CHARTER OF THE CITY OF SAN DIEGO DESIGNATING THE USE OF THE LEASE REVENUE FROM MISSION BAY PARK.</b> Shall the City Charter be amended requiring the annual lease revenue generated in Mission Bay Park exceeding \$23 million initially and decreasing to \$20 million after 5 years be appropriated 75% for capital improvements in Mission Bay Park and 25% for capital improvements in Chollas Lake, Balboa, Mission Trails, Otay River Valley, Presidio and San Diego River Parks; open space parks; coastal beaches and contiguous coastal parks; and future regional parks?	YES	
	NO	

<b>PROPOSITION D. MAKING ALCOHOL CONSUMPTION UNLAWFUL AT CITY BEACHES, MISSION BAY PARK, AND COASTAL PARKS.</b> Shall the People of the City of San Diego amend San Diego Municipal Code section 56.54 to make the consumption of alcohol unlawful at City beaches, Mission Bay Park, and coastal parks?	YES	
	NO	

; and

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

WHEREAS, a canvass of these elections 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 543,888.

II

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

A. FOR CITY ATTORNEY (four-year term)

JAN GOLDSMITH	278,830
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MICHAEL J. AGUIRRE	189,628
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JAN GOLDSMITH, having received a majority of all votes cast, is hereby declared elected to the office of City Attorney.

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

SHERRI S. LIGHTNER	40,282
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PHIL THALHEIMER	37,360
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SHERRI S. LIGHTNER, having received a majority of all votes cast, is hereby declared elected to the office of Councilmember, District No. 1.

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

TODD GLORIA	27,922
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STEPHEN WHITBURN	23,191
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TODD GLORIA, having received a majority of all votes cast, is hereby declared elected to the office of Councilmember, District No. 3.

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

MARTI EMERALD	27,836
APRIL BOLING	27,228

MARTI EMERALD, having received a majority of all votes cast, is hereby declared elected to the office of Councilmember, District No. 7.

III

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

PROPOSITION C

For	300,569
Against	<u>148,423</u>
TOTAL	448,992

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.

PROPOSITION D

For	269,481
Against	<u>243,808</u>
TOTAL	513,289

Proposition D 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 given in each precinct to each person, and for and against the proposition, is recorded in the Elections Return Book, which book is authorized and is considered a part of the record of the Council.

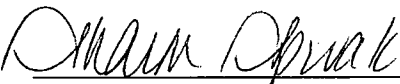
V

The City Clerk is directed to file the following charter amendments with the Secretary of State in accordance with Government Code section 34460: adding Charter Section 55.2, designating the use of lease revenue from Mission Bay Park (Proposition C).

VI

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

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Sharon B. Spivak  
Deputy City Attorney

SBS:als  
11/20/08  
12/03/08 Rev.Copy  
Or.Dept:City Clerk  
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