

RESOLUTION NUMBER R- 305585

DATE OF FINAL PASSAGE FEB 01 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO REQUESTING THE CONSOLIDATION OF A MUNICIPAL PRIMARY ELECTION TO BE HELD IN THE CITY OF SAN DIEGO ON JUNE 8, 2010 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 2010, the Statewide Primary Election will be held on June 8, 2010;

WHEREAS, at a meeting on FEB 01 2010, the City Council passed Ordinance No. O- 19924 (N.S.), calling a Municipal Primary Election in the City of San Diego on Tuesday, June 8, 2010; and

WHEREAS, calling the Municipal Primary Election for the same date as the Statewide Primary Election is mandated by Section 10 of the Charter of the City of San Diego and, therefore, is not subject to veto by the Mayor; 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 8, 2010, 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 election materials in languages other than English in accordance with federal law;
- (d) Canvass the returns of the election, including absent voter ballots;

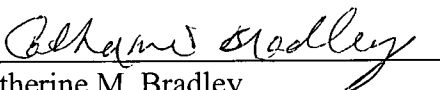
- (e) Furnish a tabulation of the number of votes given in each precinct; and
- (f) Furnish a tabulation of the number of votes given in each Council district by precinct.
- (g) Complete any and all tasks related to the legal conduct of this election as required of the City Clerk upon the request of 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 Comptroller 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 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: JAN I. GOLDSMITH, City Attorney

By   
Catherine M. Bradley  
Chief Deputy City Attorney

CMB:lkj  
12/30/2009  
CC: 3000002910  
Or.Dept:City Clerk

The City of San Diego  
**COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

CC 3000002910  
 DEPT.  
 NO. 9912001111

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: \$1,000,000.00 Fund: 100000

Purpose: Authorize the expenditure of up to \$1,000,000 for ordinances calling a Municipal Primary Election and a Municipal Special Election as well as resolutions requesting the consolidation of these elections with the Statewide primary Election to be held on June 8, 2010. The resolutions for both the Municipal Primary and Municipal Special Elections requesting consolidation include a request for the services of the Registrar of Voters. The Municipal Primary Election will be held for the purpose of conducting elections for Council members for Districts 2, 4, 6 and 8. The Municipal Special Election will be held for the purpose of conducting elections for any and all propositions the council approves for placement on the ballot.

Date: December 30, 2009 By: Jessica Olson  
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
001	10000				512059		9912001111		\$1,000,000.00
TOTAL AMOUNT									\$1,000,000.00

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: \_\_\_\_\_

Vendor: \_\_\_\_\_

Purpose: \_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_  
 COMPTROLLER'S DEPARTMENT.

ACCOUNTING DATA

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FUND OVERRIDE

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