

RESOLUTION NUMBER R- 306416

DATE OF FINAL PASSAGE DEC 02 2010

A RESOLUTION DECLARING THE RESULTS OF THE MUNICIPAL GENERAL ELECTION AND THE SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF SAN DIEGO ON NOVEMBER 2, 2010.

WHEREAS, a municipal general election was held in the City of San Diego on Tuesday, November 2, 2010, pursuant to the provisions of Ordinance No. O-19966 (New Series), adopted June 28, 2010, for the purpose of electing candidates to the offices of Councilmember for Districts 6 and 8; and

WHEREAS, a special municipal election was held in the City of San Diego on Tuesday, November 2, 2010, pursuant to the provisions of Ordinance No. O-19965 (New Series), adopted June 28, 2010, 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 to amend the City Charter to add a good cause requirement for certain terminations or suspensions of Deputy City Attorneys (Proposition B);
- 2) One proposition to amend Proposition M and remove a development timing restriction based on completion of the SR-56/I-5 Interchange, after the City Council approves a program of phased development, all affecting Pacific Highlands Ranch (Proposition C); and
- 3) One proposition to authorize a temporary one-half cent sales tax if certain conditions have been met, including pension reforms and managed competition (Proposition D).

WHEREAS, these propositions read as follows:

<p><b>PROPOSITION B. AMENDS CITY CHARTER TO ADD GOOD CAUSE REQUIREMENT FOR CERTAIN TERMINATIONS OR SUSPENSIONS OF DEPUTY CITY ATTORNEYS.</b> Shall the Charter be amended to establish a good cause requirement for the termination or suspension of Deputy City Attorneys who have served continuously for two years or more, except that any Deputy City Attorney may be subject to layoff due to lack of work or insufficient appropriations?</p>	YES	
	NO	
<p><b>PROPOSITION C. AMENDING ORDINANCE NUMBER O-18568 (PROPOSITION M OF 1998) RELATING TO DEVELOPMENT OF PACIFIC HIGHLANDS RANCH.</b> Shall Proposition M be amended, allowing completion of parks, library, trails, recreation and transportation facilities for Pacific Highlands Ranch by removing a development timing restriction based on completion of the SR-56/I-5 Interchange, only after City Council approves a program of phased development ensuring facilities are constructed before or concurrent with new development, paid for by developers at no cost to taxpayers?</p>	YES	
	NO	
<p><b>PROPOSITION D. IF FINANCIAL REFORM CONDITIONS ARE MET, AUTHORIZES TEMPORARY ONE-HALF CENT SALES TAX.</b> To help offset severe state cuts and help restore essential services, including police, fire and street resurfacing, shall the City of San Diego enact a temporary one-half cent sales tax for up to five years, only if the independent City Auditor certifies conditions have been met, including pension reforms and managed competition?</p>	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 389,004.

II

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

A. FOR COUNCIL DISTRICT NO. 6 (four-year term)

Lorie Zapf	22,869 VOTES (52.50%)
Howard Wayne	20,692 VOTES (47.50%)
Total	43,561 VOTES (100%)

Lorie Zapf is hereby declared to be elected to the office of Councilmember, District No. 6, in the Municipal General Election.

B. FOR COUNCIL DISTRICT NO. 8 (four-year term)

David Alvarez	13,014 VOTES (57.70%)
Felipe Hueso	9,540 VOTES (42.30%)
Total	22,554 VOTES (100%)

David Alvarez is hereby declared to be elected to the office of Councilmember, District No. 8, in the Municipal General 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 B, C, and D, and the total number of votes cast upon each proposition, are as follows:

PROPOSITION B

For	238,803 (72.26%)
Against	91,671 (27.74%)
TOTAL	330,474 (100%)

This proposition required a majority vote. 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	228,775 (70.69%)
Against	94,866 (29.31%)
TOTAL	323,641 (100%)

This proposition required a majority vote. 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	137,010 (38.15 %)
Against	222,166 (61.85%)
TOTAL	359,176 (100%)

This proposition required a majority vote. Proposition D did not receive the affirmative vote of a majority of the qualified voters voting on such proposition and is hereby declared to have failed.

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.

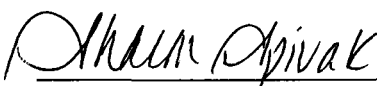
V

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: JAN I. GOLDSMITH, City Attorney

By   
Sharon B. Spivak  
Deputy City Attorney

SBS:jdf  
12/01/10  
Or.Dept:City Clerk