

RESOLUTION NUMBER R- 310587

DATE OF FINAL PASSAGE JUL 11 2016

A RESOLUTION DECLARING THE RESULTS OF THE MUNICIPAL PRIMARY ELECTION AND THE MUNICIPAL SPECIAL ELECTION HELD IN THE CITY OF SAN DIEGO ON JUNE 7, 2016.

WHEREAS, a Municipal Primary Election was held in the City of San Diego on Tuesday, June 7, 2016, pursuant to the provisions of Ordinance No. O-20602 (New Series), introduced and adopted on February 8, 2016, for the purpose of electing candidates to the offices of Mayor, City Attorney, and Councilmember for Districts 1, 3, 5, 7, and 9, respectively; and

WHEREAS, a Municipal Special Election was held in the City of San Diego on Tuesday, June 7, 2016, pursuant to the provisions of Ordinance No. O-20603 (New Series), introduced and adopted on February 8, 2016, for the purpose of submitting to the qualified voters of the City of San Diego nine ballot propositions, described as follows:

- 1) One proposition regarding whether to amend the San Diego City Charter regarding redistricting of Council Districts in the City of San Diego (Proposition A).
- 2) One proposition regarding whether to amend the San Diego City Charter regarding the authorization and issuance of general obligation bonds and revenue bonds (Proposition B).
- 3) One proposition regarding whether to amend the San Diego City Charter regarding the levy, assessment and collection of property taxes and the repeal of provisions for collecting property taxes the City cannot collect under state law (Proposition C).

- 4) One proposition regarding whether to amend the San Diego City Charter regarding the power to fix salaries (Proposition D).
- 5) One proposition regarding whether to amend the San Diego City Charter regarding the budget and appropriations process for the City of San Diego (Proposition E).
- 6) One proposition regarding whether to amend the San Diego City Charter regarding financial operations of the City of San Diego (Proposition F).
- 7) One proposition regarding whether to amend the San Diego City Charter regarding audits of accounts of City officials and officers upon their death, resignation, or removal from City office (Proposition G).
- 8) One proposition regarding whether to amend the San Diego City Charter to require certain unrestricted General Fund revenues to be deposited in an Infrastructure Fund (Proposition H).
- 9) One proposition that is the referendum of Ordinance O-20390, regarding earned sick leave and minimum wage in the City of San Diego (Proposition I); and

WHEREAS, the propositions, as stated in the ordinances placing them on the ballot, are:

PROPOSITION A. CHARTER AMENDMENTS REGARDING REDISTRICTING OF COUNCIL DISTRICTS IN THE CITY OF SAN DIEGO. Shall the City Charter be amended to update the process related to redistricting of City Council districts, including amendments to expand the citizen Redistricting Commission from seven to nine members, to clarify and expand the timeline for the appointment and qualification of members, to provide for alternate members on the Commission and appointing panel, and to explain the effective date of boundaries?	YES	
	NO	

PROPOSITION B. CHARTER AMENDMENTS REGARDING THE AUTHORIZATION AND ISSUANCE OF GENERAL OBLIGATION BONDS AND REVENUE BONDS. Shall the City Charter be amended to update provisions related to the authorization and issuance of bonds, to reflect changes in state law, and simplify and conform the City's processes with the California Constitution?	YES	
	NO	
PROPOSITION C. CHARTER AMENDMENTS REGARDING THE LEVY, ASSESSMENT AND COLLECTION OF PROPERTY TAXES AND THE REPEAL OF PROVISIONS FOR COLLECTING PROPERTY TAXES THE CITY CANNOT COLLECT UNDER STATE LAW. Shall the City Charter be amended to clarify the manner in which the City levies, assesses and collects property taxes in the City, and to repeal provisions regarding property taxes the City is not able to levy as a result of Proposition 13 and related state law?	YES	
	NO	
PROPOSITION D. CHARTER AMENDMENT REGARDING POWER TO FIX SALARIES. Shall City Charter section 70 be amended to conform to existing provisions related to the Strong Mayor form of government, by updating titles of specified officers and clarifying who has authority to fix their salaries and the City's compensation schedules; to specify the City's legal duty to comply with California's collective bargaining laws in establishing annual compensation schedules; and to update language?	YES	
	NO	
PROPOSITION E. CHARTER AMENDMENTS REGARDING THE BUDGET AND APPROPRIATIONS PROCESS FOR THE CITY OF SAN DIEGO. Shall the City Charter be amended to update the process related to budgeting and appropriating funds, to consolidate provisions that appeared throughout the Charter and to clarify the approval process for the City budget?	YES	
	NO	

<p>PROPOSITION F. CHARTER AMENDMENTS REGARDING FINANCIAL OPERATIONS OF THE CITY OF SAN DIEGO. Shall the City Charter be amended to update the City’s financial operations, including amendments regarding the certification of funds, the authorization and payment of claims, the management of funds, the disposition of proceeds of the sale of City-owned real property and the establishment of reserves?</p>	YES	
	NO	
<p>PROPOSITION G. CHARTER AMENDMENT REGARDING AUDITS OF ACCOUNTS OF CITY OFFICIALS AND OFFICERS UPON THEIR DEATH, RESIGNATION, OR REMOVAL FROM CITY OFFICE. Shall the City Charter be amended to update language and to repeal the requirement that the City Auditor conduct audits and investigations of City officials and officers upon their death, resignation, or removal from City office?</p>	YES	
	NO	
<p>PROPOSITION H. CHARTER AMENDMENT: INFRASTRUCTURE FUND. Shall the Charter be amended to require certain unrestricted General Fund revenues to be deposited in an Infrastructure Fund used exclusively to pay for capital improvements including streets, sidewalks, bridges, bike paths, storm water and drainage systems; public buildings including libraries, recreational and community centers; public safety facilities including police, fire and lifeguard stations; and park facilities, but expressly not used for new convention center facilities and new professional sports venues?</p>	YES	
	NO	
<p>PROPOSITION I. REFERENDUM OF ORDINANCE REGARDING EARNED SICK LEAVE AND MINIMUM WAGE. Shall Ordinance O-20390 be approved, establishing that employers are to compensate employees working in the City of San Diego with earned sick leave of up to forty hours a year and a minimum wage of \$10.50 an hour upon the Ordinance’s effective date, \$11.50 an hour on January 1, 2017, and increasing with the cost of living on January 1, 2019 and annually thereafter?</p>	YES	
	NO	

and;

WHEREAS, a copy of the certificate of the Registrar of Voters of San Diego County canvassing the returns of the Municipal Primary Election and Municipal Special 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 total number of votes cast in the City was 316,891.

II

The total vote received by each municipal candidate at the Municipal Primary Election is as follows:

A.	FOR MAYOR (four-year term)	
	KEVIN FAULCONER	181,147 VOTES (57.16%)
	LORI SALDANA	73,932 VOTES (23.33%)
	ED HARRIS	61,458 VOTES (19.39%)
	Total	316,537 VOTES (100%)

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

B. FOR CITY ATTORNEY (four-year term)

ROBERT HICKEY	81,513 VOTES (28.98%)
MARA W. ELLIOTT	68,020 VOTES (24.18%)
RAFAEL CASTELLANOS	54,319 VOTES (19.31%)
GIL CABRERA	47,072 VOTES (16.73%)
BRYAN PEASE	30,011 VOTES (10.67%)
Total	280,935 VOTES (100%)

Robert Hickey and Mara Elliott are hereby declared to be the two candidates receiving the highest number of votes and will advance to the Municipal General Election for the office of City Attorney.

C. FOR COUNCIL DISTRICT 1 (four-year term)

BARBARA BRY	18,559 VOTES (48.40%)
RAY ELLIS	12,982 VOTES (33.86%)
BRUCE D. LIGHTNER	3,711 VOTES (9.68%)
KYLE HEISKALA	2,344 VOTES (6.11%)
LOUIS A. RODOLICO	707 VOTES (1.84%)
Total	38,303 VOTES (100%)

Barbara Bry and Ray Ellis are hereby declared to be the two candidates receiving the highest number of votes and will advance to the Municipal General Election for the office of Councilmember, District No. 1.

D. FOR COUNCIL DISTRICT 3 (four-year term)

CHRIS WARD	24,512 VOTES (58.53%)
ANTHONY BERNAL	11,492 VOTES (27.44%)
SCOTT SANBORN	5,800 VOTES (13.85%)
Total	41,804 VOTES (100%)

Chris Ward, having received a majority of all votes cast, is hereby declared elected to the office of Councilmember, District No. 3.

E. FOR COUNCIL DISTRICT 5 (four-year term)

MARK KERSEY	23,858 VOTES (70.47%)
FRANK TSIMBOUKAKIS	6,784 VOTES (20.04%)
KEITH MIKAS	3,157 VOTES (9.33%)
Total	33,799 VOTES (100%)

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

F. FOR COUNCIL DISTRICT 7 (four-year term)

SCOTT SHERMAN	22,040 VOTES (60.16%)
JUSTIN A. DECESARE	8,225 VOTES (22.45%)
JOSE CABALLERO	6,339 VOTES (17.30%)
Total	36,604 VOTES (100%)

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

G.	FOR COUNCIL DISTRICT 9 (four-year term)	
	RICARDO FLORES	7,348 VOTES (33.74%)
	GEORGETTE GOMEZ	6,567 VOTES (30.16%)
	SARAH SAEZ	5,023 VOTES (23.07%)
	ARACELI MARTINEZ	2,589 VOTES (11.89%)
	Total	21,527 VOTES (100%)

Ricardo Flores and Georgette Gomez are hereby declared to be the two candidates receiving the highest number of votes and will advance to the Municipal General Election for the office of Councilmember, District No. 9.

III

The number of votes cast in the City for and against each of the nine propositions which appeared on the ballot as Propositions A, B, C, D, E, F, G, H, and I, and the total number of votes cast upon each proposition, are as follows:

PROPOSITION A

FOR	198,064 VOTES (71.93%)
AGAINST	77,306 VOTES (28.07%)
Total	275,370 VOTES (100%)

This proposition required a majority vote. 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	215,776 VOTES (79.31%)
AGAINST	56,301 VOTES (20.69%)
Total	272,077 VOTES (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	184,271 VOTES (67.32%)
AGAINST	89,450 VOTES (32.68%)
Total	273,721 VOTES (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	211,923 VOTES (77.17%)
AGAINST	62,683 VOTES (22.83%)
Total	274,606 VOTES (100%)

This proposition required a majority vote. 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.

PROPOSITION E

FOR	225,949 VOTES (83.17%)
AGAINST	45,719 VOTES (16.83%)
Total	271,668 VOTES (100%)

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

PROPOSITION F

FOR	218,384 VOTES (81.13%)
AGAINST	50,807 VOTES (18.56%)
Total	269,191 VOTES (100%)

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

PROPOSITION G

FOR	192,814 VOTES (70.20%)
AGAINST	81,853 VOTES (29.80%)
Total	274,667 VOTES (100%)

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

PROPOSITION H

FOR	186,617 VOTES (65.02%)
AGAINST	100,395 VOTES (34.98%)
Total	287,012 VOTES (100%)

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

PROPOSITION I

FOR	193,300 VOTES (63.84%)
AGAINST	109,500 VOTES (36.16%)
Total	302,800 VOTES (100%)

This proposition required a majority vote. Proposition I 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.

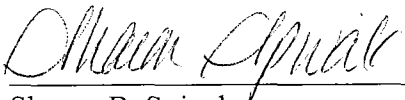
V

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

VI

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

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Sharon B. Spivak
Deputy City Attorney

SBS:jdf
07/08/16
07/11/16 Cor.Copy
Or.Dept:City Clerk
Doc. No.: 1275115_2

Passed by the Council of The City of San Diego on JUL 11 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 11 2016.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 310587