

000299

REQUEST FOR COUNCIL ACTION
 CITY OF SAN DIEGO
1. CERTIFICATE NUMBER
(FOR AUDITOR'S USE ONLY)

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):
CITY CLERK3. DATE: 106
7/1/08 07/15

4. SUBJECT:

Results of June 3, 2008 Primary Election

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)

Denise Jenkins, MS 2A (619) 533-4030

6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.)

Bonnie Stone, MS 2A (619) 533-4060

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	DEPT.	ORGANIZATION	OBJECT ACCOUNT	JOB ORDER	C.I.P. NUMBER	AMOUNT	9. ADDITIONAL INFORMATION / ESTIMATED COST:

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT	<i>Elizabeth McQuinn</i>	7-1-08	8	DEPUTY CHIEF		
2				9	COO		
3				10	CITY ATTORNEY	<i>William Oliva</i>	7/1/08
4	CFO			11	ORIG. DEPT	<i>Elizabeth McQuinn</i>	7-1-08
5				DOCKET COORD: _____ COUNCIL LIAISON _____			
6				✓ COUNCIL PRESIDENT <i>[Signature]</i>	<input type="checkbox"/> SPOB	<input checked="" type="checkbox"/> CONSENT	<input type="checkbox"/> ADOPTION
7			<input type="checkbox"/> REFER TO: _____		COUNCIL DATE: 7/15/08		

11. PREPARATION OF: RESOLUTIONS ORDINANCE(S) AGREEMENT(S) DEED(S)

Declaring the results of the canvass of votes for the Municipal Primary Election held in the City of San Diego, Tuesday, June 3, 2008.

(For the Council Docket of July 14, 2008)

11A. STAFF RECOMMENDATIONS:

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): CITY WIDE

COMMUNITY AREA(S): N/A

ENVIRONMENTAL IMPACT: N/A

HOUSING IMPACT: N/A

OTHER ISSUES:

For consent agenda, docket of July 14, 2008

Draft Certificate of City Clerk is attached.

Draft resolution is attached.

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

CERTIFICATE OF CITY CLERK

I, ELIZABETH MALAND, City Clerk of The City of San Diego, California, DO
HEREBY CERTIFY the results of the canvass of the votes cast in the Primary Election held on
Tuesday, June 3, 2008, to be as follows, to wit:

- (a) The whole number of votes cast in the City was 220,809;
- (b) The names of the persons running and the office each sought;
- (c) The number of votes given in the City is as follows, to wit:

FOR THE OFFICE OF MAYOR

Jerry Sanders	received	116,527 votes	54.31%
Steve Francis	received	73,665 votes	34.33%
Floyd L. Morrow	received	13,620 votes	6.35%
Eric M. Bidwell	received	8,368 votes	3.90%
James B. Hart	received	2,392 votes	1.11%
TOTAL FOR OFFICE OF MAYOR		214,572 votes	100.0%

FOR THE OFFICE OF CITY ATTORNEY

Jan Goldsmith	received	68,326 votes	32.25%
Michael J. Aguirre	received	61,257 votes	28.92%
Scott Peters	received	43,295 votes	20.44%
Brian Maienschein	received	26,267 votes	12.40%
Amy J. Lepine	received	12,687 votes	5.99%
TOTAL FOR OFFICE OF CITY ATTORNEY		211,832 votes	100.0%

FOR THE OFFICE OF COUNCIL DISTRICT NO. 1

Sherri S. Lightner	received	12,708 votes	36.56%
Phil Thalheimer	received	11,777 votes	33.88%
Marshall Merrifield	received	10,278 votes	29.57%
TOTAL FOR OFFICE OF COUNCIL DISTRICT NO. 1		34,763 votes	100.0%

FOR THE OFFICE OF COUNCIL DISTRICT NO. 3

Todd Gloria	received	9,288 votes	40.64%
Stephen Whitburn	received	6,543 votes	28.63%
John Hartley	received	4,018 votes	17.58%
Paul Broadway	received	1,428 votes	6.25%
Robert E. Lee	received	840 votes	3.68%
James Hartline	received	739 votes	3.23%

TOTAL FOR OFFICE OF COUNCIL DISTRICT NO. 3		22,856 votes	100.0%
---	--	--------------	--------

FOR THE OFFICE OF COUNCIL DISTRICT NO. 5

Carl DeMaio	received	19,461 votes	66.16%
George George	received	9,953 votes	33.84%

TOTAL FOR OFFICE OF COUNCIL DISTRICT NO. 5		29,414 votes	100.0%
---	--	--------------	--------

FOR THE OFFICE OF COUNCIL DISTRICT NO. 7

April Boling	received	13,794 votes	46.55%
Marti Emerald	received	13,392 votes	45.19%
David Tos	received	1,442 votes	4.87%
Bill Daniel	received	1,004 votes	3.39%

TOTAL FOR OFFICE OF COUNCIL DISTRICT NO. 7		29,632 votes	100.0%
---	--	--------------	--------

(d) The measures voted upon, and the number of votes given for and against each measure are as follows, to wit:

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?

000303

This proposition requires a majority vote.

For said proposition the vote was	130,108	67.94%
Against said proposition the vote was	61,386	32.06%
THE TOTAL VOTE WAS	191,494	100.00%

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?

This proposition requires a majority vote.

For said proposition the vote was	148,672	76.81%
Against said proposition the vote was	44,887	23.19%
THE TOTAL VOTE WAS	193,559	100.00%

PROPOSITION C.

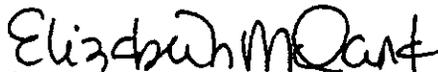
AMENDS CITY CHARTER RELATING TO CHIEF FINANCIAL OFFICER, CITY AUDITOR, INDEPENDENT BUDGET ANALYST, TREASURER, AND AUDIT COMMITTEE. Shall the Charter be amended to establish the positions, roles and responsibilities of Chief Financial Officer, City Auditor, and Independent Budget Analyst; modify the City Treasurer appointment process; and create an Audit Committee?

This proposition requires a majority vote.

For said proposition the vote was	122,065	63.00%
Against said proposition the vote was	71,680	37.00%
THE TOTAL VOTE WAS	193,745	100.00%

000304

- (d) The number of votes given in each precinct to each person, and for and against the proposition, are recorded in the Elections Return Book, which book is authorized and is considered a part of the record of the Council.


ELIZABETH MALAND, CITY CLERK

(SEAL)

DATED AT SAN DIEGO, CALIFORNIA,
THIS 1ST DAY OF JULY, 2008

000305

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

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:

<p>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?</p>	YES	
	NO	

<p>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?</p>	YES	
	NO	

<p>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?</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 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.

000308

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.

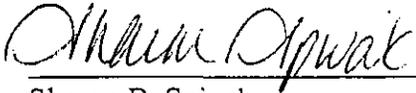
V

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