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File

CITY of SAN DIEGO

MEMORANDUM

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CITY COUNCIL OFFICE
CITY OF SAN DIEGO

FILE NO.:

DATE : November 13, 1979

TO : City Attorney: Stu Swett

FROM : City Clerk

SUBJECT: Final Canvass of Returns: General Election

Evidently there is a conflict of opinion between the City Attorney's Office and Counsel for the Secretary of State as to the legal finality of the Official Canvass of Returns. The former believing the five-day period for a re-count commences upon approval of the canvass of returns by the City Council.

This writer is of the opinion the canvass of return is final when completed by the Registrar of Voters and the approval by Council is a ministeral act required by the law.

Anticipating completion by the Registrar of Voters, on Friday, November 16, 1979, the Clerk's Office will have before Council the Canvass of Returns on Monday, November 19, 1979.

Therefore, any questions, regarding these two views will be minimized and separated by two days, Saturday and Sunday.

Charles G. Abdelnour
City Clerk

lbc

cc Mayor & Council
Registrar of Voters
Election Officer

FORM CD-160