

PURCHASING AND LICENSING COMMITTEE

08-0657R

RESOLUTION DECLARING THE RESULTS OF THE SPECIAL
MUNICIPAL ELECTION HELD ON NOVEMBER 4, 2008.

CITY PROPOSAL:

WHEREAS, on November 4, 2008, there was held in the city of Duluth, pursuant to Minnesota Statutes and the provisions of Section 51 of the Duluth City Charter, a special municipal election for the purpose of submitting to the voters the following referendum questions:

NONBINDING PROPOSITION - Precincts 1-4

Should the state statute which prohibits the issuance of licenses for the sale of intoxicating liquor in the Lakeside and Lester Park neighborhoods be repealed?

PROPOSED CONFLICT OF INTEREST CHARTER AMENDMENT

Should Section 30 of the 1912 Home Rule Charter of the city of Duluth, as amended, be amended to allow a citizen to request that the Council appoint special prosecutor to prosecute violations of the Charter's Conflict of Interest provisions when the City Attorney has determined that there is no probable cause to do so and to require that the Council to decide whether or not to do so within 60 days of receipt of such request?; and

WHEREAS, the judges of the election precincts of the city have made their returns of said election; the city council, acting as a canvassing board, has duly canvassed said returns (Public Document No. _____) and ascertained the number of ballots cast at said election and thereby declared that at said election, said votes were cast in the following manner:

(a) That for the nonbinding proposition (Precincts 1-4 only) there were 2,857 "yes" votes and 2,858 "no" votes;

(b) That for the proposed conflict of interest Charter amendment there were 28,773 "yes" votes and 16,896 "no" votes;

NOW, THEREFORE, BE IT RESOLVED, that the nonbinding proposition received

a majority of negative responses and is hereby declared to be disapproved by the electors voting upon such question.

RESOLVED FURTHER, that the proposed conflict of interest Charter amendment received a majority of positive responses and is hereby declared to be approved by the electors voting upon such question and is hereby declared to be operative and in full force, pursuant to the provisions of Section 51 of the Duluth City Charter.

Approved as to form:

Attorney

CLK JJC:jmr 11/5/2008