

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 8, 2016, FOR THE PURPOSE OF CONDUCTING A RUN-OFF ELECTION TO ELECT TWO MEMBERS OF THE CITY COUNCIL, REPRESENTING DISTRICTS 3 AND 4; CONSOLIDATING THE ELECTION WITH THE STATEWIDE ELECTION; REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO PERMIT THE REGISTRAR OF VOTERS TO CONDUCT THE ELECTION; AND AUTHORIZING THE CITY CLERK OR HER DULY AUTHORIZED AGENTS TO CARRY OUT THE NECESSARY PROCEDURES FOR THE ELECTION

WHEREAS, in accordance with the provisions of the Chula Vista Charter and State law, a Special Municipal Election shall be held on Tuesday, November 8, 2016 for the purpose of electing two members of the city council to represent Districts 3 and 4, for the full term of four years, commencing in December 2016; and

WHEREAS, Section 439.1 of the Administrative Code of the County of San Diego authorizes the Registrar of Voters of the County of San Diego to render specified services relating to the conduct of an election to any city or district that has, by resolution, requested the Board of Supervisors to permit the Registrar to render the services, subject to requirements set forth in that section; and

WHEREAS, Elections Code section 10403 requires the City Council to adopt a resolution requesting the Board of Supervisors to consolidate Chula Vista's election with the statewide general election and to permit the Registrar of Voters to perform certain services in conjunction with the City's election; and

WHEREAS, the Environmental Review Coordinator has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that this activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change to the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the actions proposed are not subject to CEQA.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista as follows:

SECTION 1. All of the foregoing recitals are true and correct.

SECTION 2. Pursuant to the requirements of the Chula Vista Charter and the laws of the State of California, there shall be and there is hereby called and ordered held in the City of Chula Vista, California, on Tuesday, November 8, 2016, a Special Municipal Election of the qualified

electors of the City for the purpose of electing two members of the city council, representing Districts 3 and 4, each for a full term of four years, commencing in December 2016.

SECTION 3. Pursuant to Elections Code section 10403, the Board of Supervisors of the County of San Diego is hereby requested to permit the Registrar of Voters to perform and render all services and proceedings, and to procure and furnish any and all official ballots, notices, printed matter and all supplies and equipment and paraphernalia incidental to and connected with the conduct of the subject election of the City of Chula Vista, with the cooperation and assistance of the City Clerk of Chula Vista, in order to properly and lawfully conduct such election.

SECTION 4. The Board of Supervisors of the County of San Diego is hereby requested to consolidate this election with the statewide election to be held on the same day, in the same territory. Pursuant to sections 10411 and 10418 of the Elections Code, (a) the election shall be held in all respects as if there were only one election; (b) only one form of ballot shall be used; and (c) the Registrar of Voters of the County of San Diego shall canvass the returns of the subject election as part of the canvass of the returns of the election consolidated hereby.

SECTION 5. Pursuant to sections 10410 and 10418 of the Elections Code within the territories affected by this consolidation, the election precincts, polling places, voting booths and polling hours shall, in every case, be the same, and there shall be only one set of election officers in each of the precincts.

SECTION 6. The County of San Diego shall be reimbursed in full for the services performed by the Registrar of Voters for the City of Chula Vista upon presentation of a bill therefor, and this City agrees to indemnify and save free and harmless the County, its officers, agents and employees from expense or liability, including reasonable attorneys' fees, as a result of an election contest arising after conduct of this election.

SECTION 7. The City Clerk is hereby directed to forthwith file a certified copy of this resolution with the Board of Supervisors and the Registrar of Voters of the County of San Diego and to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of the election.

SECTION 8. The polls of said election shall be open at seven o'clock a.m. of the day of said election and shall remain open continuously from that time until eight o'clock p.m. of the same day when said polls shall be closed, except as provided in section 14401 of the Elections Code of the State of California.

SECTION 9. The ballots to be used at said election shall be, both as to form and matter contained therein, such as may be required by law to be used thereat.

SECTION 10. In all particulars not recited in this resolution, said election shall be held and conducted as provided by law for holding municipal elections in this City.

SECTION 11. Notice of the time and place of holding this election is hereby given and the City Clerk is hereby authorized, instructed and directed to give such further or additional notice of said election in time, form and manner as required by law.

SECTION 12. The City Clerk shall certify to the passage and adoption of this resolution and file it with the City's original resolutions.

Presented by

Approved as to form by

Donna R. Norris, CMC
City Clerk

Glen R. Googins
City Attorney