

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING THE VACANCY OF CITY COUNCIL SEAT NO. 4; CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD JUNE 2, 2015, FOR THE PURPOSE OF ELECTING ONE MEMBER OF THE CITY COUNCIL, PURSUANT TO CHULA VISTA CHARTER SECTION 303.C; REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO PERMIT THE REGISTRAR OF VOTERS TO CONDUCT THE ELECTION; AUTHORIZING THE CITY CLERK OR HER DULY AUTHORIZED AGENTS TO CARRY OUT THE NECESSARY PROCEDURES FOR THE ELECTION; AND APPROPRIATING FUNDS THEREFOR

WHEREAS, revisions to the Chula Vista Charter were submitted to and ratified by the voters of the City of Chula Vista on November 4, 2014, relating to, among other changes, City Council vacancies as described in section 303; and

WHEREAS, under the new provisions of Chula Vista Charter section 303.A, a vacancy occurs when a current office holder is elected to another seat on the City Council and the vacancy becomes effective on the date on which the current office holder is sworn into another office; and

WHEREAS, Mary Salas held office as City Council Member, Seat No. 4, was elected to the seat of Mayor at the election of November 4, 2014, and was sworn into office as Mayor on December 9, 2014, therefore, City Council Seat No. 4 became vacant upon Mayor Salas taking her oath of office; and

WHEREAS, under the new provisions of Chula Vista Charter section 303.C, a Special Municipal Election shall be held on Tuesday, June 2, 2015, for the purpose of electing one member of the City Council (seat no. 4); 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 which 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, it is desirable that the County of San Diego Registrar of Voters conduct the election and canvass the returns of the Special Municipal Election, and that the City Clerk be authorized to carry out all other necessary procedures for the election; and

WHEREAS, an appropriation from General Fund reserves of \$600,000 will be needed for the payment of costs relating to the placement of the election for City Council Member, Seat No. 4 on the June 2, 2015 ballot.

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, a Special Municipal Election will be held on Tuesday, June 2, 2015, to hold an election to elect one member of the City Council for a partial term ending in December 2016, commencing in July 2015.

SECTION 3. The Board of Supervisors of the County of San Diego is hereby requested to consolidate this election with any other election scheduled to be held on the same day, in the same territory. Pursuant to Section 10411 and Section 10418 of the California Elections Code, (a) the election shall be held in all respects as if there were only one election; (b) only one form of the 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 returns of the consolidated election.

SECTION 4. Pursuant to Section 10410 and Section 10418 of the California Elections Code within the territories affected by this consolidation, the elections precincts, polling places, voting booths and polling hours shall, in every case, be the same, and there shall be only one set of elections officers in each set of the precincts.

SECTION 5. 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 6. The City Clerk is hereby directed to 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 7. The ballots to be used at this election shall be, both as to form and matter contained therein, such as may be required by law to be used therefor.

SECTION 8. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections in the City.

SECTION 9. That notice of the time and place of holding the election is hereby given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 10. That the City Clerk shall certify to the passage and adoption of this resolution, and file it with the City's original resolutions.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that it approves an appropriation of \$600,000 to the City Clerk Department's Services and Supplies budget from the available fund balance of the General Fund, for the purpose of holding a special election on June 2, 2015 for election of one individual to fill the vacancy of City Council Seat No. 4.

Presented by

Approved as to form by

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Donna R. Norris, CMC  
City Clerk

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Glen R. Googins  
City Attorney