

RESOLUTION NUMBER R- 308068
DATE OF FINAL PASSAGE MAR 28 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO REQUESTING THE CONSOLIDATION OF A SPECIAL RUN-OFF ELECTION TO BE HELD IN THE CITY OF SAN DIEGO ON TUESDAY, MAY 21, 2013 WITH THE CALIFORNIA STATE SPECIAL ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, at a meeting on March 28, 2013, the City Council passed Ordinance No. O-20250 (N.S.), calling a Special Run-off Election in Council District 4 in the City of San Diego on Tuesday, May 21, 2013, for the purpose of electing a Councilmember for District 4; and

WHEREAS, it is desirable that this Special Run-off Election be consolidated with the California State Special Election to be held on the same date, and that, within the City of San Diego, the election precincts, polling places, voting booths, and election officials for the two elections be the same; and

WHEREAS, it is desirable that the Board of Supervisors of the County of San Diego be authorized to canvass the returns of the Special Run-off Election; and

WHEREAS, it is desirable that this election and the California State Special Election be held in all respects as if there were only one election; and

WHEREAS, actions related to calling a Special Run-off Election for the same date as a California state election are mandated by San Diego Charter sections 10 and 12, and therefore, are not subject to veto by the Mayor; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The Board of Supervisors of the County of San Diego is hereby requested to consolidate the Special Run-off Election for the office of Councilmember for District 4, to be held in the City of San Diego on Tuesday, May 21, 2013, with the California State Special Election to be held on the same date.

2. The Board of Supervisors of the County of San Diego is hereby authorized to canvass the returns of the Special Run-off Election and is requested to conduct the election in all respects as if there were only one election using only one form of ballot.

3. The Board of Supervisors of the County of San Diego is requested to issue to all officers of the County charged with duties pertaining to the California State Special Election appropriate instructions to take any and all steps necessary for the holding of a consolidated election.

4. The Board of Supervisors of the County of San Diego is hereby requested to authorize and direct the Registrar of Voters of the County of San Diego to perform the following:


- (a) Furnish a tabulation of the number of registered voters in the Council district by precinct;
- (b) Examine and verify the signatures on nominating petitions;
- (c) Provide election materials in languages other than English in accordance with federal law;
- (d) Canvass the returns of the election, including absent voter ballots;
- (e) Furnish a tabulation of the number of votes given in the Council district by precinct; and
- (f) Complete any and all tasks related to the legal conduct of this election as required of the City Clerk upon the request of the City Clerk or the City Council.

5. The City Clerk of the City of San Diego is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and Registrar of Voters of the County of San Diego.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to reimburse the County of San Diego for the actual and direct cost of the services performed by the Registrar of Voters for the City of San Diego in connection with the election services herein described, provided that the City Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the City of San Diego agrees to indemnify and to save free and harmless the County, its officers, agents, and employees from expense or liability, including reasonable attorney fees, as the result of an election contest initiated pursuant to the California Elections Code sections 16000 through 16900.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Sharon B. Spivak
Deputy City Attorney

SBS:jdf
3/27/2013
Or.Dept:City Clerk
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