

RESOLUTION NUMBER R- 308406

DATE OF FINAL PASSAGE AUG 28 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO REQUESTING THAT THE SAN DIEGO COUNTY REGISTRAR OF VOTERS CONDUCT A MUNICIPAL SPECIAL ELECTION TO BE HELD IN THE CITY OF SAN DIEGO ON NOVEMBER 19, 2013, TO FILL THE VACANCY IN THE OFFICE OF MAYOR

WHEREAS, at a meeting on August 28, 2013, the City Council passed Ordinance No. O- 20295 (N.S.), calling a Municipal Special Election in the City of San Diego on Tuesday, November 19, 2013, for the purpose of electing a Mayor, to fill the remainder of the four-year term to which Mayor Bob Filner had been elected, and served until his resignation; and

WHEREAS, actions related to calling a Municipal Special Election to fill a vacancy in the Office of the Mayor are mandated by San Diego Charter section 265 and, therefore, are not subject to veto by the Mayor; and

WHEREAS, it is desirable that the San Diego County Registrar of Voters be authorized to conduct the Municipal Special Election and canvass the returns; NOW, THEREFORE,

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

1. The San Diego County Registrar of Voters (Registrar of Voters) is hereby authorized to conduct the Municipal Special Election to be held in the City of San Diego on Tuesday, November 19, 2013, for the purpose of electing candidates for the Office of Mayor, to serve the remainder of the current four-year term to which Mayor Bob Filner had been elected, and had served until his resignation.

2. The Registrar of Voters is requested to issue to all officers of the County charged with duties pertaining to the election appropriate instructions to take any and all steps necessary for the holding of the election.

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


- (a) Furnish a tabulation of the number of registered voters 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 each 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.

4. 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.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to reimburse the County of San Diego for the actual and direct cost of the services that the Registrar of Voters performs 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's 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  
08/23/13  
Or.Dept:City Clerk  
Doc. No.: 621403

Passed by the Council of The City of San Diego on AUG 28 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 28 2013.

**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:

BOB FILNER

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By  Deputy

Office of the City Clerk, San Diego, California

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