

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CALLING A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, FOR THE PURPOSE OF CONDUCTING A RUNOFF ELECTION TO ELECT TWO CITY COUNCILMEMBERS, REPRESENTING DISTRICTS 3 AND 4; CONSOLIDATING THE ELECTION WITH THE STATEWIDE ELECTION; AND REQUESTING THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TO PERMIT THE REGISTRAR OF VOTERS TO PERFORM CERTAIN SERVICES FOR THE CONDUCT OF THE ELECTION

WHEREAS, in accordance with the provisions of the Chula Vista Charter and State law, a general municipal election shall be held on November 5, 2024, for the purpose of electing two City Councilmembers to represent Districts 3 and 4, each for the full term of four years, commencing in December 2024; 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 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, DECLARED, DETERMINED, AND ORDERED by the City Council of the City of Chula Vista, that:

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

SECTION 2. That 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 5, 2024, a general municipal election of the qualified electors of the City for the purpose of electing two City Councilmembers to represent Districts 3 and 4, each for a full term, commencing in December 2024.

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, vote centers, 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 the 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 (vote centers) of said election shall be open in accordance with the Vote Center model utilized by the County of San Diego pursuant to California Elections Code section 4005. The polls (vote centers) for the election shall be at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls (vote centers) shall be closed, pursuant to Election Code section 10242, except as provided in sections 14212, 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 the passage and adoption of this resolution and file it with the City's original resolutions.

Presented by

Approved as to form by

Kerry K. Bigelow, MMC
City Clerk

Jill D.S. Maland
Lounsbery Ferguson Alonta & Peak
Acting City Attorney