

RESOLUTION 2016-081

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

WHEREAS, under the provisions of the laws relating to General Law cities in the State of California, a General Municipal Election shall be held on November 8, 2016, for the election of municipal officers.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirement of the laws of the State of California relating to General Law cities, there is called and ordered to be held in the City of Solana Beach, California, on Tuesday, November 8, 2016, a General Municipal Election for the purpose of electing three (3) Members of the City Council for the full term of four years.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That pursuant to Resolution 2016-082, the election department of the County of San Diego is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printer matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4. That the polls for the election shall be open at 7:00 a.m. on the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 5. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. That notice of the time and place of holding the election is 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 7. That in the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the San Diego

County Registrar of Voters (ROV), the City Council, in accordance with Election Code Section 15651(b), shall set a date, time, and place and summon the candidates who have received the tie votes to appear and will determine the tie by lot.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

SECTION 9. That the City Council authorized the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

PASSED, APPROVED AND ADOPTED at a Regular meeting of the Solana Beach City Council held on the 22nd day of June, 2016, by the following vote:

AYES: Councilmembers – Zito, Zahn, Nichols, Marshall, Heebner
NOES: Councilmembers – None
ABSTAIN: Councilmembers – None
ABSENT: Councilmembers – None



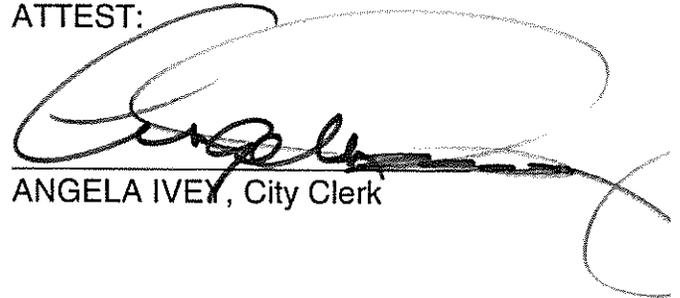
DAVID A. ZITO, Mayor

APPROVED AS TO FORM:



JOHANNA N. CANLAS, City Attorney

ATTEST:



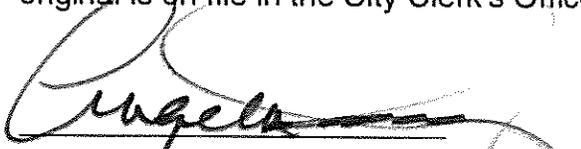
ANGELA IVEY, City Clerk



RESOLUTION CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } §
CITY OF SOLANA BEACH }

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of **Resolution 2016-081** calling for the holding of a *General Municipal Election to be held on Tuesday, November 8, 2016, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law cities* as duly passed and adopted at a Regular Solana Beach City Council meeting held on the 22nd day of June 2016 and the original is on file in the City Clerk's Office.


ANGELA IVEY, CITY CLERK

CERTIFICATION DATE: July 12, 2016

RESOLUTION 2016-082

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2016, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

WHEREAS, the City Council of the City of Solana Beach called a General Municipal Election to be held on November 8, 2016, for the purpose of the election of three Members of the City Council; and,

WHEREAS, in the course of conduct of the election it is necessary for the City to request services of the County; and

WHEREAS, all necessary expenses in performing these services shall be paid by the City of Solana Beach; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the county election department of the County of San Diego canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the provisions of Section 10403 of the Elections Code, the Board of Supervisors of the County of San Diego is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election held Tuesday, November 8, 2016, for the purpose of the election of three Members of the City Council.

SECTION 2. That the County of San Diego election department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide election.

SECTION 3. That the Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary for the holding of the consolidated election.

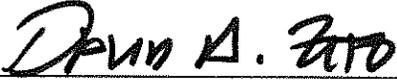
SECTION 4. That the City of Solana Beach recognized that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs upon presentation of an invoice.

SECTION 5. That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the county election department of the County of San Diego.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, held on the 22nd day of June, 2016, by the following vote:

AYES: Councilmembers – Zito, Zahn, Nichols, Marshall, Heebner
NOES: Councilmembers – None
ABSTAIN: Councilmembers – None
ABSENT: Councilmembers – None



DAVID A. ZITO, Mayor

APPROVED AS TO FORM:



JOHANNA N. CANLAS, City Attorney

ATTEST:



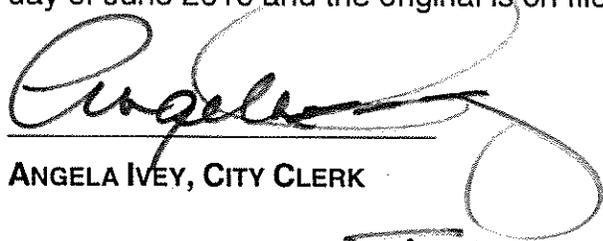
ANGELA IVEY, City Clerk



RESOLUTION CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } §
CITY OF SOLANA BEACH }

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of **Resolution 2016-082** requesting the Board of Supervisors of the County of San Diego to consolidate a General Municipal Election to be held on November 8, 2016, with the statewide General Election to be held on that date pursuant to Section 10403 of the Elections Code as duly passed and adopted at a Regular Solana Beach City Council meeting held on the 22nd day of June 2016 and the original is on file in the City Clerk's Office.


ANGELA IVEY, CITY CLERK

CERTIFICATION DATE: July 12, 2016

RESOLUTION 2016-083

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE'S STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION (TO BE HELD ON TUESDAY, NOVEMBER 8, 2016).

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS. That pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Solana Beach on November 8, 2016 may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself/herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement to be filed (in typewritten form) in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. FOREIGN LANGUAGE POLICY

- A. Pursuant to the Federal Voting Rights Act, the candidate's statements are required to be translated in all languages required as required. The County is required to translate candidate's statements into the following languages: Spanish, Tagalog/Filipino, Vietnamese, and Chinese.
- B. The County will mail sample ballots and candidates statements in Spanish, Tagalog/Filipino, Vietnamese, and Chinese to only those voters who are on the county voter file as having requested a sample ballot in a particular language. The County will make the sample ballots and candidates statements in the required languages available at all polling places, on the County's website, and in the Election Official's office.

SECTION 3. PAYMENT

A. Translations:

1. The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in (A) pursuant to the Federal and/or State law.

B. Printing

1. The candidate shall be required to pay for the cost of printing the candidate's statement in English in the voter's pamphlet.
2. The candidate shall be required to pay for the cost of printing the candidate's statement in a foreign language in the voter's pamphlet.

The City Clerk shall estimate the total cost of printing, handling, translating and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the City of Solana Beach his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the clerk is not bound by the estimate and may on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election or as soon as the final amount is known from the Registrar of Voters.

The City Clerk estimates the pro rata share to candidates for having a candidate statement included in the voter pamphlet to be \$750, which each candidate shall pay at the time of submitting the candidate statement.

SECTION 4. MISCELLANEOUS

- A) All translations shall be provided by professionally-certified translators.
- B) The City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State, the San Diego County Registrar Voters, and local municipal codes and regulations, in other matters relating to elections.

SECTION 5. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 6. That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

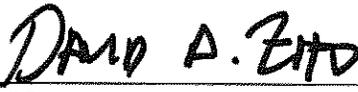
SECTION 7. That all previous resolutions establishing council policy on payment for candidate's statements are repealed.

SECTION 8. That this resolution shall apply at the next ensuing municipal election, November 8, 2016, and at each municipal election after that time.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, held on the 22nd day of June, 2016, by the following vote.

AYES: Councilmembers – Zito, Zahn, Nichols, Marshall, Heebner
NOES: Councilmembers – None
ABSTAIN: Councilmembers – None
ABSENT: Councilmembers – None



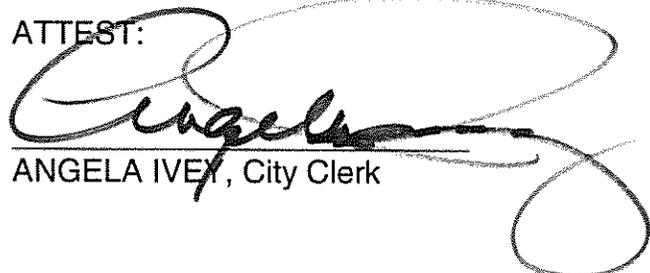
DAVID A. ZITO, Mayor

APPROVED AS TO FORM:



JOHANNA N. CANLAS, City Attorney

ATTEST:



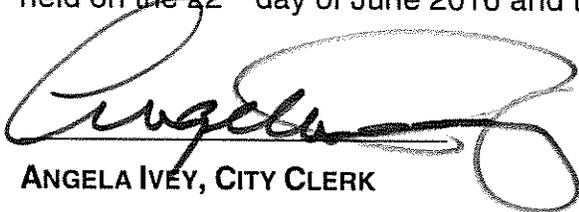
ANGELA IVEY, City Clerk



RESOLUTION CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } §
CITY OF SOLANA BEACH }

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of **Resolution 2016-083** *adopting regulations for candidates for elective office pertaining to candidate's statements submitted to the voters at an election (to be held on Tuesday, November 8, 2016)* as duly passed and adopted at a Regular Solana Beach City Council meeting held on the 22nd day of June 2016 and the original is on file in the City Clerk's Office.


ANGELA IVEY, CITY CLERK

CERTIFICATION DATE: July 12, 2016