

RESOLUTION NO. 2020-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, CALLING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, 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, which have been adopted by the City of Del Mar pursuant to its charter, a General Municipal Election shall be held on November 3, 2020, for the election of Members of the City Council.

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

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to general law cities and the City of Del Mar pursuant to its charter, there is called and ordered to be held in the City of Del Mar, California, on Tuesday, November 3, 2020, a Municipal Election for the purpose of electing three (3) Members of the City Council for the full term of four (4) 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 the Administrative Services Director/City Clerk is authorized, instructed and directed to coordinate with the San Diego County Registrar of Voters to procure and furnish any and all official ballots, notices, printed 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 seven o'clock (7:00) a.m. of the day of the election and shall remain open continuously from that time until eight o'clock (8:00) p.m. of the same day when the polls shall be closed, pursuant to Election Code Section 10242, 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 Administrative Services Director/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 the Administrative Services Director/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 by the City Council of the City of Del Mar, California at the Regular Meeting held this 15th day of June, 2020.



Ellie Havilland, Mayor
City of Del Mar

APPROVED AS TO FORM:



Leslie Devaney, City Attorney
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
CITY OF DEL MAR

I, ASHLEY JONES, Administrative Services Director/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Resolution No. 2020-28, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 15th day of June, 2020, by the following vote:

AYES: Mayor Haviland, Deputy Mayor Gaasterland, Council Members
Druker, Parks and Worden

NOES: None

ABSENT: None

ABSTAIN: None



Ashley Jones, Administrative Services
Director/City Clerk
City of Del Mar

RESOLUTION NO. 2020-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

WHEREAS, the City Council of the City of Del Mar, California, called a General Municipal Election to be held on November 3, 2020, for the purpose of the election of three (3) Members of the City Council; 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 (2) elections be the same, and that the County Elections 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 (1) election.

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

SECTION 1. That pursuant to the requirements 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 on Tuesday, November 3, 2020, for the purpose of the election of three (3) Members of the City Council.

SECTION 2. That the County 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 (1) election, and only one (1) form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide election, pursuant to section 10418 of the Elections Code.

SECTION 3. That the Board of Supervisors is requested to issue instructions to the County Elections Department to take any and all steps necessary for the holding of the consolidated election including the procurement and furnishing of any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct said election, with the exception that the Administrative Services Director/City Clerk of the City of Del Mar shall cause the publication of all notices that are indicated as the responsibility of the City Clerk in the Election Calendar for said election.

SECTION 4. That the City of Del Mar recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for those costs.

SECTION 5. That the County of San Diego shall be reimbursed in full for the services performed by the Registrar of Voters for the City of Del Mar upon presentation of a bill therefore, and that the City agrees to indemnify and hold harmless the County, its officers, agents and employees from expense or liability, including reasonable attorneys' fees, as the result of an election contest arising after conduct of the election, so long as the basis for any such claim arises from the conduct of the City or as a result of the reasonable reliance by County upon information provided by City.

SECTION 6. That the Administrative Services Director/City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Elections Department of the County of San Diego.

SECTION 7. That the Administrative Services Director/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 by the City Council of the City of Del Mar, California, at the Regular Meeting held this 15th day of June, 2020.



Ellie Haviland, Mayor
City of Del Mar

APPROVED AS TO FORM:



Leslie E. Devaney, City Attorney
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
CITY OF DEL MAR

I, ASHLEY JONES, Administrative Services Director/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Resolution No. 2020-29, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 15th day of June, 2020, by the following vote:

AYES: Mayor Haviland, Deputy Mayor Gaasterland, Council Members
Druker, Parks and Worden
NOES: None
ABSENT: None
ABSTAIN: None



Ashley Jones, Administrative Services
Director/City Clerk
City of Del Mar

RESOLUTION NO. 2020-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020

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' statements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, 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 Del Mar on November 3, 2020, may prepare a candidate's statement on an appropriate form provided by the Administrative Services Director/City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the Administrative Services Director/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 five o'clock (5:00) p.m. of the next working day after the close of the nomination period.

SECTION 2. FOREIGN LANGUAGE POLICY. Pursuant to the Federal Voting Rights Act, candidates' statements will be translated into all languages required by the County of San Diego. The County is required to translate candidates' statements into Chinese, Spanish, Filipino and Vietnamese. The County will print and mail sample ballots and candidates' statements to all voters in Chinese, Spanish, Filipino and Vietnamese only to those voters who are on the County voter files 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. The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in Section 2 above pursuant to Federal and/or State law. The candidate shall be required to pay for the cost of printing the candidate's statement in English and in any foreign language, as specified in Section 2 above, in the main voter pamphlet.

The Administrative Services Director/City Clerk or County of San Diego Registrar of Voters shall estimate the total cost of printing, handling, translating, and mailing the candidates' 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 local agency 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 Administrative Services Director/City 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 Administrative Services Director/City Clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the Administrative Services Director/City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days of the election.

SECTION 4. MISCELLANEOUS. The Administrative Services Director/City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and 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 Administrative Services Director/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 candidates' statements are repealed.

SECTION 8. That this Resolution shall apply only to the election to be held on November 3, 2020, and shall then be repealed.

SECTION 9. That the Administrative Services Director/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 by the City Council of the City of Del Mar, California, at the Regular Meeting held this 15th day of June, 2020.



Ellie Haviland, Mayor
City of Del Mar

APPROVED AS TO FORM:



Leslie E. Devaney, City Attorney
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
CITY OF DEL MAR

I, ASHLEY JONES, Administrative Services Director/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Resolution No. 2020-30, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 15th day of June, 2020, by the following vote:

AYES: Mayor Haviland, Deputy Mayor Gaasterland, Council Members
Druker, Parks and Worden
NOES: None
ABSENT: None
ABSTAIN: None



Ashley Jones, Administrative Services
Director/City Clerk
City of Del Mar