

RESOLUTION NO. 2022-057

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, PROVIDING NOTICE OF AND CALLING A MUNICIPAL ELECTION TO SUBMIT TO THE VOTERS A BALLOT MEASURE TO MAKE THE OFFICE OF THE CITY CLERK APPOINTIVE, REQUESTING THE SAN DIEGO COUNTY BOARD OF SUPERVISORS TO CONSOLIDATE THE MUNICIPAL ELECTION WITH THE STATEWIDE PRIMARY ELECTION ON JUNE 7, 2022, DIRECTING THE PREPARATION OF AN IMPARTIAL ANALYSIS, AND ESTABLISHING PROCEDURES FOR BALLOT ARGUMENTS

WHEREAS, as authorized by California Elections Code Section 9222 and California Government Code Section 36508, the City Council wishes to hold an election for the purpose of submitting to the voters a ballot measure making the office of the City Clerk appointive; and

WHEREAS, California Elections Code Sections 1405 and 9222 require the election to be held at the next regular election occurring not less than 88 days after the date of the order of election; and

WHEREAS, the next regular election meeting this criterion is the statewide primary election to be held on June 7, 2022; and

WHEREAS, it is desirable for the municipal election to be consolidated with the statewide primary election; and

WHEREAS, it is desirable to obtain an impartial analysis of the ballot measure; and

WHEREAS, it is desirable to establish the procedures for ballot arguments and to authorize the Mayor or a designee to prepare and the City Council to sign a ballot argument in favor of the measure.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. The above recitations are true and correct.
2. Call for Municipal Election.
 - a. As authorized by California Elections Code Sections 9222 and 10201, a municipal election in the City of Carlsbad is called for June 7, 2022 to submit to the voters a ballot measure making the office of City Clerk appointive.
 - b. In accord with California Elections Code Section 10418, the hours for the opening and closing of the polls for the municipal election shall be the same as provided for the statewide primary election on June 7, 2022.

- c. The City Clerk's Office shall give further notice of the municipal election as required by law.
3. Consolidation with Statewide Primary Election.
 - a. In accord with California Elections Code Section 10403, the City Council requests the County of San Diego Board of Supervisors to consolidate the municipal election with the statewide primary election on Tuesday, June 7, 2022 and to issue instructions to the Registrar of Voters to take the necessary steps for holding the consolidated election.
 - b. The ballot question and the full text of the ballot measure to be presented to the voters are set forth in Attachment A. A majority vote of the voters (50% +1) is required to approve the ballot measure.
 - c. The City Council acknowledges the consolidated election will be held and conducted in the manner prescribed by California Elections Code Section 10418.
4. Reimbursement of Election Costs.
 - a. The city will reimburse the county for the costs incurred for the consolidation upon the county's presentation of a properly submitted bill.
 - b. The City Council authorizes the Deputy City Manager, Administrative Services, to transfer the necessary funds from the City Council Contingency budget to the City Clerk's Office operating budget reimburse the county's costs.
5. Submission of Resolution to County Officials. The City Clerk's Office is directed to file a certified copy of this resolution and its attachment with the Board of Supervisors and the Registrar of Voters in the time and manner required by law.
6. Impartial Analysis. The City Clerk's Office is directed to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure in accord with California Elections Code Section 9280.
7. Ballot Arguments.
 - a. The Mayor or a designee is authorized to prepare a written argument in favor of the measure. If a qualified argument against the measure is submitted, the Mayor or a designee may prepare a rebuttal argument. The argument in favor and the rebuttal argument, if any, may also be signed by the other members of the City Council.

- b. Arguments and rebuttals shall comply with the applicable provisions of the California Elections Code, including Sections 9282 through 9285 and Section 9600 .
 - c. The arguments may be changed or withdrawn until and including the date fixed by the City Clerk Services Manager, after which no arguments for or against the measure may be submitted.
 - d. If the City Clerk's Office receives multiple arguments in favor of or against the measure, the City Clerk Services Manager shall select one argument in favor of and one argument against the measure, giving preference and priority in the order specified in California Elections Code Section 9287.
 - e. These provisions for ballot arguments shall apply only to the municipal election to be held on June 7, 2022.
8. Public Examination and Publication of Measure, Impartial Analysis and Ballot Arguments. The City Clerk's Office shall make a copy of the ballot measure, the City Attorney's impartial analysis and any ballot arguments available for public examination in accord with California Elections Code 9223 and 9295. The City Clerk's Office is further directed to publish a synopsis of the ballot measure in the manner required by California Elections Code Section 12111 at least one week before the election.

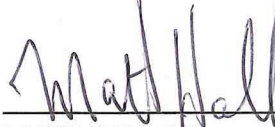
PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the 8th day of March, 2022, by the following vote, to wit:

AYES: Hall, Blackburn, Bhat-Patel, Acosta, Norby

NAYS: None

ABSENT: None




MATT HALL, Mayor


for FAVIOLA MEDINA, City Clerk Services Manager

(SEAL)

Ballot Question

APPOINTIVE CITY CLERK	
Shall the office of the City Clerk be appointive?	Yes
	No

Full Text of Ballot Measure

Ordinance No. _____

AN INITIATIVE ORDINANCE OF THE CITY OF CARLSBAD, CALIFORNIA,
MAKING THE OFFICE OF CITY CLERK APPOINTIVE

The people of the City of Carlsbad, California, do ordain as follows:

- SECTION 1. The office of the City Clerk shall be appointive as authorized by California Government Code Section 36508.
- SECTION 2. This ordinance shall take effect as provided in California Elections Code Section 9217.
- SECTION 3. The City Clerk's Office shall publish this ordinance according to law.