

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION CALLING AND GIVING NOTICE OF  
HOLDING A GENERAL MUNICIPAL ELECTION FOR THE  
ELECTION OF COUNCILMEMBERS FOR WARDS 2, 5, AND 6,  
CALLING A SPECIAL MUNICIPAL ELECTION FOR THE  
ELECTION OF COUNCILMEMBER FOR WARD 1, AND  
REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY  
OF KERN TO CONSOLIDATE WITH THE STATEWIDE GENERAL  
ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020.**

**WHEREAS**, Section 67 of the Charter of the City of Bakersfield prescribes that a General Municipal Election for election of members of the Council shall be held on the first Tuesday after the first Monday in November of each even-numbered year; and,

**WHEREAS**, the Councilmember terms for Wards 2, 5, and 6 are due for re-election, pursuant to Section 67 of the Charter of the City of Bakersfield; and

**WHEREAS**, the California General Election will be held on November 3, 2020; and,

**WHEREAS**, the City Clerk has also received an irrevocable Notice of Intent to Vacate Council Seat from Councilmember Willie Rivera, Ward 1 (Exhibit A); and

**WHEREAS**, pursuant to the requirements of Section 16 of the City Charter, the City can call a Special Election to fill the vacancy of a Council Seat; and

**WHEREAS**, the cost to hold a Special Election at the same time as the November 2020 General Elections, will save the taxpayers money by reducing elections costs and will avoid the need to circulate a petition; and

**WHEREAS**, it is the City's desire that the General Municipal Election and the Special 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 Kern County Election Department 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, BE IT RESOLVED** by the Council of the City of Bakersfield as follows:

SECTION 1. That pursuant to the requirements of Section 10403 of the

California Elections Code, the Board of Supervisors of the County of Kern 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 electing Members of the City Council for Wards 2, 5 and 6 for the full term of four years which ends November 2024.

SECTION 2. That pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County of Kern is hereby requested to consent and agree to the consolidations of a Special Municipal Election with the Statewide General Election, on Tuesday, November 3, 2020, for the purpose of electing a Member of the City Council for Ward 1 to fill the unexpired term of Willie Rivera, ending November, 2022.

SECTION 3. That the Board of Supervisors is requested to issue instruction to the County Election Department to take any and all steps necessary for the holding the consolidated election. The election shall be held in all respects as if there were only one election.

SECTION 4. That the County Election Department is hereby authorized and requested to canvass the returns of said General Municipal Election and to certify such canvass of the votes so cast, to the City Clerk.

SECTION 5. That the City of Bakersfield recognizes that additional costs will be incurred by the County and shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

SECTION 6. The City Clerk is hereby authorized and directed to certify the adoption of this resolution, transmit to and file with the Board of Supervisors and the County Election Department of the County of Kern.

SECTION 7. The City Clerk is hereby authorized and directed to give all notices and perform all advertising as required by law and perform or cause to be performed all the duties and functions in the conduct of the election as required by State law.

SECTION 8. With regard only to the Special Municipal Election, and not withstanding anything to the contrary contained herein, the City hereby agrees, covenants, and warrants that the County, its Board, officers or employees shall have no liability hereunder, by reason hereof, or in connection with the election requested by this Resolution. The City further agrees, covenants, and warrants that it shall indemnify and hold harmless the County, its Board, officers, employees and agents, and each of them ("Indemnified Parties") against any and all losses, damages, claims, costs, expenses and/or liabilities, joint or several, to which such

Indemnified Parties may become subject, because of action or inaction related to the election described herein. The City further agrees, covenants, and warrants that it shall also reimburse any such Indemnified Parties for any and all legal and/or other expenses incurred in connection with investigating and/or defending any such claims or action.

-----o0o-----

**I HEREBY CERTIFY** that the foregoing Resolution was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on \_\_\_\_\_ by the following vote:

AYES:	COUNCILMEMBER: RIVERA, GONZALES, WEIR, SMITH, FREEMAN, SULLIVAN, PARLIER
NOES:	COUNCILMEMBER: _____
ABSTAIN:	COUNCILMEMBER: _____
ABSENT:	COUNCILMEMBER: _____

\_\_\_\_\_  
**JULIE DRIMAKIS, CMC**  
CITY CLERK and EX OFFICIO CLERK of  
the Council of the City of Bakersfield

APPROVED:

By \_\_\_\_\_  
**KAREN GOH**  
Mayor

APPROVED AS TO FORM:  
**VIRGINIA GENNARO**  
City Attorney

By \_\_\_\_\_  
**VIRGINIA GENNARO**  
City Attorney

VGK:vlg  
S:\COUNCIL\Resos\19-20\ElectionSpecial.Ward1.docx