

**RESOLUTION NO. R24-30**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA, PROVIDING FOR THE CONDUCT OF A SPECIAL RUNOFF ELECTION FOR ELECTIVE OFFICES IN THE EVENT OF A TIE VOTE AMONG CANDIDATES AT THE NOVEMBER 5, 2024, GENERAL MUNICIPAL ELECTION IN ACCORDANCE WITH GOVERNMENT CODE SECTION 15651**

**WHEREAS**, § 15651 of the Elections Code of the State of California authorizes the City Council to determine the means and manner in which a tie vote is to be resolved in the event that two or more persons receive an equal and the highest number of votes ("tie votes") for an office to be voted upon in a city;

**WHEREAS**, § 15651 of the Elections Code of the State of California provides that the tie vote shall be resolved in one of the following ways:

- a) **By Lot:** The City Clerk, serving as the Elections Official pursuant to Elections Code § 320, or his or her designee, shall summon the candidates who have received the tie votes, whether upon the canvass of the returns or upon recount by a court, to appear before the City Council at a time to be designated by the City Council. The City Clerk shall at that time and place resolve the tie votes by lot (defined below).
- b) **By Special Election:** The legislative body may resolve a tie vote by the conduct of a special runoff election involving those candidates who receive an equal number of votes. A special runoff election shall be held only if the legislative body adopts provisions of § 15651 (b) of the Elections Code prior to the conduct of the election resulting in the tie vote. All future elections conducted by that body shall be resolved likewise, unless the legislative body later repeals the order for the conduct of a special runoff election.

**WHEREAS**, the City Council desires that any tie vote resulting from the November 5, 2024 General Municipal Election be resolved by lot.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA, HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:**

**SECTION 1.** That pursuant to § 15651 of the Elections Code of the State of California, if any two or more persons receive an equal and the highest number of votes for an office to be voted for within the City, the tie votes shall be resolved by lot. "By lot" means, by deciding the matter through implementing a method of chance, in order to afford each candidate receiving tie votes a fair opportunity at election.

**SECTION 2.** That the City Council has the authority to resolve tie votes by lot, by implementing various methods of chance, including, but not limited to, a coin toss, generation of random number, or drawing of names. In the interest of maintaining

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decorum, fairness and transparency, the method implemented for resolving tie votes in the November 5, 2024, General Municipal Election shall be the drawing of names, in accordance with the following procedure:

The City Clerk shall type the name of each candidate who has tied for office on a separate, but identical piece of paper, which shall be folded and deposited into a container and mixed so that the pieces of paper become indistinguishable. The City Clerk, or his or her designee, shall then draw from the container as many pieces of paper as there are seats on the City Council to be filled by the candidates who have tied. The candidate(s) whose name(s) appear(s) upon the drawn piece(s) of paper shall be deemed elected.

**SECTION 3.** That this resolution shall apply only to the election to be held on Tuesday, November 5, 2024, and shall be repealed upon the City Council's declaration of election results.

**SECTION 4.** That the City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED, APPROVED AND ADOPTED** on June 25, 2024.



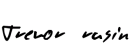
Dawn Murdock, Mayor

**ATTEST:**



Interim City Clerk

**APPROVED AS TO FORM:**

DocuSigned By:  
  
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Trevor Rusin, City Attorney

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**CERTIFICATION**

STATE OF CALIFORNIA	)	
COUNTY OF LOS ANGELES	)	SS:
CITY OF PALOS VERDES ESTATES	)	

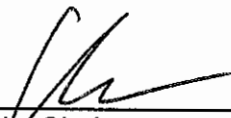
I, Kerry Kallman, Interim City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution **R24-30** was duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 25<sup>th</sup> day of June 2024, by the following vote:

AYES: COUNCILMEMBERS: Murdock, Lozzi, Roos, Kemp

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS: McGowan

ABSTAIN: COUNCILMEMBERS:




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Interim City Clerk