

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA # *A-6b

Urgent Routine

AGENDA DATE June 28, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Consolidate the City of Ceres Municipal Election with the Consolidated District Election to be held on November 8, 2011

STAFF RECOMMENDATIONS:

Approve the consolidation of the City of Ceres Municipal Election with the Consolidated District Election to be held on November 8, 2011.

Contact person: Christine Ferraro Tallman, Clerk of the Board Telephone: 525-4494

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2011-380

On motion of Supervisor O'Brien, Seconded by Supervisor Chiesa

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.



BOARD OF SUPERVISORS

OFFICE OF THE CITY CLERK

2011 JUN 15 A 10: 241

CITY OF CERES
2720 SECOND STREET
CERES, CA 95307-3292
(209)538-5731
FAX: (209) 538-5650
cheidorn@ci.ceres.ca.us

June 13, 2011

CITY COUNCIL

Chris Vierra, Mayor
Ken Lane
Bret Durossette
Guillermo Ochoa

Christine Ferraro Tallman
Clerk of the Board
Stanislaus County Board of Supervisors
1010 10th Street
Suite 6700
Modesto, CA 95354

Re: Consolidated General Municipal Election - November 8, 2011

Dear Ms. Tallman:

This letter is to advise your office the City of Ceres will participate in the November 8, 2011, election as part of its regular municipal election schedule. The voters of the City of Ceres will consider the following:

One Member of the City Council – short term of two (2) years
Incumbent: Vacant

Two Members of the City Council - full term of four (4) years
Incumbent: Guillermo Ochoa
Appointed Incumbent: Bret Durossette

Mayor – full term of four (4) years
Appointed Incumbent: Chris Vierra

City Treasurer – full term of four (4) years
Incumbent: Harry Herbert

Each candidate, if submitting a Candidate's Statement, will be required to pay the cost of the printing in English and Spanish translation.

I have enclosed a certified copy of Ceres Resolution No. 2011-21, calling a Special Municipal Election for Tuesday, November 8, 2011 and Resolution No. 2011-60 calling a General Municipal Election. Also, I have enclosed for your information a copy of Resolution No. 97-65 which records our procedure should a tie vote occur.

Ms. Ferraro Tallman
Clerk of the Board of Supervisors
June 13, 2011

The City of Ceres will be responsible to publish the Notice of Election and Notice of Nominees for Public Office, issue nomination papers, and act as the filing officer for all campaign statements as required by the Fair Political Practices Commission. The City of Ceres respectively requests the Stanislaus County Elections Division to furnish all other services, facilities, supplies and equipment. The City of Ceres will reimburse the County of Stanislaus for all actual costs for services performed relating to the conduct of the municipal election, except payment for Candidate's Statements which will be paid by the candidates themselves via the City.

If you need additional information, please contact the City Clerk's office at your convenience.

Sincerely yours,



Cynthia Heidorn, CMC
City Clerk

Enclosures

Cc: Stanislaus County Office of the County Clerk-Recorder
Registrar of Voters

RESOLUTION NO. 2011- 60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERES, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 8, 2011, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

THE CITY COUNCIL
City of Ceres, California

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, 2011, for the election of municipal officers.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CERES, 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, there is called and ordered to be held in the City of Ceres, California, on Tuesday, November 8, 2011, a General Municipal Election for the purpose of electing a Mayor for the full term of four years, two members of the City Council for the full term of four years, and a City Treasurer 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 the polls for the election shall be open at 7:00 a.m. of 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, pursuant to Election Code §10242, except as provided in §14401 of the Elections Code of the State of California.

SECTION 4. 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 5. 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 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

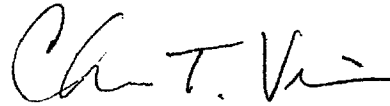
Resolution No. 2011-60
General Municipal Election

PASSED AND ADOPTED by the Ceres City Council at a regular meeting thereof held on the 23rd day of May, 2011, by the following vote:

AYES: Councilmembers Durossette, Lane, Ochoa, Mayor Vierra

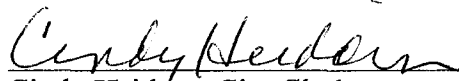
NOES: None

ABSENT: None



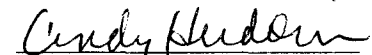
Chris Vierra, Mayor

ATTEST:


Cindy Heidorn, City Clerk

I, CINDY HEIDORN, CMC, CITY CLERK OF THE CITY OF CERES, DO HEREBY CERTIFY THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. 2011-60 PASSED AND ADOPTED AT A REGULAR MEETING OF THE CERES CITY COUNCIL HELD ON May 23, 2011, AS THE SAME APPEARS OF RECORD IN THE OFFICE OF THE CITY CLERK.

DATE: June 13, 2011


CINDY HEIDORN, CMC, CITY CLERK
CITY OF CERES, CA

RESOLUTION NO. 2011- 21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERES, CALIFORNIA, CALLING FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 8, 2011, FOR THE ELECTION OF A CITY COUNCIL MEMBER TO FILL A VACANCY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA

WHEREAS, a vacancy in the office of City Council Member was created by the appointment of Council Member Chris Vierra to Mayor on January 6, 2011; and

WHEREAS, the term of office in which the vacancy occurs ends November 5, 2013.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CERES, 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, there is called and ordered to be held in the City of Ceres, California, on Tuesday, November 8, 2011, a Special Municipal Election for the purpose of the election of a City Council Member for the term of office in which the vacancy was created by the appointment of Mayor Vierra which ends November 5, 2013.

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 polls for the election shall be open at 7:00 a.m. of 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, pursuant to Election Code §10242, except as provided in §14401 of the Elections Code of the State of California.

SECTION 4. 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 5. 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 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Resolution No. 2011- 21
Call Election - Vacancy

PASSED AND ADOPTED by the Ceres City Council at a regular meeting thereof held on the 28th day of February, 2011, by the following vote:

AYES: Councilmembers Durossette, Ochoa, Mayor Vierra


NOES: None

ABSENT: Councilmember Lane



Chris Vierra, Mayor

ATTEST:



Cindy Heidorn, CMC, City Clerk

I, CINDY HEIDORN, CMC, CITY CLERK OF THE CITY OF CERES, DO HEREBY CERTIFY THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. 2011-21 PASSED AND ADOPTED AT A REGULAR MEETING OF THE CERES CITY COUNCIL HELD ON FEBRUARY 28, 2011, AS THE SAME APPEARS OF RECORD IN THE OFFICE OF THE CITY CLERK.

DATE: June 13, 2011


CINDY HEIDORN, CMC, CITY CLERK
CITY OF CERES, CA

RESOLUTION NO. 97- 65

**RESOLUTION REPEALING RESOLUTION NO. 85-93
TO DELETE THE REQUIREMENT OF A SPECIAL
RUNOFF ELECTION IN THE EVENT OF A TIE VOTE.**

THE CITY COUNCIL
City of Ceres, California

WHEREAS, pursuant to Ceres City Council Resolution 85-93, adopted on July 8, 1985, a special runoff election is required in the event of a tie vote for any elected City Office; and,

WHEREAS, Elections Code Section 15651 provides that tie votes will be resolved by lot, unless the local agency elects to resolve such tie votes by conducting a special runoff election; and,

WHEREAS, the City Council has determined that the interest of the citizens of the City would be best served by avoiding the additional expense of a special runoff election and resolving any tie vote by lot.

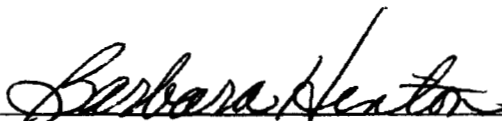
NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Ceres that Resolution 85-93 adopted on July 8, 1985, is hereby repealed.

PASSED AND ADOPTED by the Ceres City Council at a regular meeting thereof held on the 23rd day of June, 1997, by the following vote:

AYES: Bradley, Havener, Ingwerson, Risen and Mayor Hinton

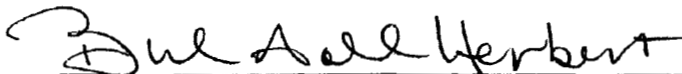
NOES: None

ABSENT: None



BARBARA HINTON, Mayor

ATTEST:



BRENDA SCUDDER HERBERT, City Clerk

SEAL IMPRESSED