

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

DEPT: Clerk of the Board

BOARD AGENDA:5.A.4
AGENDA DATE: June 26, 2018

SUBJECT:

Approval of a Request to Consolidate the Municipal Election for the City of Turlock with the Gubernatorial General Election to be Held on November 6, 2018

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0283

On motion of Supervisor Chiesa Seconded by Supervisor Olsen
and approved by the following vote,

Ayes: Supervisors: Olsen, Chiesa, Monteith, and Vice-Chairman Withrow


Noes: Supervisors: None

Excused or Absent: Supervisors: Chairman DeMartini

Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION:

ATTEST: 
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Clerk of the Board

BOARD AGENDA:5.A.4
AGENDA DATE: June 26, 2018

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval of a Request to Consolidate the Municipal Election for the City of Turlock with the Gubernatorial General Election to be Held on November 6, 2018

STAFF RECOMMENDATION:

1. Approve the consolidation of the Municipal Election for the City of Turlock with the Gubernatorial General Election to be held on November 6, 2018.

CONTACT PERSON:

Elizabeth King, Clerk of the Board

Phone number: 209-525-4494

ATTACHMENT(S):

1. City of Turlock Resolution to Consolidate Election

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF CALLING FOR THE }
HOLDING OF A GENERAL MUNICIPAL }
ELECTION TO BE HELD ON TUESDAY, }
NOVEMBER 6, 2018, FOR THE ELECTION }
OF CERTAIN OFFICERS AS REQUIRED }
BY THE PROVISIONS OF THE LAWS OF }
THE STATE OF CALIFORNIA RELATING }
TO GENERAL LAW CITIES AND THE }
TURLOCK MUNICIPAL CODE }

RESOLUTION NO. 2018-147

WHEREAS, under the provisions of the laws relating to General Law Cities in the State of California and the Turlock Municipal Code, a General Municipal Election shall be held on November 6, 2018, for the election of Municipal Officers.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TURLOCK, 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 Turlock Municipal Code Section 1-7-01, there is called and ordered to be held in the City of Turlock, California, on Tuesday, November 6, 2018, a General Municipal Election for the purpose of electing a Mayor for the full term of four (4) years, one (1) Member, City Council – District 1 for the full term of four (4) years, and one (1) Member, City Council - District 3 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 City Clerk is authorized, instructed and directed to coordinate with the Stanislaus 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 a.m. of the day of the election and shall remain open continuously from that time until eight o'clock 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 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 City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Section 8. The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 12th day of June, 2018, by the following vote:

AYES:	Councilmembers Esquer, DeHart, Bublak, Jacob, and Mayor Soiseth
NOES:	None
NOT PARTICIPATING:	None
ABSENT:	None

ATTEST:

Stacy Linnelli, Deputy
Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

2018 JUN 18 A 10:40

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF REQUESTING THE	}	RESOLUTION NO. 2018-148
BOARD OF SUPERVISORS OF THE	}	
COUNTY OF STANISLAUS TO	}	
CONSOLIDATE A GENERAL MUNICIPAL	}	
ELECTION TO BE HELD ON TUESDAY,	}	
NOVEMBER 6, 2018, WITH THE STATEWIDE	}	
GENERAL ELECTION TO BE HELD ON THE	}	
SAME DATE PURSUANT TO SECTION 10403	}	
OF THE ELECTIONS CODE	}	

WHEREAS, the City Council of the City of Turlock called a General Municipal Election to be held on November 6, 2018, in the City of Turlock, California, for the purpose of the election of a Mayor, one (1) Member, City Council - District 1, and one (1) Member, City Council - District 3; 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 elections be the same, and that the Stanislaus County Registrar of Voters 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, THE CITY COUNCIL OF THE CITY OF TURLOCK, 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 Stanislaus is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 6, 2018, for the purpose of the election of a Mayor for the full term of four (4) years, one (1) Member, City Council - District 1 for the full term of four (4) years, and one (1) Member, City Council -District 3 for the full term of four (4) years, which will conclude upon the Turlock City Council adopting the official canvass of the November 6, 2018, election.

Section 2. That the Stanislaus County Registrar of Voters is authorized to verify signatures for nomination papers submitted by the City Clerk of the City of Turlock; set up and arrange for election precincts, polling places, voting booths, and election officers; publish notice of election officers and polling places; and canvas the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The City acknowledges that the consolidated election will be held and conducted in the manner prescribed in Section 10418 of the California Elections Code.

Section 3. That the Board of Supervisors of the County of Stanislaus is requested to issue instructions to the Stanislaus County Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

Section 4. That the City of Turlock recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

Section 5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors of the County of Stanislaus and the Stanislaus County Registrar of Voters.

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.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 12th day of June, 2018, by the following vote:

AYES:	Councilmembers Esquer, DeHart, Bublak, Jacob, and Mayor Soiseth
NOES:	None
NOT PARTICIPATING:	None
ABSENT:	None

ATTEST:

Stacy Linnelli, Deputy
Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

2018 JUN 18 A 10:40

IN THE MATTER OF ADOPTING REGULATIONS }
FOR CANDIDATES FOR ELECTIVE OFFICE }
PERTAINING TO CANDIDATE STATEMENTS }
SUBMITTED TO THE VOTERS AT A GENERAL }
MUNICIPAL ELECTION TO BE HELD ON }
TUESDAY, NOVEMBER 6, 2018 }

RESOLUTION NO. 2018-149

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 Candidate Statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TURLOCK, CALIFORNIA, DOES 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 Turlock on Tuesday, November 6, 2018, may prepare a Candidate Statement (Candidate's Statement of Qualifications) on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description of no more than 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 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 p.m. of the next working day after the close of the nomination period.

Section 2. FOREIGN LANGUAGE POLICY.

- A. Pursuant to the Federal Voting Rights Act, Candidate Statements will be translated into all languages required by the County of Stanislaus. The County is required to translate candidate statements into the following languages: Spanish.
- B. The County will print and mail sample ballots and Candidate Statements to voters in languages specified in (A) above.

Section 3. PAYMENT.

- A. Translation:
 - 1. The candidate shall be required to pay for the cost of translating the Candidate Statement into any required foreign language as specified in (A) of Section 2 above pursuant to Federal and/or State law.

B. Printing:

1. The candidate shall be required to pay for the cost of printing the Candidate Statement in English in the main voter pamphlet.
2. The candidate shall be required to pay for the cost of printing the Candidate Statement in a foreign language required in (A) of Section 2 above in the main voter pamphlet.

The City Clerk in conjunction with the Stanislaus County Registrar of Voters shall estimate the total cost of printing, handling, translating, and mailing the Candidate 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 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 City Clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid.

Section 4. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot packet.

Section 5. That the City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time nominating petitions are issued.

Section 6. That all previous resolutions establishing Council policy on payment for Candidate Statements are repealed.

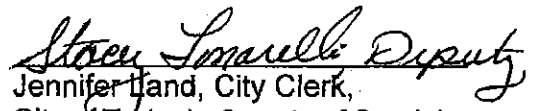
Section 7. That this resolution shall apply only to the election to be held on November 6, 2018, and shall then be repealed.

Section 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 12th day of June, 2018, by the following vote:

AYES:	Councilmembers Esquer, DeHart, Bublak, Jacob, and Mayor Soiseth
NOES:	None
NOT PARTICIPATING:	None
ABSENT:	None

ATTEST:


Jennifer Hand, City Clerk,
City of Turlock, County of Stanislaus,
State of California

2018 JUN 18 A 10:40

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF SETTING THE DEPOSIT } FEE WHICH WILL BE REQUIRED OF } CANDIDATES WHO ELECT TO HAVE A } CANDIDATE STATEMENT PRINTED IN } THE BALLOT PAMPHLET FOR THE } GENERAL MUNICIPAL ELECTION TO BE } HELD ON TUESDAY, NOVEMBER 6, 2018 }	RESOLUTION NO. 2018-150
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WHEREAS, the City of Turlock will hold a General Municipal Election on November 6, 2018, for purposes of electing a Mayor, one (1) Member, City Council - District 1, and one (1) Member, City Council - District 3; and

WHEREAS, California Elections Code Section 13307(c) authorizes local agencies to estimate the total cost of printing, handling, translating, and mailing the Candidate Statements filed pursuant to Section 13307(a), including costs incurred as a result of complying with the federal Voting Rights Act of 1965, as amended; and

WHEREAS, the local agency may 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; and

WHEREAS, in the event the estimated payment is required, the receipt for the payment shall include a written notice that 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; and

WHEREAS, the 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; and

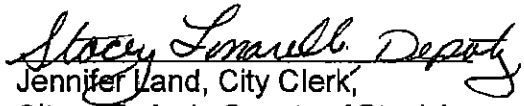
WHEREAS, the Stanislaus County Registrar of Voters has recommended that a \$1,250 deposit be collected for Mayoral candidates and a \$1,000 deposit be collected for City Council candidates who elect to have a Candidate Statement printed in the ballot pamphlet for the General Municipal Election to be held on November 6, 2018. These estimates are based on the number of registered voters in district.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby set the deposit for a Candidate Statement at \$1,250 for Mayoral candidates and \$1,000 for City Council candidates and authorizes the City Clerk to collect the fee in accordance with Section 13307 of California Elections Code.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 12th day of June, 2018, by the following vote:

AYES:	Councilmembers Esquer, DeHart, Bublak, Jacob, and Mayor Soiseth
NOES:	None
NOT PARTICIPATING:	None
ABSENT:	None

ATTEST:


Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California