

1 BEFORE THE BOARD OF SUPERVISORS

2 OF THE COUNTY OF FRESNO

3 STATE OF CALIFORNIA

4 ORDINANCE NUMBER _____

5 AN ORDINANCE CALLING A SPECIAL ELECTION TO BE HELD ON MARCH 5, 2024
6 IN THE COUNTY OF FRESNO FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS A
7 MEASURE TO AMEND SECTION 12 OF THE CHARTER OF THE COUNTY OF FRESNO
8 AND ORDERING CONSOLIDATION OF THE SPECIAL ELECTION WITH THE STATEWIDE
9 PRIMARY ELECTION TO BE HELD ON THE SAME DAY.

10 The Board of Supervisors of the County of Fresno ordains as follows:

11 **Section 1.** A special election is hereby called, ordered, and proclaimed to be held in the County
12 of Fresno ("County") on Tuesday, March 5, 2024, for the purpose of submitting to the voters of
13 the County a measure to amend Section 12 of the County Charter.

14 **Section 2.** The exact form of the measure as it will appear on the ballot is as follows:

15 Shall the measure to add new subdivision (f) to section 12 of the Fresno County Charter
16 to provide the Fresno County Board of Supervisors the duty and power to name or change
17 the name of geographic features or place names within the unincorporated portions of the
County of Fresno be adopted?

18 **YES** ____ **NO** ____

19 The complete text of the measure is set forth in Resolution No. 23-313, adopted by the
20 Board of Supervisors on September 19, 2023, a copy of which is attached hereto in Attachment
21 A.

22 **Section 3.** In the event that the amendment to the County Charter contained in this measure is
23 rendered inoperative because of actions of any court, legislative or other body, or for any other
24 reason, the provisions of the County Charter in effect on Tuesday, March 5, 2024 will remain in
25 full force and effect.

1 **Section 4.** If any sentence, clause, phrase, or word of the County Charter amendment
2 measure is for any reason held to be invalid or unenforceable, such invalidity or unenforceability
3 will not affect the validity or enforceability of the remaining sentences, clauses, phrases, or
4 words of Section 12 of the County Charter. The voters of the County declare that they would
5 have independently adopted each sentence, clause, phrase, or word of this measure
6 irrespective of the fact that any one or more other sentences, clauses, phrases, or words of
7 Section 12 of the County Charter is declared invalid or unenforceable.

8 **Section 5.** Pursuant to Part 3 (commencing at Section 10400) of Division 10 of the California
9 Elections Code, the Board of Supervisors resolves and orders the special election for the
10 County Charter amendment measure to be consolidated with the Statewide Primary Election to
11 be held on Tuesday, March 5, 2024. The measure will be placed on the same ballot as provided
12 for in the Statewide Primary Election. The precincts, polling places or vote centers, and precinct
13 board members will be the same as provided for in the Statewide Primary Election. The special
14 election will be held in the manner specified in California Elections Code Section 10418 as an
15 election consolidated with a statewide election.

16 **Section 6.** Pursuant to California Elections Code Section 12001, the Board of Supervisors
17 hereby proclaims that a special countywide election will be held on Tuesday, March 5, 2024, to
18 vote on the proposed County Charter amendment measure.

19 **Section 7.** Pursuant to California Elections Code Section 9141 and California Government
20 Code Section 25123, this ordinance shall take effect immediately.

21 **Section 8.** The ordinance is adopted pursuant to California Government Code Sections 23720,
22 23730, and 23731 and California Elections Code Sections 9141, 10402, 10403, and 12001.

23 **Section 9.** The ordinance must be published once, with the names of the members voting for
24 and against the ordinance, before the expiration of fifteen (15) days after its passage in a daily
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1 newspaper of general circulation, printed, published, and circulated in the County pursuant to
2 California Government Code Section 25124.

3 The Clerk of the Board of Supervisors is ordered to file a copy of this ordinance with the
4 County Clerk/Registrar of Voters at least 88 days prior to the day of the election.

5 THE FOREGOING, was passed and adopted by the following vote of the Board of
6 Supervisors of the County of Fresno this ___ day of _____, 2023, to wit:

7 AYES:

8 NOES:

9 ABSENT:

10 ABSTAINED:

11
12 _____
13 SAL QUINTERO, CHAIRMAN of the
Board of Supervisors of the County of Fresno

14 **ATTEST:**
15 Bernice E. Seidel
16 Clerk of the Board of Supervisors
County of Fresno, State of California

17 By: _____
18 Deputy

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20 FILE # _____

21 AGENDA # _____

22 ORDINANCE # _____
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BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

IN THE MATTER OF CALLING A
SPECIAL ELECTION TO BE
CONSOLIDATED WITH THE
STATEWIDE PRIMARY ELECTION TO
BE HELD ON MARCH 5, 2024, FOR
THE PURPOSE OF SUBMITTING TO
THE ELECTORS OF FRESNO COUNTY
A MEASURE TO AMEND FRESNO
COUNTY CHARTER SECTION 12

RESOLUTION

WHEREAS, California Government Code Sections 23720(a) and 23722 permit a county board of supervisors to propose amendment to the county charter and to submit the amendment to the eligible registered voters of the county at a special election held on the next established election date not less than eight-eight (88) days after submission of the proposal; and

WHEREAS, The California Constitution, Article XI, Section 4, grants to charter counties such as the County of Fresno the authority to provide in their charters for “The powers and duties of governing bodies and all other county officers...” (Cal. Const. Art. XI, § 4(e)); and

WHEREAS, The California Legislature passed AB 2022, effective January 1, 2023, adding Chapter 17 to Division 1 of Title 2 of the California Government Code establishing a process for renaming certain geographic features and place names within the State of California; and

WHEREAS, The provisions of AB 2022 and the procedures established thereunder, disregard historical factors and local control involved in the naming of geographic features and place names and further establishes arbitrary processes

1 whereby local historically named geographic features and places may be summarily
2 renamed; and

3 **WHEREAS**, The Fresno County Board of Supervisors proposes to amend
4 Charter Section 12 by adding a new subsection (f) to the section providing that it is the
5 duty and power of the Board of Supervisors to name or rename geographic features or
6 places within the unincorporated territory of the County of Fresno, and

7 **WHEREAS**, a Statewide Primary Election will be held on March 5, 2024; and

8 **WHEREAS**, pursuant to California Elections Code Sections 10400 *et seq.*, the
9 Fresno County Board of Supervisors seeks consolidation of the countywide special
10 election on the charter amendment measure with the March 5, 2024 Statewide
11 Primary Election; and

12 **WHEREAS**, under California Elections Code Sections 10400 *et seq.*, the
13 Fresno County Board of Supervisors has the power and authority to order the
14 consolidation of local elections with the Statewide Primary Election.

15 **NOW THEREFORE, BE IT RESOLVED AND ORDERED:**

- 16 1. The Board of Supervisors hereby calls, orders, and proclaims a special
17 election to be held in the County of Fresno on March 5, 2024 for the purpose
18 of submitting to the voters of the County the charter amendment measure
19 pursuant to California Elections Code Sections 10403 and 12001.
- 20 2. Pursuant to California Elections Code Section 10400 *et seq.*, the Board of
21 Supervisors hereby directs and approves the special election for the charter
22 amendment measure to be placed on the ballot for the March 5, 2024
23 Statewide Primary Election and be consolidated with that election.
- 24 3. The Board of Supervisors acknowledges that the consolidated election will
25 be held and conducted in the manner prescribed in California Elections
26 Code Section 10418.
- 27 4. The Fresno County Clerk/Registrar of Voters is designated as the elections
28 official for the election, and the Fresno County Clerk/Registrar of Voters is

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hereby authorized and directed to provide all notices and take any and all other actions necessary to holding the election, including but not limited to providing notices of times within which arguments for and against are submitted.

5. The ballot question hereby approved for said election shall be as follows:

Shall the measure to add new subdivision (f) to section 12 of the Fresno County Charter to provide the Fresno County Board of Supervisors the duty and power to name or change the name of geographic features or place names within the unincorporated portions of the County of Fresno be adopted?

YES ____ NO ____

6. The Fresno County Clerk/Registrar of Voters is hereby authorized and directed to cause the complete text of the proposed charter amendment to be printed as indicated in the attached Exhibit A in the County of Fresno Voter Information Guide, and a copy of the proposed amendment shall be made available to a voter upon request.

7. The charter amendment measure shall be designated on the ballot by a letter, as provided in California Elections Code Section 13116.

8. Arguments in favor of or in opposition to the charter amendment measure and rebuttal arguments shall be permitted and shall be filed with the Fresno County Clerk/Registrar of Voters in accordance with applicable provisions of the California Elections Code, including Sections 9161 through 9167 thereof. As provided in California Elections Code Section 9162, the Board of Supervisors or any member or members of the Board of Supervisors are hereby authorized to act as an author of any ballot argument prepared in connection with the charter amendment measure election.

9. The Fresno County Clerk/Registrar of Voters shall fix the dates for submittal of arguments and rebuttals as provided for in the California Elections Code. The Board of Supervisors requests that the Fresno County Clerk/Registrar

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of Voters fix the dates for submittal of arguments and rebuttals after October 10, 2023.

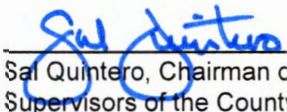
THE FOREGOING, was passed and adopted by the following vote of the Board of Supervisors of the County of Fresno this 19th day of September, 2023, to wit:

Ayes: Supervisors Brandau, Magsig, Mendes

Noes: Supervisors Pacheco, Quintero

Abstain: None

Absent: None



Sal Quintero, Chairman of the Board of Supervisors of the County of Fresno

ATTEST:

BERNICE E. SEIDEL, Clerk of the Board of Supervisors County of Fresno, State of California

By: 

Deputy

EXHIBIT A

Shall County of Fresno Charter Section 12 be amended by adding a new subsection (f) to read:

“SECTION 12. It shall be the duty of the Board of Supervisors:

(a) To appoint or provide for the appointment of all county officers, assistants, deputies, clerks, attaches, and employees whose appointment or election is not otherwise provided by this Charter.

(b) To provide, by ordinance, or resolution for the compensation of elective and appointive officers, assistants, deputies, clerks, attaches, and employees unless such compensation is otherwise fixed by this Charter.

In all cases in which an officer is to receive a fixed salary, whether such salary be fixed by this Charter or by the Board of Supervisors, such salary shall be in full compensation for all services by such officer, except in the case of constables as hereinafter provided; and in all cases in which such officer is, by general law, entitled to charge and receive fees or commissions it shall be the duty of such officer to charge, collect and receive such fees or commissions and pay the same monthly to the county treasurer. The compensation of elective officers shall be fixed at least sixty days prior to the primary election at which such officer is a candidate. The compensation of elective officers shall not be increased or diminished after the election of such officer or during his term of office. The Board of Supervisors may allow such additional deputies or assistants as may be necessary and proper, to elective and appointive officers during their term of office, and the Board of Supervisors, may also increase or decrease the compensation of deputies or assistants during the term of office.

(c) To provide by ordinance or resolution for the number of assistants, deputies, clerks, attaches, and other persons to be employed from time to time in the several offices and institutions of the County. (Amended November 2, 1954).

(d) To require any county or judicial district officer or employee to give bond for the faithful performance of the duties of his office or employment in such penal sum as may be fixed by the laws of the State or California or the Board of Supervisors. The premium for such bond shall be paid by the County.

(e) To let all contracts for public work in accordance with the laws of the State of California.

(f) ~~[Repealed November 2, 1954.]~~ **To establish or change geographic feature or place names within the unincorporated portions of the County of Fresno. For purposes of this subsection, “geographic feature” means any location or publicly owned structure in the unincorporated county, including, but not limited to, navigable waters, geographic features, parks, local roads, bridges, and publicly owned buildings. “Place” means any natural geographic feature or street, alley, or other road within the County of Fresno. This power does not apply to privately owned geographic features, places or land, nor to geographic features, places or land that are subject to the jurisdiction of federal, state or other local governments.**

(g) [Repealed November 2, 1954.]

(h) To provide in the purchase of property by the County, that price and quality being equal preference shall be given to Fresno County products or vendors.”