



RESOLUTION NO. 2017-317

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, REQUESTING COUNTY CLERK
TO RENDER SERVICES RELATING TO CONDUCT OF
GENERAL AND SPECIAL MUNICIPAL ELECTIONS

WHEREAS, the charter of the County of Fresno provides that county officers shall assume and discharge municipal functions of cities within the county whenever requested to do so by such cities, upon such terms as may be agreed upon between the County of Fresno and the City requesting the performance of such functions; and

WHEREAS, the charter of the City of Fresno and section 2-1001 of the Municipal Code of the City of Fresno authorizes this Council to request the County Clerk of said county to assume and discharge functions relating to the conduct of municipal elections.

NOW, THEREFORE, BE IT IS RESOLVED by the Council of the City of Fresno as follows:

I.

The County Clerk of Fresno County is requested to assume and discharge all of the functions of the City Clerk, to the extent those election functions are or may be hereafter delineated by the provisions of the Elections Code of California for the holding of elections in cities relating to the conduct of the following municipal elections of the City of Fresno:

- (a) All general, including primary, municipal elections to be consolidated with statewide elections,



(b) All special municipal elections, except special annexation elections, upon written notification from the Council of the City of Fresno to the County Clerk and the Board of Supervisors thereof, and such Board in turn, has authorized the County Clerk to discharge such functions as stated herein.

II.

In the conduct of the elections mentioned in Paragraph I hereof, the County Clerk is further requested and delegated the authority to:

Perform any and all reasonably necessary work to carry out the duties defined in the Elections Code, as related to each election type listed in paragraph I. herein.

III.

In the conduct of elections mentioned in Paragraph I hereof, the County Clerk is further requested and delegated the authority to canvass the returns of municipal elections in accordance with the Elections Code. Following Certification of the election, the County Clerk shall deliver to the City Clerk, in accordance with the law, a Statement of the Votes showing the votes cast for city candidates and city measures, the total votes cast for each candidate for a municipal office and for or against each city measure submitted in each election, and the number of votes cast at each precinct for each candidate for a municipal office and for and against each measure. Such Statement of the Votes cast shall be presented to the City Clerk within the time specified in the Elections Code.



IV.

The City Controller is authorized and directed to pay the County of Fresno the costs incurred by the County, including the cost to the County of the use of its voting equipment, for all municipal elections conducted by the County Clerk pursuant to this resolution, said payment to be made upon presentation of a properly-itemized bill from the County.

V.

The City Controller is authorized and directed to pay to the County the City's Pro-rata share of the total expense of the election costs incurred by the County in conducting any municipal election specified herein.

In the case of any consolidated election, the City's "Pro-rata share" shall mean the amount representing the City's share of the total election costs for conducting a municipal election consolidated with any election.

In the case of any special election, the City's "Pro-rata share" shall mean the total cost of the election.

Said payment to the County of Fresno shall be made within forty-five days of receipt by the City Clerk of a properly-itemized bill from the County.

VI.

The request herein made to conduct municipal elections may be withdrawn at any time by further resolution of the Council to be transmitted to the County Clerk not less than 180 days prior to any general or special municipal election.



VII.

The Board of Supervisors of Fresno County is requested to give its consent to the County Clerk's use of county funds and equipment as specified herein, and to agree to the terms herein set forth for the County Clerk's use of county funds to perform the functions of the City Clerk in the conduct of municipal elections of the City of Fresno.

VIII.

The provisions of this resolution relating to the conduct of municipal elections shall become effective upon the adoption by said Board of Supervisors of a resolution or order giving the consent requested in Paragraph VII and shall terminate 10 years from the date of said action by the Board of Supervisors. Upon the adoption of such resolution or order giving consent, Resolution No. 7585, entitled Resolution Requesting County Clerk to Render Services Related to Conduct of General and Special Municipal Elections, adopted by the Council on March 14, 1963, and amended by Resolution No. 8407, adopted by the Council on March 4, 1965, shall be deemed revoked in their entirety.

IX.

The City Clerk is directed to transmit duly certified copies of this resolution to the Fresno County Clerk and to the Board of Supervisors of the County of Fresno and to the Controller of the City of Fresno.



STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 14th day of December, 2017.

AYES : Baines, Brandau, Bredefeld, Caprioglio, Chavez, Soria, Olivier
NOES : None
ABSENT : None
ABSTAIN : None

Mayor Approval: December 18th, 2017
Mayor Approval/No Return: N/A, 2017
Mayor Veto: N/A, 2017
Council Override Vote: N/A, 2017

YVONNE SPENCE, CMC
City Clerk

By _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By _____
Tracy N. Parvanian
Deputy City Attorney

TNP:cm [76499cm/tnp]



December 8, 2017

Council Adoption: 12/7/2017
Mayor Approval:
Mayor Veto:
Override Request:

TO: MAYOR LEE BRAND

FROM: BRIANA PARRA
Assistant City Clerk

REC'D DEC 18 '17 PM 2:47
FRESNO CITY CLERK

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 12/7/2017, Council adopted the attached Resolution No. 2017-317 entitled **RESOLUTION-Requesting County Clerk to Render Services Relating to Conduct of General and Special Municipal Elections, ID#17-1557** by the following vote:

Ayes : Baines, Brandau, Bredefeld, Caprioglio, Chavez, Olivier and Soria
Noes : None
Absent : None
Abstain : None

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before December 18, 2017. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10th day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

Thank you.

APPROVED/NO RETURN: _____

VETOED for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)

Lee Brand, Mayor

Date: 12-18-17

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes :
Noes :
Absent :
Abstain :