



FILED
DEC 18 2024
By *[Signature]* FRESNO COUNTY CLERK
DEPUTY

City Hall • 2600 Fresno Street, Room 2133 • Fresno, California 93721 • (559) 621-7650 • FAX (559) 457-1106



RESOLUTION NO. 2024-299

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DECLARING A VACANCY IN THE OFFICE OF COUNCILMEMBER FOR DISTRICT FIVE; CALLING A SPECIAL ELECTION ON MARCH 18, 2025, TO FILL THE VACANCY; AND CALLING FOR A POTENTIAL RUN-OFF ELECTION

WHEREAS, Councilmember Luis Chavez has served in the office of Councilmember for District Five; and

WHEREAS, Councilmember Chavez's term of office was set to expire on the first Tuesday after the first Monday in January of 2027; and

WHEREAS, Councilmember Chavez has been elected to the Fresno County Board of Supervisors and will take office January 7, 2025; and

WHEREAS, Councilmember Chavez has submitted his resignation to the City Clerk effective January 7, 2025 (attached as Exhibit "A"); and

WHEREAS, Section 305 of the Fresno City Charter requires the vacancy to be filled by special election.

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

1. Receipt of Councilmember Luis Chavez's letter of resignation by the City Clerk, effective January 7, 2025, is hereby acknowledged.
2. A vacancy is declared in the office of Councilmember for District Five effective January 7, 2025.



3. The Council hereby calls a special election to fill the vacancy for the remaining term in the office of Councilmember for District Five on March 18, 2025, or as soon as can be held thereafter. The City requests the County of Fresno perform necessary tasks to complete the special election. The City intends to pay the County for the election services it performs.

4. If no candidate receives a majority of the votes cast in the special election, the Council requests a second special election to be held at the soonest possible date in compliance with the Charter.

5. Pursuant to the process set forth in Charter Sections 2-1104 through 2-1106, candidates may submit a filing fee waiver petition. The City requests the County Clerk provide the fee waiver petition set forth in Charter 2-1104 and tabulate valid signatures at the rate of the filing fee for Councilmembers (\$300) divided by the number of signatures required for a fee waiver (250), or \$1.20 each valid signature.

6. Pursuant to Fresno Municipal Code section 2-1005, the requirement to file in-lieu-filing-fee petitions fifteen days prior to the close of nomination period shall be reduced to three days prior to the close of nomination period for this special election only.

7. This resolution shall take effect upon its adoption.

* * * * *



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

I, TODD STERMER, 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 12th day of December, 2024.

AYES : Perea, Karbassi, Arias, Maxwell Chavez, Bredefeld, Esparza
NOES : None
ABSENT : None
ABSTAIN : None

Mayor Approval: December 12, 2024
Mayor Approval/No Return: N/A, 2024
Mayor Veto: N/A, 2024
Council Override Vote: N/A, 2024

TODD STERMER, CMC
City Clerk

By: [Signature] 12-12-2024

Deputy

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: Amanda B. Freeman 12/12/2024
Senior Deputy City Attorney



EXHIBIT A

RESIGNATION LETTER

Certified Copy 
City Clerk's Office
Date 12-18-2024



LUIS CHAVEZ
Councilmember, District Five

December 3, 2024

Todd Stermer, City Clerk
2600 Fresno Street, Room 2133
Fresno, California 93721

Re: Resignation from Fresno City Council District 5

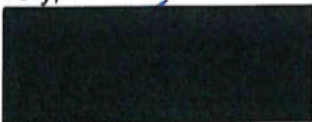
Dear Mr. Stermer,

I have been elected to the Fresno County Board of Supervisors. I understand that my term will begin on January 7, 2025.

My election to the Board of Supervisors will create an approximate two-year vacancy. Accordingly, please accept this letter as my official resignation as Fresno City Councilmember of District 5, effective January 7, 2025, when I begin my term as a Supervisor. Between now and January 7, I intend to fully discharge my duties as Councilmember under the Fresno City Charter. The purpose of this letter is to allow the City Council to begin the process of filling this imminent vacancy expeditiously. My constituents in District 5 deserve representation sooner rather than later.

It has been a pleasure serving the constituents in District 5 and the City of Fresno at-large. I will continue to do my best to uphold my values and fight for those same constituents when I begin my term at the Fresno County Board of Supervisors.

Sincerely,


LUIS CHAVEZ
Fresno City Councilmember
District 5

Cc: City Councilmembers
Mayor

City of Fresno
City Hall • 2600 Fresno Street • Fresno, California 93721-3600
(559) 621-8000 • www.fresno.gov

Certified Copy_____
City Clerk's Office

Date 12-18-2024



December 12, 2024

Council Adoption: 12/12/2024

Mayor Approval:

Mayor Veto:

Override Request:

TO: MAYOR JERRY DYER

FROM: TODD STERMER, CMC

City Clerk

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the City Council meeting of December 12, 2024, Council adopted the attached Resolution No. 2024-299 *****RESOLUTION - Declaring a Vacancy in the Office of Councilmember for District 5; Calling a Special Election to be Held on March 18, 2025, to Fill the Vacancy; and Calling for a Potential Run-Off Election (Subject to Mayor's veto)**, Item 2-D, File ID 24-1665, by the following vote:

Ayes : Perea, Karbassi, Arias, Maxwell, Chavez, Bredefeld, Esparza
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 23, 2024. 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.

The following corrections was read into the record: the second "whereas" statement in the resolution incorrectly states the current D5 term of office expires, "...on the first Tuesday after the first Monday in January of 2025" The year 2025 is inaccurate and will be updated to "2027."

The following sentence will be added to the resolution immediately following numbered paragraph 5: "Pursuant to Fresno Municipal Code section 2-1005, the requirement to file in-lieu-filing-fee petitions fifteen days prior to the close of nomination period shall be reduced to three days prior to the close of nomination period for this special election only."

APPROVED /NO RETURN: _____

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



Date: 12/12/24

Jerry Dyer, Mayor

COUNCIL OVERRIDE ACTION:

Ayes :
Noes :
Absent :
Abstain :

Date: _____

RECEIVED

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CITY OF FRESNO
CITY CLERK'S OFFICE