



# Board Agenda Item 33

DATE: May 7, 2019

TO: Board of Supervisors

SUBMITTED BY: Brandi L. Orth, County Clerk/Registrar of Voters

SUBJECT: Special Election to Fill a Vacancy in Fresno City Council, District 2

RECOMMENDED ACTION(S):

1. **Adopt a Resolution approving the County Clerk/Registrar of Voters to conduct a Special Municipal Election on August 13, 2019 for the City of Fresno to fill a Council member vacancy on the Fresno City Council, District 2; and**
2. **Adopt a Resolution approving the County Clerk/Registrar of Voters to conduct a runoff election on November 5, 2019 in the event that no candidate receives a majority (50% + 1) of all the votes cast in the August 13, 2019 City of Fresno special election between the two candidates receiving the highest number of votes cast in the August 13, 2019 special election.**

Approval of the first recommended action will allow the County Clerk/Registrar of Voters to conduct a City of Fresno Special Municipal Election to be held on August 13, 2019 to fill the vacancy for Fresno City Council, District 2. The current vacancy is due to the resignation of a Council member effective April 5, 2019.

Approval of the second recommended action will allow the County Clerk/Registrar of Voters to conduct a runoff election on November 5, 2019 between the two candidates receiving the highest number of votes cast in the August 13, 2019 special election in the event that no candidate receives a majority (50% + 1) of all the votes cast in the August 13, 2019 special election. This item pertains to Supervisors Districts 1 and 2.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved, it would be the responsibility of the City of Fresno to conduct their election(s) and it is recommended the Board rescind its February 6, 2018 approval of the City of Fresno Resolution No. 2017-317.

Under Agenda Item #21 on February 6, 2018, the Board of Supervisors approved the City of Fresno's request in its submitted executed Resolution No. 2017-317 for the Fresno County Clerk/Registrar of Voters to conduct the City's general and special municipal elections. The County Clerk/Registrar of Voters has provided those services and the City, upon receipt of an invoice, has reimbursed the County for past elections costs.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The City of Fresno has agreed, by Resolution No. 2017-317, to reimburse the County for all costs related to the conduct of all elections. The estimated cost range for the City of Fresno is \$140,000 to \$145,000 for the Special Municipal Election.

DISCUSSION:

On April 5, 2019, the City of Fresno approved Resolution No. 2019-061 calling a Special Municipal Election to fill the vacancy for Fresno City Council, District 2. Approval of the first recommended action will authorize the County Clerk/Registrar of Voters to conduct the special election on August 13, 2019. Approval of the second recommended action will authorize the County Clerk/Registrar of Voters to conduct a runoff election on November 5, 2019 in the event that no candidate receives a majority (50% + 1) of all the votes cast in the August 13, 2019 special election as requested in Resolution 2019-061 from the City of Fresno.

On February 6, 2018, the Board approved the City of Fresno's request in Resolution 2017-317 for the Fresno County Clerk/Registrar of Voters to conduct and provide any and all necessary services for the City's general and special elections. Additionally, in Resolution No. 2017-317, the City of Fresno consents to reimburse the County for costs incurred by the Registrar of Voters for said services. In the City of Fresno's Resolution No. 2019-061, the City has now called and requested a special municipal election for August 13, 2019 and a run-off election on November 5, 2019 (if needed).

In accordance with Elections Code §10002, the aforementioned called and requested elections are subject to the approval of the Board of Supervisors.

REFERENCE MATERIAL:

BAI #21, February 6, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolution (Special Election)  
On file with Clerk - Resolution (Runoff Election)  
On file with Clerk - City of Fresno Resolution 2019-061  
On file with Clerk - City of Fresno Resolution 2017-317

CAO ANALYST:

Yussel Zalapa