

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

DEPT: Board of Supervisors

BOARD AGENDA # *A-4

Urgent

Routine

AGENDA DATE November 20, 2007

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval to Consolidate the Advisory Measure Relating to the Amendment of the City of Modesto Charter Election with the Presidential Primary Election on February 5, 2008

STAFF RECOMMENDATIONS:

Consolidate the Advisory Measure Relating to the Amendment of the City of Modesto Charter Election with the Presidential Primary Election on February 5, 2008.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2007-897

On motion of Supervisor Mayfield, Seconded by Supervisor Grover

and approved by the following vote,

Ayes: Supervisors: Mayfield, Grover, Monteith, DeMartini, and Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

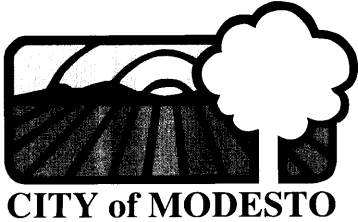
MOTION:

CLARIFICATION: THIS IS NOT AN ADVISORY MEASURE. IT IS A MEASURE RELATING TO THE AMENDMENT OF THE CITY OF MODESTO CHARTER ELECTION WITH THE PRESIDENTIAL PRIMARY ELECTION ON FEBRUARY 5, 2008.



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.



BOARD OF SUPERVISORS

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*Office of the
City Clerk*

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Modesto, CA 95353
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*Hearing and Speech
Impaired Only
TDD 209/526-9211*

October 31, 2007

Christine Ferraro-Tallman, Clerk of the Board
Stanislaus County Board of Supervisors
1010 Tenth Street – 6th Floor
Modesto, CA 95354

Dear Christine:

Enclosed is a copy of Resolution 2007-601 calling for a special election to be consolidated with the Presidential Primary on February 5, 2008, for the purpose of submitting to the voters an advisory measure relating to the amendment of the City of Modesto Charter referred to as "Accountability in City Hall Measure of 2008."

If you have any questions, please let me know. Thank you for your assistance in transmitting this resolution to the Board of Supervisors.

Sincerely,

Jean Morris
City Clerk/Auditor

JM:sl
Enclosures

**MODESTO CITY COUNCIL
RESOLUTION NO. 2007-601**

A RESOLUTION CALLING FOR A SPECIAL MUNICIPAL ELECTION TO BE HELD ON FEBRUARY 5, 2008, AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS TO CONSOLIDATE THE PRESIDENTIAL PRIMARY ELECTION WITH THE SPECIAL MUNICIPAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Pursuant to Article 11, Section 3 of the California Constitution, Section 9255(a)(2) of the California Elections Code, and California Government Code Section 34458, the Council of the City of Modesto proposes to and does hereby, on its own motion, submit to the qualified electors of the City of Modesto, at a special municipal election to be held on February 5, 2008, a proposal to amend Sections 601, 703, 800, 801, 900, 903, 1201, 1303 and 1304 of the Modesto City Charter and to add Sections 725, 902.1, 1302.1 and 1302.2 and to revoke Section 1302 as approved by Council on October 9, 2007.

SECTION 2. That it hereby orders the City Clerk to submit the charter amendments to the voters at a special municipal election on February 5, 2008.

SECTION 3. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of Stanislaus County is hereby requested to consent and agree to the consolidation of a special municipal election with the Presidential Primary Election on Tuesday, February 5, 2008.

SECTION 4. That the County Election Department is authorized to canvass the returns of the special 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. That the Board of Supervisors is requested to issue instructions to the County Election

Department to take any and all steps necessary for the holding of the consolidated election.

SECTION 5. That the City of Modesto recognizes that an additional cost will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any such cost.

SECTION 6. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Election Department of the County of Stanislaus.

SECTION 7. That, if approved, the proposed charter amendments would take effect on the date set forth in Section 34459 of the California Government Code.

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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 2007, by Councilmember Dunbar, who moved its adoption, which motion being duly seconded by Councilmember Hawn, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunbar, Hawn, Keating, Marsh, O'Bryant, Olsen, Mayor Ridenour

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Jean Morris
JEAN MORRIS, City Clerk

(SEAL)

THIS IS TO CERTIFY THAT THIS IS A TRUE COPY OF THE DOCUMENT ON FILE WITH THIS OFFICE.

DATE 10/26/07

APPROVED AS TO FORM:

By Susana Alcala Wood
SUSANA ALCALA WOOD, City Attorney

Jean Morris
SIGNATURE
CITY CLERK
CITY OF MODESTO, CA