

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

DEPT: Board of Supervisors

BOARD AGENDA # *A-3

Urgent Routine

AGENDA DATE June 30, 2009

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Consolidate the City of Ceres General Municipal Election with the Consolidated District Election to be Held on Tuesday, November 3, 2009

STAFF RECOMMENDATIONS:

Approve the consolidation of the City of Ceres General Municipal Election with the Consolidated District Election to be held on Tuesday, November 3, 2009.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2009-413

On motion of Supervisor O'Brien, Seconded by Supervisor Grover

and approved by the following vote,

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

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:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.



BOARD OF SUPERVISORS

2009 JUN 12 A 10:57

OFFICE OF THE CITY CLERK

CITY OF CERES
2720 SECOND STREET
CERES, CA 95307-3292
(209)538-5731
FAX: (209) 538-5650
cheidorn@ci.ceres.ca.us

CITY COUNCIL

Anthony Cannella, Mayor
Ken Lane
Chris Vierra
Guillermo Ochoa
Bret Durossette

June 9, 2009

Christine Ferraro Tallman
Clerk of the Board
Stanislaus County Board of Supervisors
1010 10th Street
Suite 6700
Modesto, CA 95354

Re: Consolidated General Municipal Election - November 3, 2009

Dear Ms. Tallman:

This letter is to advise your office the City of Ceres will participate in the November 3, 2009, election as part of its regular municipal election schedule. The voters of the City of Ceres will consider the following:

Two Members of the City Council - full term of four (4) years
Incumbent: Chris Vierra
Incumbent: Ken Lane

Each candidate, if submitting a Candidate's Statement, will be required to pay the cost of the printing in English and Spanish translation.

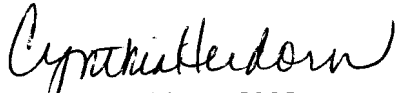
I have enclosed a certified copy of Ceres Resolution No. 2009-50, calling a General Municipal Election for Tuesday, November 3, 2009. Also, I have enclosed for your information a copy of Resolution No. 97-65 which records our procedure should a tie vote occur.

Ms. Ferraro Tallman
Clerk of the Board of Supervisors
June 9, 2009

The City of Ceres will be responsible to publish the Notice of Election and Notice of Nominees for Public Office, issue nomination papers, and act as the filing officer for all campaign statements as required by the Fair Political Practices Commission. The City of Ceres respectfully requests the Stanislaus County Elections Division to furnish all other services, facilities, supplies and equipment. The City of Ceres will reimburse the County of Stanislaus for all actual costs for services performed relating to the conduct of the municipal election, except payment for Candidate's Statements which will be paid by the candidates themselves via the City.

If you need additional information, please contact the City Clerk's office at your convenience.

Sincerely yours,



Cynthia Heidorn, CMC
City Clerk

Enclosures

Cc: Stanislaus County Office of the County Clerk-Recorder
Registrar of Voters

RESOLUTION NO. 2009- 50

**A RESOLUTION CALLING AND GIVING NOTICE OF THE HOLDING OF A
GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY,
NOVEMBER 3, 2009, FOR THE ELECTION OF CERTAIN OFFICERS AS
REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF
CALIFORNIA RELATING TO GENERAL LAW CITIES**

**CITY COUNCIL
City of Ceres, California**

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 3, 2009, for the election of municipal officers.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CERES,
CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS
FOLLOWS:**

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Ceres, California, on Tuesday, November 3, 2009, a General Municipal Election for the purpose of electing two members of the City Council for the full term of four years.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in §14401 of the Elections Code of the State of California.

SECTION 4. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 5. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the Ceres City Council at a regular meeting thereof held on the 8th day of June, 2009, by the following vote:

AYES: Councilmembers Durossette, Lane, Vierra, Mayor Cannella

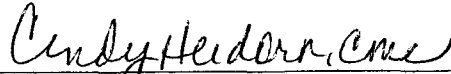
NOES: none

ABSENT: Councilmember Ochoa



Anthony Cannella, Mayor

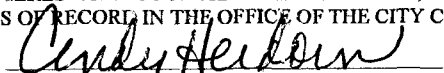
ATTEST:



Cindy Heidorn, CMC, City Clerk

I, CINDY HEIDORN, CMC, CITY CLERK OF THE CITY OF CERES, DO HEREBY CERTIFY THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. 2009-50 PASSED AND ADOPTED AT A REGULAR MEETING OF THE CERES CITY COUNCIL HELD ON JUNE 8, 2009, AS THE SAME APPEARS OF RECORD IN THE OFFICE OF THE CITY CLERK.

DATE: June 9, 2009


CINDY HEIDORN, CMC, CITY CLERK
CITY OF CERES, CA

RESOLUTION NO. 97- 65

RESOLUTION REPEALING RESOLUTION NO. 85-93
TO DELETE THE REQUIREMENT OF A SPECIAL
RUNOFF ELECTION IN THE EVENT OF A TIE VOTE.

THE CITY COUNCIL
City of Ceres, California

WHEREAS, pursuant to Ceres City Council Resolution 85-93, adopted on July 8, 1985, a special runoff election is required in the event of a tie vote for any elected City Office; and,

WHEREAS, Elections Code Section 15651 provides that tie votes will be resolved by lot, unless the local agency elects to resolve such tie votes by conducting a special runoff election; and,

WHEREAS, the City Council has determined that the interest of the citizens of the City would be best served by avoiding the additional expense of a special runoff election and resolving any tie vote by lot.


NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Ceres that Resolution 85-93 adopted on July 8, 1985, is hereby repealed.

PASSED AND ADOPTED by the Ceres City Council at a regular meeting thereof held on the 23rd day of June, 1997, by the following vote:

AYES: Bradley, Havener, Ingwerson, Risen and Mayor Hinton

NOES: None

ABSENT: None



BARBARA HINTON, Mayor

ATTEST:



BRENDA SCUDDER HERBERT, City Clerk

SEAL IMPRESSED