

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

DEPT: Board of Supervisors

BOARD AGENDA # *A-5b

Urgent ☐

Routine ☒

AGENDA DATE July 13, 2010

CEO Concurs with Recommendation YES ☒ NO ☐

(Information Attached)

4/5 Vote Required YES ☐ NO ☒

SUBJECT:

Approval to Consolidate the City of Hughson's General Municipal Election with the Gubernatorial General Election to be Held on Tuesday, November 2, 2010

STAFF RECOMMENDATIONS:

Approve the consolidation of the City of Hughson's General Municipal Election with the Gubernatorial General Election to be held on Tuesday, November 2, 2010.

Contact person: Christine Ferraro Tallman, Clerk of the Board

Telephone: 525-4494

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2010-448

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

and approved by the following vote,

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

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.

Letter of Transmittal



Date: June 28, 2010

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

To: Liz Lundrigan, County Clerk Registrar of Voters
1021 I Street, 1st Floor
Modesto, CA 95354

From: Michele Penirian Winterbottom, City Clerk
7018 Pine Street,
Hughson CA 95326

RE: November Election Resolutions

Attached are Certified Resolutions adopted by the City Council of the City of Hughson on June 28, 2010, for the November Election.

Resolution Calling for Election: Resolution 2010-28

Resolution Requesting Board of Supervisor of the County to consolidate a General Municipal Election: resolution 2010-29; and

Resolution adopting regulations for Candidates for Elective Office pertaining to Candidate's statement of Qualifications: Resolution 2010-30

If you have any questions or concerns, please contact me at 209-883-4054.

2010 JUL - 6 1 PM

**City of Hughson
City Council
Resolution No. 2010-28**

**Resolution Of The City Of Hughson, County Of Stanislaus, State Of California, Calling and
Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday,
November 2, 2010 for the Election of Certain Officers as Required by the Provisions or the
Laws of the State of California Relating to General Law Cities.
(CALL FOR ELECTION)**

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 Tuesday, November 2, 2010 for the election of Municipal Officers; and

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF HUGHSON, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section: 1 That pursuant to the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Hughson, California, on Tuesday, November 2, 2010, A General Municipal Election for the purpose of electing two (2) Members of the City Council for the full term of four (4) years; and one (1) Mayor for the full term of two (2) years.

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

Section 3. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

Section 4. That the polls for the election shall be open at seven o'clock (7:00 a.m.) of the day of the election and shall remain open continuously from that time until eight o'clock (8:00 p.m.) of the same day when the polls shall be closed, pursuant to Elections Code §10242, except as provided in §14401 of the Elections Code of the State of California.

Section 5. 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 6 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 7 That the City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of the properly submitted bill.

It is hereby certified that the foregoing Resolution No. 2010-28 was duly introduced and adopted by the City Council of the City of Hughson at its regular meeting held on this 28th day of June, 2010 by the following roll call votes: (5-0)

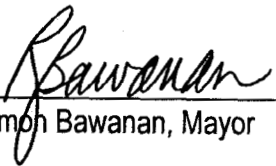
Ayes in favor: Councilmembers Beekman, Crowder, Humphreys, Manley and Mayor Bawanan

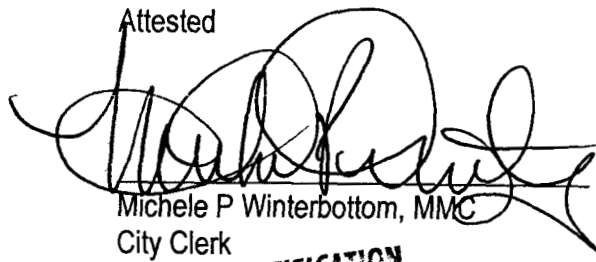
Noes: None

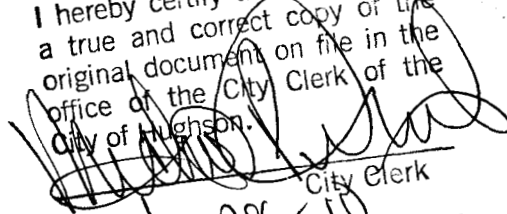
Absent: None

Abstain: None

Approved


Ramon Bawanan, Mayor

Attested

Michele P Winterbottom, MMC
City Clerk

CERTIFICATION
I hereby certify the foregoing is
a true and correct copy of the
original document on file in the
office of the City Clerk of the
City of Hughson.

City Clerk
Dated: 6-28-10

**City of Hughson
City Council
Resolution No. 2010-29**

Resolution Of The City Of Hughson Requesting the Board of Supervisors of the County of Stanislaus to consolidate a General Municipal Election to be held on Tuesday, November 2, 2010 with the Statewide General Election to be held on the Date Pursuant to §10403 of the Elections Code.

**(Stanislaus County Board of Supervisors requesting the
County Election Departments holding of the election)**

Whereas, the City Council of the City of Hughson called a general Municipal Election to be held on November 2, 2010 in the City of Hughson, California. For the purpose of the election of two (2) Members of the City Council and one (1) Mayor; and

Whereas, it is desirable that the General Municipal Election be consolidated with the Statewide General Municipal Election to be held on the same date and that within the City the precincts, polling places, and election officers of the two elections be the same, and that the county election department of the county of Stanislaus canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

Now Therefore, Be it Resolved that the City Council of the City of Hughson does hereby resolve, declare and order as follows:

Section 1. That pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Stanislaus in hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 2, 2010. For the purpose of the election of two (2) Members of the City Council for a 4-year Term; and one (1) Mayor for a 2-year term of office which will conclude upon the Hughson City Council adopting the official canvass of the November 2, 2010 Election and certification of the County of Stanislaus election department.

Section 2. That the county election department is authorized to verify signatures for nomination papers submitted by the City Clerk of the City Hughson; set up and arrange for election precincts, polling places, voting booths, and election officers; publish notice of election officers and polling places; canvass the returns of the General Municipal election and the election shall be held in all respects as if there were only one election, and only one form of ballot shall be used; and

Section 3. 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; and

Section 4. That the City of Hughson recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

Section 5. 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

It is hereby certified that the foregoing Resolution No. 2010-29 was duly introduced and adopted by the City Council of the City of Hughson at its regular meeting held on this 28th day of June, 2010 by the following roll call votes: (5-0)

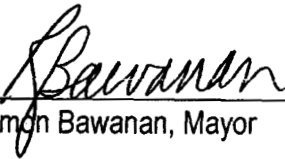
Ayes in favor: Councilmembers Beekman, Crowder, Humphreys, Manley and Mayor Bawanan

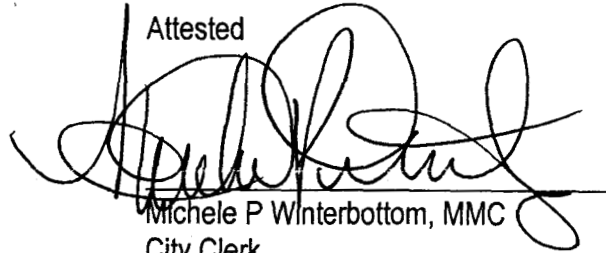
Noes: None

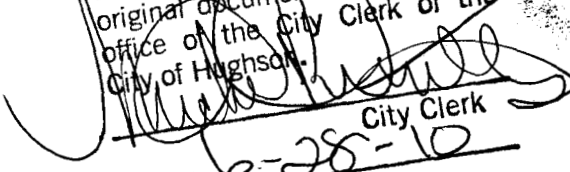
Absent: None

Abstain: None

Approved


Ramon Bawanan, Mayor

Attested

Michele P Winterbottom, MMC
City Clerk

CERTIFICATION
I hereby certify the foregoing is
a true and correct copy of the
original document on file in the
office of the City Clerk of the
City of Hughson.

City Clerk
Dated: 6-28-10

**City of Hughson
City Council
Resolution No. 2010-30**

**Adopting Regulations for Candidates for Elective Officers Pertaining to Candidates' Statements Submitted to the voters at an Election to be Held on Tuesday, November 2, 2010
Requiring each Candidate Filing a Candidates' Statement of Qualifications to Pay in Advance to the Local Agency an Estimated Pro Rata Share of \$750.00, plus Run charges if applicable, as a Condition of Having His or Her Statement Included in the Voter's Pamphlet.**

(Candidate Statement Pro Rata Share of Costs)

Whereas, the Stanislaus County Registrar of Voters charges the City of Hughson for printing costs of Statement of Qualifications: and

Whereas, Elections Code Section §13307 of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of printing, handling, translating and mailing the candidate's statements filed pursuant to §13307(a), including costs incurred as a result of complying with the federal Voting Rights Act of 1965, as amended; and

Whereas, the City Council of the City of Hughson has determined that the candidate shall bear the costs of the statement as allowed in California Election Code Section §13307 et seq. and to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet; and

Whereas, in the event the estimated payment is required, the receipt for the payment shall include a written notice that the estimate is just an approximation of the actual costs that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statement; and

Whereas, the Elections Official is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual costs; and

Whereas, the Stanislaus County Elections division has recommended that a \$750.00 deposit be collected by the City of Hughson from candidates filing a Statement of Qualifications where between 1 and 7,500 voters are registered.

Now, Therefore, Be it Resolved that the City Council of the City of Hughson does hereby resolve, declare, determine and order as follows:

Section 1. General Provisions. That pursuant to §13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Hughson on Tuesday November 2, 2010, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate him/herself. The statement shall **NOT** include any party affiliation of the candidate, nor membership or activity in partisan political

organizations. The statement shall be filed (in typewritten form) and additional copy on Compact Disc(CD) in the office of the City Clerk at time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of nomination period.

Section 2. Foreign Language Policy

- a) Pursuant to the Federal Voting Rights Act, candidate statements **will** be translated into all languages required by the County of Stanislaus. The County **is required to** translate candidate statement in to the following languages; **Spanish**
- b) If requested in additional languages by the Candidate, additional charges will apply;
- c) The County will print and mail sample ballots and candidate statement to voters in languages specified in (a) above.

Section 3. Payment

A candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in Section 2(a) above pursuant to Federal and or State law.

The City Clerk shall estimate the total cost of printing, handling, translating and mailing the candidate's statements filed pursuant to his section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual costs that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the City Clerk is not bound by the estimated costs and is hereby directed to bill candidates for additional actual expenses or refund any excess amount paid depending upon the actual costs as submitted by the County.

BE IT FURTHER RESOLVED: That if payment for printing is not received at the time individual filing, the City Clerk of the City of Hughson, or his/her designee, shall have the right to withhold his or her Candidate Statement from the voter's pamphlet.

It is hereby certified that the foregoing Resolution No 2010-30 was duly introduced and adopted by the City Council of the City of Hughson at its regular meeting held on this 28th day of June, 2010 by the following roll call votes: (5-0)

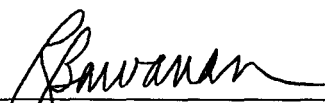
Ayes in favor: Councilmembers Beekman, Crowder, Humphreys, Manley and Mayor Bawanan

Noes: None

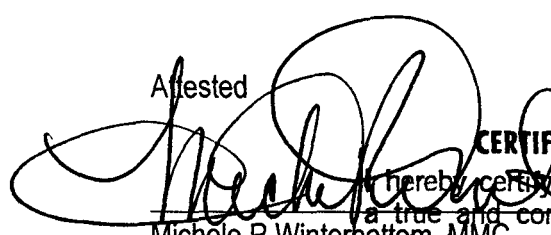
Absent: None

Abstain: None

Approved

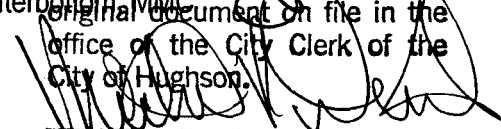

Ramon Bawanan, Mayor

Attested


Michele P Winterbottom
City Clerk

CERTIFICATION

I hereby certify the foregoing is a true and correct copy of the original document on file in the office of the City Clerk of the City of Hughson.


City Clerk

ELECTION CANDIDATE STATEMENT
RESOLUTION NUMBERS: 2010- 28/2010-29/

Dated 6-28-10