

RESOLUTION NO. _____ (N.C.S)

A RESOLUTION ORDERING AN ELECTION, REQUESTING THE COUNTY ELECTIONS DEPARTMENT TO CONDUCT THE ELECTION, AND REQUESTING CONSOLIDATION OF THE NOVEMBER 8, 2016 GENERAL MUNICIPAL ELECTION FOR THE CITY OF SALINAS WITH THE PRESIDENTIAL GENERAL ELECTION

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city or district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election; and

WHEREAS, the resolution of the governing body of the city or district shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10002, the city or district shall reimburse the county in full for the services performed upon presentation of a bill to the city or district; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10400, such election for cities and special districts may be either completely or partially consolidated; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of offices to be filled is to be consolidated with a statewide election, and the offices to be filled are to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the Board of Supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation; and

WHEREAS, pursuant to Elections Code Section 13307, whenever an election called by a district, city, or other political subdivision has offices to be filled, it is required to fix the number of words that a candidate may submit on the candidate's statement to be 200 words and the candidate shall be responsible for the cost of the statement; and

WHEREAS, Elections Code Section 15651 requires the city or district to determine the means and manner in which a tie vote is to be resolved in the event that two or more persons receive an equal number of votes and the highest number of votes ("tie votes") for an office to be voted upon; and

WHEREAS, California Elections Code section 10551 shall govern the manner in which a tie vote is resolved; and

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the order calling the election; and

WHEREAS, various district, county, state and other political subdivision elections may be or have been called to be held on November 8, 2016; and

NOW THEREFORE, BE IT RESOLVED AND ORDERED that the governing body of the City of Salinas hereby orders an election be called and consolidated with any and all elections also called to be held on **November 8, 2016** insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the Board of Supervisors of the County of Monterey to order such consolidation under Elections Code Section 10401 and 10403.

BE IT FURTHER RESOLVED AND ORDERED that said governing body hereby requests the Board of Supervisors to permit the Monterey County Elections Department to provide any and all services necessary for conducting the election and agrees to pay for said services.

RECITALS

SECTION I. The General Municipal Election for the year 2016 is hereby called and shall be held in Salinas, under and by virtue of the provisions of Section 7 of the Charter of said City, on the 8 day of November 2016, said date being the first Tuesday following the first Monday in November 2016.

SECTION II. The following officers of Salinas shall be chosen at said General Municipal Election, to wit:

- Mayor, one (1), for a term of two years from the City at large.
- District No. 1, one (1) Councilmember for a term of four years.
- District No. 4, one (1) Councilmember for a term of four years.
- District No. 6, one (1) Councilmember for a term of four years.
- Councilmember for a term of two years for any District in which the incumbent Councilmember files as a candidate for the Office of Mayor, in keeping with City Charter Section 6.1.

SECTION III. Nomination papers shall be filed with the Salinas City Clerk's Office not later than 5:00 p.m. on Friday, August 12, 2016, except that the nomination filing period will be extended to 5:00 p.m. on Wednesday, August 17, 2016 for the office of Mayor, District 1, District 4, or District 6 if the incumbent does not file by close of the regular filing on August 12, 2016.

SECTION IV. Pursuant to the provisions of Section 13307 of the Elections Code of the State of California, the City Council has determined that candidates for office may file a written statement of qualifications with their nomination papers, said statement not to exceed 200 words in length, with those candidates filing said statements to pay the cost of such statement as determined

by the Registrar of Voters.

SECTION V. The official ballot to be used at said election shall conform to the provisions of the Charter of said City and the laws of the State of California with relation thereto.

SECTION VI. The City authorizes the Registrar of Voters to consolidate this election with any other election on November 8, 2016 for the ease and convenience of the registered voters and to take advantage of any cost savings possible by such consolidation.

SECTION VIII. The County of Monterey Elections Department is hereby directed to publish such notices as are provided by law for the holding of the municipal election, which said notices shall be published in The Californian, a daily newspaper of general circulation, printed, published, and circulated in the City of Salinas and hereby designated for that purpose by the Council of Salinas.

SECTION IX. Said General Municipal Election shall be held and conducted, and the votes thereof canvassed, and the return thereof made, and the results thereof ascertained and determined as herein provided, and in all particulars not described by this Resolution, said General Municipal Election shall be held as provided by law for the holding of municipal elections in said City; and the Registrar of Voters of the County of Monterey is authorized to canvass the return and certify the results to said Council of Salinas. The City Clerk shall enter the results into the record following receipt of the declared results in accordance with Elections Code Section 10264. The City Clerk shall sign and deliver to each person elected a certificate of election and administer the oath of office to each person elected.

SECTION X. This Resolution shall be forthwith entered upon the minutes of this Council and kept and maintained by the City Clerk of Salinas, as provided in Section 34 of the Charter of said City.

SECTION XI. The City Clerk is hereby authorized and directed to certify to the due adoption of this Resolution and to transmit a copy hereof so certified to the Monterey County Elections and the Board of Supervisors of Monterey County.

PASSED AND ADOPTED by City of Salinas, this 17th day of May, 2016 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Joe Gunter, MAYOR

ATTEST:

Patricia M. Barajas, CITY CLERK