

RESOLUTION NO. 3584-2012

RESOLUTION OF THE FORT BRAGG CITY COUNCIL CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL ALL-MAIL BALLOT ELECTION ON TUESDAY, MAY 7, 2013 FOR THE ELECTION OF A CITY COUNCILMEMBER TO FILL A VACANCY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND REQUESTING THE SERVICES OF THE REGISTRAR OF VOTERS IN CONDUCTING SAID ELECTION

WHEREAS, a vacancy in the office of City Council was created by the resignation of Councilmember Dan Gjerde on November 30, 2012; and

WHEREAS, the term of office in which the vacancy occurs ends November 4, 2014.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby resolve, declare, determine and order as follows:

SECTION 1. 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 Fort Bragg, California, on Tuesday, May 7, 2012, a special all-mail ballot election for the purpose of electing a City Councilmember for the term of office in which the vacancy was created by the resignation of Councilmember Dan Gjerde, which ends December 8, 2014.

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

SECTION 3. The City Clerk is authorized, instructed and directed to:

- A. Furnish, distribute and receive all nomination papers;
- B. Receive Candidate's Statements pursuant to Election Code § 13307;
- C. Receive Code of Fair Campaign Practice Statements; and
- D. Receive Disclosure Statements as required by law.

SECTION 4. Request for Election Services

A. Pursuant to Section 10002 of the California Elections Code, the City Council of the City of Fort Bragg requests that the Mendocino County Board of Supervisors permit the Registrar of Voters to render assistance in all required election services in the conduct of the May 7, 2013 special all-mail ballot election including, but not limited to the following:

- (1) Preparation of mail ballots, establishment of ballot return procedures, securing election officers to count the returned ballots, preparing and mailing notices of mail ballot procedures and appointment and publication of election officers.
- (2) Typesetting and printing sample ballots and ballot arguments, and mailing to registered voters.
- (3) Printing of official ballots.
- (4) Purchasing supplies.
- (5) Providing for return of mail ballots to the County Registrar's Office.

- (6) Tabulation of votes.
- (7) Certifying to City Clerk the results of elections.

(8) All things necessary or incidental to the above in accordance with California election law in effect at the time of the election or other functions as may be requested from time to time by the City.

B. The City of Fort Bragg will reimburse Mendocino County in full for the services performed in conducting this special election upon presentation of an invoice to the City.

C. In the event the Board of Supervisors does not approve the request for the Registrar of Voters to conduct the election, the City Clerk shall cause the election to be conducted pursuant to Elections Code Section 10000 et seq. The City Clerk shall canvass the election returns and certify the results to the City Council no later than May 31, 2013, pursuant to Elections Code Section 10260 et seq.

SECTION 5. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

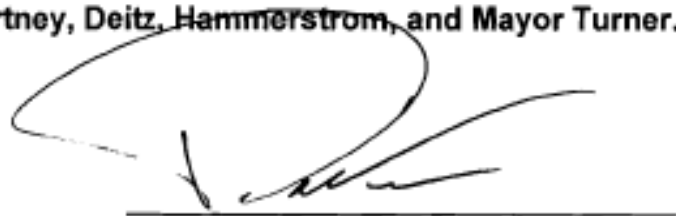
SECTION 6. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. The City Clerk is directed to forward without delay a certified copy of this resolution to the Board of Supervisors and to the County Elections Department.

SECTION 8. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

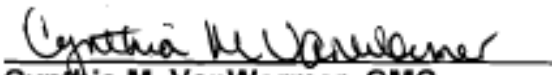
The above and foregoing Resolution was introduced by Councilmember Deitz, seconded by Councilmember Hammerstrom, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 10th day of December, 2012, by the following vote:

AYES: Councilmembers Courtney, Deitz, Hammerstrom, and Mayor Turner.
NOES: None.
ABSENT: None.
ABSTAIN: None.



DAVE TURNER,
Mayor

ATTEST:


Cynthia M. VanWormer, CMC
City Clerk