

RESOLUTION NO. 2022-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, CALLING A GENERAL MUNICIPAL ELECTION FOR THE ELECTION OF MEMBERS OF THE CITY COUNCIL; REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF MERCED, CALIFORNIA, TO PROVIDE FOR THE CONSOLIDATION OF A GENERAL MUNICIPAL ELECTION WITH THE GUBERNATORIAL GENERAL ELECTION ON NOVEMBER 8, 2022, AND TO AUTHORIZE THE COUNTY ELECTION SERVICES TO RENDER SPECIFIC SERVICES TO THE CITY OF MERCED RELATING TO THE GENERAL MUNICIPAL ELECTION; ESTABLISHING CANDIDATE STATEMENT REQUIREMENTS; AND DETERMINING THE TIE-BREAKING METHOD.

WHEREAS, the City Council of the City of Merced has called a General Municipal Election to be held in the City of Merced on Tuesday, November 8, 2022, for the election of three (3) City Council Members, one (1) seat each in the Districts of 2, 4, and 6, for four (4) year terms; and

WHEREAS, the City of Merced desires the Board of Supervisors in the County of Merced to consolidate the City's General Municipal Election with the Gubernatorial General Election on Tuesday, November 8, 2022, pursuant to Part 3, Division 10 of the Elections Code (commencing with Section 10400) to be held on the same date, and that, within the City of Merced, the precincts, vote center locations, ballot drop box locations, and election officers of the two (2) elections be the same; the Registrar of Voters canvass the returns of the General Municipal Election; and the election be held in all respects as if it were only one (1) election; and

WHEREAS, it is the desire of the City Council of the City of Merced to adopt a Resolution requesting the Board of Supervisors of the County of Merced to render specified services to the City of Merced relating to the conduct of a General Municipal Election pursuant to Elections Code section 10002; and

WHEREAS, Elections Code section 10002 requires the City of Merced to reimburse the County of Merced in full for the services performed upon the County's presentation of a bill to the City; and

WHEREAS, pursuant to Election Code section 13307, the City of Merced may establish conditions for candidate statements; and

WHEREAS, a pre-determined tie-breaking method should be designated to prevent any possible dispute as to the final outcome of the election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. A General Municipal Election is called and ordered for the City of Merced to be held on Tuesday, November 8, 2022, for the purpose of the election of three (3) members of the City Council for the Districts of 2, 4, and 6, each for a full four (4) year term.

SECTION 2. The City Council hereby requests the Board of Supervisors of Merced County to order the consolidation of the General Municipal Election for the City of Merced with the Gubernatorial General Election on Tuesday, November 8, 2022, insofar as the City of Merced is concerned, and to further provide that within the territory affected by said Order of Consolidation, to wit: The City of Merced, the election precincts, polling places, and voting booths shall in every case be the same and there shall be one set of election officers in each of said precincts and to further provide that said measures hereinabove set forth shall be set forth in the ballots to be used at said election insofar as the same is held within the City of Merced.

SECTION 3. The Board of Supervisors of County of Merced is hereby further authorized to direct the Merced Registrar of Voters to canvass, or to cause to be canvassed, as provided by law, the returns of said general municipal election with respect to the votes cast in the City of Merced on such candidates running for the offices of Member of City Council from Districts 2, 4 and 6, and to certify such canvass of votes cast to the Members of the City Council for Districts 2, 4 and 6.

SECTION 4. The candidate shall, if he or she elects to, submit an election statement of no more than two hundred (200) words to be included with the sample ballot and sent to the registered voters, pay all costs associated with said election statement, and make an estimated pre-payment to the County of Merced at the time the candidate files the nomination papers.

SECTION 5. The City Clerk shall submit a list of incumbents and terms of offices to the Merced Registrar of Voters.

SECTION 6. The City Council hereby determines that a coin toss shall be the tie-breaking method for the election.

SECTION 7. The City Clerk is hereby authorized and directed to certify to the due adoption of this Resolution and to transmit a copy thereof so certified to the Merced County Board of Supervisors and to file a copy hereof so certified with the Registrar of the County of Merced.

SECTION 8. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions and take other appropriate actions necessary to ensure the placement of said general municipal election before the voters of the City of Merced at said regularly scheduled Gubernatorial General Election.

SECTION 9. The City Clerk is hereby authorized and directed to reimburse the County of Merced in full for the services performed for Gubernatorial General Election upon receipt of an invoice from the Registrar of Voters-Elections Office.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the 5th day of July 2022, by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:


APPROVED:

Matthew Serratto, Mayor

ATTEST:

Jennifer Levesque, City Clerk

APPROVE AS TO FORM:



Travis E. Cochran, City Attorney

