

## RESOLUTION NO. 2020-29

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLITS, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION NOVEMBER 3, 2020, FOR THE ELECTION OF CITY COUNCIL CANDIDATES; TO CONSOLIDATE SAID ELECTION WITH THE STATEWIDE GENERAL ELECTION HELD ON THE SAME DATE PURSUANT TO ELECTIONS CODE §10403; AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO TO REQUEST THE COUNTY CLERK TO CONDUCT THE MUNICIPAL ELECTION OF THE CITY OF WILLITS ON TUESDAY, NOVEMBER 3, 2020, PURSUANT TO ELECTIONS CODE §10002**

**WHEREAS,**

1. The City Council of the City of Willits called a Municipal Election to be held on Tuesday, November 3, 2020; and
2. Elections Code §10403 authorizes the City Council of the City of Willits ("City") to request the Mendocino County Board of Supervisors to consolidate a municipal election with the statewide election scheduled for November 3, 2020; and
3. Elections Code §10002 authorizes the Clerk of the County of Mendocino to render specified services relating to the conduct of an election to any city or district which has by resolution requested the Board of Supervisors to permit the County Clerk to render the services, subject to requirements set forth in that section; and
4. Pursuant to Elections Code §10403(3), the City Council acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code §10418; and
5. The City of Willits election shall consist of three (3) City Council positions, any ballot measures, and all other required election matters.
  - a. In the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the County of Mendocino Registrar Recorder/County Clerk, the City Council, in accordance with Election Code § 15651 (a) shall set a date, time and place and summon the candidates who have received the tie votes to appear and will determine the tie by lot. OR THESE A (b) in accordance with Election Code § 15651(b), shall conduct a special runoff election to resolve the tie vote and such special runoff election is to be held on a Tuesday not less than 40 days nor more than 125 days after the administrative or judicial certification of the election which resulted in a tie vote.

**NOW, THEREFORE, BE IT RESOLVED** that pursuant to the above cited provisions, the Board of Supervisors of the County of Mendocino is hereby requested to permit the County Clerk to perform and render all services and proceedings incidental to and connected with the conduct of the November 3, 2020, Municipal Election of the City of Willits with the cooperation and assistance of the City Clerk of the City of Willits, such services to include, but not limited to the following:

- a. Establish precinct boundaries to coincide with Statewide Election.
- b. Designate polling places and appoint election officers.
- c. Notify election officers of their appointment and instruct inspectors concerning their duties.
- d. Appoint and pay election officers.
- e. Arrange for the availability of polling places, all supplies necessary for casting ballots, and setting up voting booths, if necessary.
- f. Publish lists of precincts, election officers, dates and times polling locations will be

- open.
- g. Verify signatures appearing on candidates' nomination papers;
  - h. Provide sample ballots to each voter.
  - i. Receive absent voter applications, accept absent voter ballot returns, retain custody of absent voter ballot, and count absent voter ballots.
  - j. Provide Certificate of County Clerk as to result of the Canvass, for approval by the City Council.

**BE IT FURTHER RESOLVED**, the City Clerk shall be responsible for:

- a. All functions of the City Clerk relative to arguments concerning City measures as set forth in Elections Code §9200, et seq., including filing and accepting notices required.
- b. Publication of Notice of Election.
- c. Publication of Candidates Information as required by law.
- d. Distribution and receipt of nomination papers.
- e. Receipt of Candidates Statement and printing deposit.
- f. Receive campaign statements and disclosure statements as required by law.

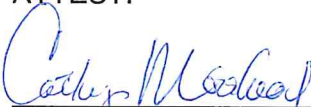
**BE IT FURTHER RESOLVED**, in consideration of the services rendered by the County Clerk and described herein, the City of Willits agrees to pay the actual direct costs reasonably attributable to the City's Municipal Election, and a ten percent (10%) charge for associated overhead based upon a detailed invoice prepared by the County Clerk and presented to the City for payment, and payment for services due shall be made after billing is submitted by the County of Mendocino.

The above and foregoing Resolution was introduced by Councilmember Strong seconded by Councilmember Stranske, and passed and adopted at a special meeting of the City Council of the City of Willits, held on the 10<sup>th</sup> day of June, 2020, by the following vote:

AYES: Kanne, Rodriguez, Strong, Stranske, and Gonzalez  
NOES: None.  
ABSENT: None.

  
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GERARDO GONZALEZ, Mayor  
City Council of the City of Willits

ATTEST:

  
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CATHY MOORHEAD

DEPUTY City Manager/City Clerk