



COUNTY OF HUMBOLDT

AGENDA ITEM NO.
D-9

For the meeting of: July 19, 2016

Date: July 13, 2016
To: Board of Supervisors
From: Supervisor Virginia Bass
Subject: Resolutions from the City of Eureka Requesting Consolidation of the General Municipal Election with the Statewide General Election to be held on November 8, 2016.

RECOMMENDATION(S): That the Board of Supervisors approve request for consolidation with the condition that the City of Eureka reimburse the County for costs incurred pursuant to this request, and notify the Elections Department of the County to take any and all steps necessary for the holding of the consolidated election.

SOURCE OF FUNDING: City of Eureka

DISCUSSION: On June 7, 2016, the Eureka City Council passed Resolutions 2016-28 and 2016-29, calling for consolidation of the General Municipal Election with the Statewide General Election to be held on November 8, 2016 for the purpose of the election of certain officers as required by the provision of the charter. On July 5, 2016 the Eureka City Council passed Resolutions 2016-39, 2016-40, 2016-42 and 2016-43 calling for submission to the voters, a question relating to amendment to the Low Income Housing Unit limit within the City of Eureka and for submission to the voters, a question relating to the Charter of the City of Eureka.

FINANCIAL IMPACT: N/A

OTHER AGENCY INVOLVEMENT: City of Eureka.

ALTERNATIVES TO STAFF RECOMMENDATIONS: Board discretion.

ATTACHMENTS: Resolutions 2016-28, 2016-29, 2016-39, 2016-40 and 2016-42. That the Board of

Prepared by Kathy Hayes Signature Virginia Bass

REVIEW: Auditor _____ County Counsel _____ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:
 Consent
 Departmental
 Public Hearing
 Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor Fennell
Seconded by Supervisor Bass
And unanimously carried by those members present,
The Board hereby adopts the recommended action
contained in this report.

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Dated: July 19, 2016
Ana Hartwell, Deputy Clerk of the Board

Meeting of: _____

By: Ana Hartwell

RESOLUTION NO. 2016-28

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EUREKA CALLING FOR THE HOLDING OF A GENERAL
MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, FOR THE
ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE
CHARTER**

WHEREAS, under the provisions of the Charter a General Municipal Election shall be held on November 8, 2016, for the election of Municipal Officers; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF EUREKA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the Charter, there is called and ordered to be held in the city of Eureka, California, on Tuesday, November 8, 2016 a General Municipal Election for the purpose of electing the following offices for the full term of four years:

Councilmember, Second Ward
Councilmember, Fourth Ward

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

SECTION 3. That the City Clerk is authorized, instructed and directed to coordinate with the County of Humboldt County Clerk 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 a.m. of the day of the election and shall remain open continuously from that time until 8 o'clock p.m. of the day of the election and shall pursuant to Election 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 Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

RESOLUTION NO. 2016-28
Page 2

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 7th day of June, 2016 by the following vote:

AYES: COUNCILMEMBERS BRADY, ATKINS, BERGEL, ARROYO
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS CIARABELLINI
ABSTAIN: COUNCILMEMBERS



Frank J. Jäger of the City of Eureka

Attest:



Pamela J. Powell, City Clerk

Approved as to Administration:



Greg L. Sparks, City Manager

Approved as to form:



Cyndy Day-Wilson, City Attorney

RESOLUTION NO. 2016-29

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT TO PROVIDE ELECTION SERVICES AND TO CONSOLIDATE THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE.

WHEREAS, the City Council of the City of Eureka called a General Municipal Election to be held on Tuesday, November 8, 2016 for the purpose of the election of a Mayor, three Members of the City Council; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide General 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

WHEREAS, it is desirable that the Election Department of the County of Humboldt 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, THE CITY COUNCIL OF THE CITY OF EUREKA DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Humboldt is hereby requested to consent and agree to consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 8, 2016 for the purpose of the election of the following officers:

Councilmember, Second Ward
Councilmember, Fourth Ward

SECTION 2. That the county election department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide election.

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.

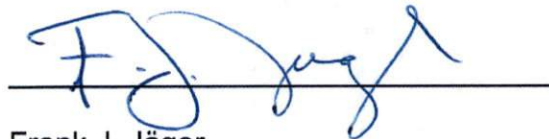
SECTION 4. That the City of Eureka recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Election Department of the County of Humboldt.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka, County of Humboldt, State of California, on the 7th day of June 2016, by the following vote:

AYES: COUNCILMEMBERS BRADY, ATKINS, BERGEL, ARROYO
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS CIARABELLINI



Frank J. Jaeger
MAYOR OF THE CITY OF EUREKA

ATTEST:



Pamela J. Powell
CITY CLERK

APPROVED AS TO FORM:



Cyndy Day-Wilson
CITY ATTORNEY

APPROVED AS TO ADMINISTRATION:



Greg L. Sparks
CITY MANAGER

RESOLUTION NO. 2016-39

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA,
CALIFORNIA, CALLING FOR THE
HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON
TUESDAY, NOVEMBER 8, 2016, AS REQUIRED BY THE PROVISIONS OF THE
CHARTER, FOR THE SUBMISSION TO THE VOTERS, A QUESTION RELATING TO
AN AMENDMENT TO THE LOW INCOME HOUSING UNIT LIMIT WITHIN THE CITY
OF EUREKA.

WHEREAS, under the provisions of the Charter of the City of Eureka, a General
Municipal Election shall be held on Tuesday, November 8, 2016; and

WHEREAS, the City Council desires to submit to the voters at the election a
question relating to the City's Charter;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EUREKA, DOES
HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the Charter of the City of
Eureka, there is called and ordered to be held in the City of Eureka, California, on
Tuesday, November 8, 2016, a General Municipal Election for the purpose of submitting
to the voters at the General Municipal Election the following question:

1. Shall the 250 limit on dwelling units for living accommodations for low income persons and families and for the blind, elderly and disabled to be developed, constructed or acquired by public bodies within the City of Eureka be amended to provide that the number of low income rental units authorized shall be limited in any year to three percent (3%) of the total number of housing units existing in the City of Eureka during that year?	YES
	NO

SECTION 3. That the ballots to be used at the election shall be in form and
content as required by law.

SECTION 4. That the polls for the election shall be open at seven o'clock A.M. of
the day of the election and shall remain open continuously from that time until eight
o'clock P.M. of the same day when the polls shall be closed, pursuant to Election 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 Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka, County of Humboldt, State of California, on the 5th day of July, 2016, by the following vote:

AYES: COUNCILMEMBERS BRADY, ATKINS, BERGEL, CIARABELLINI, ARROYO
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS



FRANK J. JAGER
MAYOR OF THE CITY OF EUREKA

ATTEST:


PAMELA J. POWELL
CITY CLERK

APPROVED AS TO FORM:

APPROVED AS TO ADMINISTRATION:



CYNDY DAY-WILSON
CITY ATTORNEY



GREG L. SPARKS
CITY MANAGER

RESOLUTION NO. 2016-40

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT TO PROVIDE ELECTION SERVICES AND TO CONSOLIDATE THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE.

WHEREAS, the City Council of the City of Eureka called a General Municipal Election to be held on Tuesday, November 8, 2016 for the purpose of submitting to the voters a question relating to the City of Eureka Charter; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide General 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

WHEREAS, it is desirable that the Election Department of the County of Humboldt 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, THE CITY COUNCIL OF THE CITY OF EUREKA DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Humboldt is hereby requested to consent and agree to consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 8, 2016 that the following measure is to appear on the ballot as follows:

Shall the 250 limit on dwelling units for living accommodations for low income persons and families and for the blind, elderly and disabled to be developed, constructed or acquired by public bodies within the City of Eureka be amended to provide that the number of low – income rental units authorized shall be limit in any year to one-half of one percent (3%) of the total number of housing units existing in the City of Eureka during that year?	YES
	NO

SECTION 2. That the Board of Supervisors is requested to issue instructions to the Election Department of the County of Humboldt to take any and all steps necessary for the holding of the consolidated election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 3. That the Election Department of the County of Humboldt is authorized to canvass, or cause to be canvassed, the returns of the General Municipal Election on said elective offices, and to certify such canvass to the City Council.

SECTION 4. That the City of Eureka 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 Election Department of the County of Humboldt.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.


PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka, County of Humboldt, State of California, on the 5th day of July 2016, by the following vote:

AYES: COUNCILMEMBERS BRADY, ATKINS, BERGEL, CIARABELLINI,
ARROYO
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS



FRANK J. JAGER
MAYOR OF THE CITY OF EUREKA

ATTEST:



PAMELA J. POWELL
CITY CLERK

APPROVED AS TO FORM:



CYNDY DAY-WILSON
CITY ATTORNEY

APPROVED AS TO ADMINISTRATION:



GREG L. SPARKS
CITY MANAGER

RESOLUTION NO. 2016-42

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA,
CALIFORNIA, CALLING FOR THE
HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON
TUESDAY, NOVEMBER 8, 2016, AS REQUIRED BY THE PROVISIONS OF THE
CHARTER, FOR THE SUBMISSION TO THE VOTERS, A QUESTION RELATING TO
THE CHARTER OF THE CITY OF EUREKA.

WHEREAS, under the provisions of the Charter of the City of Eureka, a General Municipal Election shall be held on Tuesday, November 8, 2016; and

WHEREAS, the City Council desires to submit to the voters at the election a question relating to the City's Charter;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EUREKA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the Charter of the City of Eureka, there is called and ordered to be held in the City of Eureka, California, on Tuesday, November 8, 2016, a General Municipal Election for the purpose of submitting to the voters at the General Municipal Election the following question:

1. Shall Section 201 of the Charter of the City of Eureka be amended to allow voters to elect a City Councilmember to represent them from the ward in which the residents are registered to vote?	YES
	NO

SECTION 3. That the proposed complete text of the Charter Amendment submitted to the voters is attached as Exhibit A.

SECTION 4. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 5. That the polls for the election shall be open at seven o'clock A.M. of the day of the election and shall remain open continuously from that time until eight o'clock P.M. of the same day when the polls shall be closed, pursuant to Election Code § 10242, except as provided in § 14401 of the Elections Code of the State of California.

SECTION 6. 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 7. 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 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka, County of Humboldt, State of California, on the 5th day of July, 2016, by the following vote:

AYES: COUNCILMEMBERS ATKINS, BERGEL, ARROYO

NOES: COUNCILMEMBERS BRADY, CIARABELLINI

ABSENT: COUNCIL MEMBERS

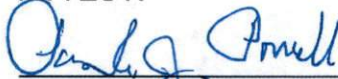


FRANK J. JAGER

MAYOR OF THE CITY OF EUREKA

pro temp


ATTEST:



PAMELA J. POWELL

CITY CLERK

APPROVED AS TO FORM:



CYNDY DAY-WILSON

CITY ATTORNEY

APPROVED AS TO ADMINISTRATION:



GREG L. SPARKS

CITY MANAGER

Exhibit A

SECTION 201. WARDS.

The City is hereby divided into five (5) wards, numbered consecutively from one (1) to five (5), inclusive, the respective boundaries of which shall be as established on the effective date of this section; provided, that the Council shall by ordinance change such boundaries from time to time to provide equal representation among the five (5) wards in compliance with the one person – one vote principle. The qualified electors of the City ~~voting as a whole~~ shall elect one member of the Council from ~~each of the five (5) wards of the City~~ the ward in which the residents are registered to vote.

RESOLUTION NO. 2016-43

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT TO PROVIDE ELECTION SERVICES AND TO CONSOLIDATE THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE.

WHEREAS, the City Council of the City of Eureka called a General Municipal Election to be held on Tuesday, November 8, 2016 for the purpose of submitting to the voters a question relating to the City of Eureka Charter; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide General 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

WHEREAS, it is desirable that the Election Department of the County of Humboldt 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, THE CITY COUNCIL OF THE CITY OF EUREKA DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Humboldt is hereby requested to consent and agree to consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 8, 2016 that the following measure is to appear on the ballot as follows:

1. Shall Section 201 of the Charter of the City of Eureka be amended to allow voters to elect a City Councilmember to represent them from the ward in which the residents are registered to vote?	YES
	NO

SECTION 2. That the Board of Supervisors is requested to issue instructions to the Election Department of the County of Humboldt to take any and all steps necessary for the holding of the consolidated election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 3. That the Election Department of the County of Humboldt is authorized to canvass, or cause to be canvassed, the returns of the General Municipal Election on said elective offices, and to certify such canvass to the City Council.

SECTION 4. That the City of Eureka 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 Election Department of the County of Humboldt.

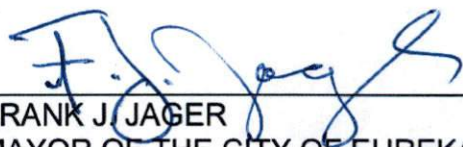
SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka, County of Humboldt, State of California, on the 5th day of July 2016, by the following vote:

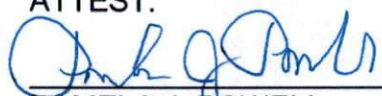
AYES: COUNCILMEMBERS ATKINS, BERGEL, ARROYO

NOES: COUNCILMEMBERS BRADY, CIARABELLINI

ABSENT: COUNCILMEMBERS




FRANK J. JAGER
MAYOR OF THE CITY OF EUREKA

ATTEST:


PAMELA J. ROWELL
CITY CLERK

APPROVED AS TO FORM:

APPROVED AS TO ADMINISTRATION:



CYNDY DAY-WILSON
CITY ATTORNEY



GREG L. SPARKS
CITY MANAGER