



## AGENDA

### Special City Council Meeting

City Council Chamber

Chowchilla City Hall - 130 S. Second Street, Chowchilla, CA 93610

**Wednesday, August 3, 2022 – 5:00 p.m.**

City Hall is now open to the public for business. The City Council Chamber is **OPEN** to the public for City Council meetings. City Council meetings will also be available to view and participate via **Zoom**. **Please read Page 2 of this agenda packet for Zoom login and participation information.**

This City Council meeting agenda was posted at least 24 hours prior to the meeting in the kiosk just outside of City Hall, 130 S. Second St., Chowchilla, CA 93610.

Any writing or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection on the city website at [www.CityofChowchilla.org](http://www.CityofChowchilla.org).

The City of Chowchilla complies with the Americans with Disabilities Act (ADA of 1990). The Council Chambers is accessible to the physically disabled. If you need special assistance, please call (559) 665-8615, ext. 102 at least 4 days prior to a regular meeting, 1 day for a special meeting.

#### **CALL TO ORDER/ROLL CALL:**

Mayor: John Chavez

Mayor Pro Tem: Ray Barragan

Council Members: Waseem Ahmed, Diana Palmer, Kelly Smith

City staff and contract employees present at the meeting will be noted in the minutes.

#### **OPEN SESSION – 5:00 PM**

#### **PLEDGE OF ALLEGIANCE**

#### **INVOCATION:**

#### **NEW BUSINESS - Section 1**

- 1.1 Consideration and Adoption of a City Council Resolution Requesting the Madera County Board of Supervisors to Permit the Madera County Clerk-Recorder to Render Specified Services to the City of Chowchilla Relating to the Conduct of the 2022 Municipal Elections for Specified Seats and Terms (McClendon)**

#### **ADJOURNMENT**

I, Joann McClendon, CMC, City Clerk, do hereby declare under penalty of perjury that the foregoing agenda was posted at Chowchilla City Hall, 130 S Second Street, Chowchilla, CA and made available for public review on this 2nd day of August, 2022 at or before 5:00pm.

\_\_\_\_\_  
Joann McClendon, CMC, City Clerk

**\*SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19\***

**Public meetings are still open to the public to attend in-person. However, if you wish to attend remotely, please read the message below.**

Consistent with AB 361 and Government Code section 54953, this meeting will be held remotely. Members of the public may access the meeting using the following information:

**Zoom login instructions**

**Use the following url to start Zoom:**

<https://us06web.zoom.us/j/84905768748?pwd=aXFwVTd4dS9oQVFWM1Y2eGw1NXVuZz09>

**Passcode: 895 108**

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**To participate by phone, dial: 1-877-853-5247**

**Webinar ID: 849 0576 8748**

**Passcode: 895 108**

Staff highly recommends that participants log into Zoom 15 minutes before the meeting begins to perform an audio check and to make sure you have optimal internet connection.

**Options to participate / view / and listen to the meeting:**

- **If you wish to speak on an item using the Zoom platform on your computer/laptop or smart phone**, please use the “raise hand” icon and you will be unmuted when it is your turn to speak. Please provide your name when unmuted. You will be able to speak to the Council for up to 3 minutes.
- **If you are calling in to the meeting only (no camera/video) and you wish to make a comment**, press \*9 to “raise your hand” and \*6 to unmute yourself.

# CITY OF CHOWCHILLA CALIFORNIA



Item 1.1

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## REPORT TO THE CITY COUNCIL

Special Meeting of: August 3, 2022

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**AGENDA SECTION:** New Business

**SUBJECT:** **A Resolution Requesting the Madera County Board of Supervisors to Permit the Madera County Clerk-Recorder to Render specified Services to the City of Chowchilla Relating to the Conduct of the 2022 Municipal Elections for Specified Seats and Terms**

**PREPARED BY:** Joann McClendon, City Clerk

**ATTACHMENTS:** Resolution, Exhibit A

REVIEWED BY ADMINISTRATOR

REVIEWED BY ATTORNEY

REVIEWED BY FINANCE

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### **RECOMMENDATION:**

That the City Council approves the attached resolution requesting the Madera County Board of Supervisors permit the Madera County Clerk-Recorder to render specified services to the City of Chowchilla to conduct the 2022 Municipal Elections for Specified Seats and Terms.

### **BACKGROUND:**

On election years, it is required to request the services of the County Clerk/Recorder from the Board of Supervisors, by resolution, to conduct the municipal election. The Madera County Clerk/Recorder has performed the following functions for the City of Chowchilla:

- a) Prepare and publish all required notices (notice of election, nominee for public office, election officers and polling places, central counting place).
- b) Issue and file nomination documents and verify nomination petitions.
- c) Issue and file conflict of interest and campaign disclosure statements.

### **REASON FOR RECOMMENDATION:**

On July 12, 2022, the City Council approved Resolution #55-22 requesting the same; however, due to Council Member Smith's appointment in 2020, the City needed to specify within the resolution that one of the seats available is a two-year term.

There will be three (3) seats in this election year for the City Council: two 4-year terms and one 2-year term.

### **FISCAL IMPACT:**

It was determined by County Clerk's Office that the estimated costs for a vote of three City Council seats at the November 2022 General Election to be around \$30,000. It should be noted that if only 3 candidates file for the 3 seats, the City's contest will not appear on the ballot and, in that instance, the City's cost will be significantly lower. There will be additional charges for reposting the legal notice in the newspaper,

noticing the specified available seats, but may be waived in lieu of City Hall being used as the 4-day voting location.

**ALTERNATIVES:**

None. A resolution must be approved for the elections.

**ACTIONS FOLLOWING APPROVAL:**

The executed resolution will be submitted to the County Elections Office for processing.

## COUNCIL RESOLUTION # -22

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA, REQUESTING THE MADERA COUNTY BOARD OF SUPERVISORS TO PERMIT THE MADERA COUNTY CLERK-RECORDER TO RENDER SPECIFIED SERVICES TO THE CITY OF CHOWCHILLA RELATING TO THE CONDUCT OF THE 2022 MUNICIPAL ELECTIONS FOR SPECIFIED SEATS AND TERMS**

**WHEREAS**, the City of Chowchilla, by enactment of Ordinance No. 350-85, adopted the 28<sup>th</sup> day of January, 1985, changed the date of the General Municipal Election in the City of Chowchilla from the second Tuesday in April of even years to the same days as the School District Elections in California, as provided in 2602 of the Elections Code of the State of California; and on the 9<sup>th</sup> day of April, 1985, the Board of Supervisors of the County of Madera approved said Ordinance in accordance with Said Section 36503.5; and

**WHEREAS**, Section 22003 of the Elections Code of the State of California provides that the governing body of the City may, by resolution, request the Board of Supervisors of the County to permit the County Clerk to render special services to the City relating to the conduct of elections; and

**WHEREAS**, it is the desire of the City Council of the City of Chowchilla that the Madera County Clerk be permitted to render specified services to the City of Chowchilla relating to its conduct of November 8, 2022 elections and consolidate said elections being held by other jurisdictions within the City of Chowchilla; and

**WHEREAS**, on July 12, 2022, the City Council approved Resolution #55-22, requesting the County to run the City's municipal elections, however, on August 2, 2022 the County Elections Office requested the City to update the resolution to specify the seats and terms coming up for election; and

**WHEREAS**, the following seats are up for election on November 8, 2022:

Elected Council Member Waseem Ahmed, 4-year term  
Elected Council Member Diana Palmer, 4-year term  
Appointed Council Member Kelly Smith, 2-year term

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Chowchilla hereby finds and determines the following:

1. Pursuant to Section 22003 of the Elections Code of the State of California, the City of Chowchilla hereby requests the Madera County Board of Supervisors to permit the Madera County Clerk to render the City of Chowchilla services specified in Exhibit "A", attached hereto, and incorporated herein relating to the conduct of the Municipal Election on November 8, 2022, and to consolidate said election with other elections being held by other jurisdictions within the City of Chowchilla.
2. The City Clerk of the City of Chowchilla is hereby authorized and directed to forthwith forward a certified copy of this resolution to the Madera County Board of Supervisors and upon notification of the granting of such permission, supply the County Clerk with any and all other information that may be necessary in connection with the conduct of such elections.

3. For and in consideration of the election services to be rendered by the Madera County Clerk, the City of Chowchilla agrees to pay Madera County the City's proportionate share of the reasonable expenses of said election; said share to consist of all directly related to the Conduct of the City of Chowchilla's Municipal Election and also the City of Chowchilla's proportionate share of the expenses for election services rendered by Madera County that are being shared equally with other jurisdictions, if any, in the City of Chowchilla on November 8, 2022.
  
4. In the event a tie vote has been determined and certified by the County Clerk, a successful candidate will be chosen by lot certification of the election results.

**PASSED AND ADOPTED** by the City Council of the City of Chowchilla this 3rd day of August, 2022 by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

APPROVED:

\_\_\_\_\_  
Mayor John Chavez

ATTEST:

\_\_\_\_\_  
Joann McClendon, CMC  
City Clerk

## **EXHIBIT "A"**

The Madera County Clerk is authorized to render the following services to the City of Chowchilla for the November 2022 General Election:

1. Prepare and publish all required notices (notice of election, nominee for public office, election officers and polling places, central counting place).
2. Provide Spanish translation of ballot materials where required.
3. Provide and mail sample ballots and voter information pamphlets.
4. Provide, issue and canvass absent voter ballots.
5. Establish precincts, appoint precinct boards, designate polling places, and instruct election officers concerning their duties.
6. Provide voting equipment and provide a certified statement of results.
7. Canvass election returns and provide a certified statement of results.
8. Issue and file nomination documents and verify nomination petitions.
9. Issue and file conflict of interest and campaign disclosure statements.
10. Collect fees and perform services contained in City of Chowchilla Council Resolution # XX-22.