

CITY COUNCIL MEETING

June 17, 1981

COUNCIL VOTES
NOT TO PLACE
MEASURE ON
BALLOT AS
TO WHETHER THE
MAYOR SHOULD BE
ELECTED OR NOT

Following introduction of the matter and Council discussion, Council, on motion of Councilman Katnich, Hughes second, voted not to place on the ballot for the Special Election for August 25, 1981, the following measure:

"Shall the electors elect a mayor and four city Councilmen?"

"Shall the term of office of mayor be two years?"

"Shall the term of office of mayor be four years?"

The motion carried by the following vote:

Ayes: Councilmen - Hughes and Katnich

Noes: Councilmen - McCarty

Absent: Councilmen - Pinkerton and Murphy

shall be as nearly equal in population as may be. In establishing the boundaries of the districts, the legislative body may give consideration to the following factors: (1) topography, (2) geography, (3) cohesiveness, contiguity, integrity, and compactness of territory, and (4) community of interests of the districts;

(b) The terms of office of the two members elected with the lowest vote shall expire on the Tuesday succeeding the next regular municipal election. At that election, members shall be elected by district in the even-numbered districts and shall hold office for four years; and

(c) The terms of office of the three members elected with the highest vote shall expire on the Tuesday succeeding the second regular municipal election following the incorporation. At that election, members shall be elected by district in the odd-numbered districts and shall hold office for four years.

The result of the vote cast on the question of whether members of the city council in future elections are to be elected by district or at large shall not preclude the submission to the voters at any future election of a measure in accordance with the provisions of Section 34871.

(Added by Stats.1979, c. 748, p. 2341, § 4.5.)

Former section 34884, added by Stats. 1970, c. 278, p. 551, § 3, relating to the qualifications of signers of recall petitions and of voters at the recall election, was repealed by Stats.1979, c. 1437, p. 4451, § 5. See, now, Elec.C. § 27038.

Former section 34884, added by Stats. 1955, c. 846, p. 1464, § 2, was repealed by Stats.1970, c. 278, p. 549, § 1. See, now, section 34883.

Library References
Municipal Corporations ¶ 129.
C.J.S. Municipal Corporations ¶ 472, 473.

§ 34885 to 34889. Repealed by Stats.1970, c. 278, p. 549, § 1

The subject matter of former section 34885 is now covered by section 34884.

ARTICLE 3. REDISTRICTING OF CITY LEGISLATIVE BODY ELECTED BY OR FROM DISTRICTS [REPEALED]

Article 3, added by Stats.1970, c. 278, p. 551, § 3, was repealed by Stats. 1979, c. 546, p. —, § 9.

§ 34890 to 34896. Repealed by Stats.1979, c. 546, p. —, § 9

The repealed sections, relating to redistricting of city legislative body elected by or from districts, were added by Stats.1970, c. 278, p. 551, § 3. See, now, Elec.C. §§ 35100 to 35106.

ARTICLE 4. CHARTERED CITIES [REPEALED]

Article 4, added by Stats.1971, c. 707, p. 1372, § 1, was repealed by Stats. 1979, c. 546, p. —, § 10.

§ 34896. Repealed by Stats.1979, c. 546, p. —, § 10

The repealed section, relating to the election of governing body members of a charter city, was added by Stats.1971, c. 707, p. 1372, § 1, amended by Stats.1972, c. 404, p. 725, § 1; Stats.1978, c. 387, p. 1283, § 1. See, now, Elec.C. § 35180.

ARTICLE . . . 3. ELECTIVE MAYOR

Sec. 34900. Designation of one office as two year term; subsequent four year terms [New].

Heading of Article 5 was renumbered Article 3 and amended by Stats.1979, c. 546, p. —, § 11.

§ 34900. Submission of question to electors

At any general municipal election, or at a special election held for that purpose, the city council may submit to the electors the question of whether electors shall thereafter elect a mayor and four city councilmen, and whether the mayor shall

Asterisks . . . indicate deletions by amendment

§ 34900

GOVERNMENT CODE

serve a two-year or four-year term. In cities presently having elected mayors, the city council may also submit to the electors the question of whether the mayor shall thereafter serve a two-year or a four-year term.

(Amended by Stata.1969, c. 504, p. 1112, § 1.)

Appointments in general law cities having elected mayor, see § 40603.

1. In general

A mayor of a general law city separately elected as such pursuant to § 34900 et seq. may receive compensation as mayor in addition to compensation received by him as a councilman when such compensation has been approved by the electors voting on the proposition of the mayor's compensation at

a municipal election or by an ordinance adopted by the city council. 57 Opa.Atty. Gen. 624, 12-18-74.

The electors of a general law city do not have the power, under §§ 34329 and 34503, to reduce the term of a city councilman from four years to two years, with the exception of the office of mayor which is provided for under this section and § 34903. 54 Opa.Atty.Gen. 127, 8-8-73.

§ 34901. Form of questions on ballot

The * * * questions shall be printed on the ballots used at the election in substantially the following form:

"Shall the electors elect a mayor and four city councilmen?"

"Shall the term of office of mayor be two years?"

"Shall the term of office of mayor be four years?"

The words "Yes" and "No" and "two years" and "four years" shall be so printed on the ballots that the voters may express their choice. The term of office of mayor shall be that preferred by a majority of those voting on the proposition.

(Amended by Stata.1969, c. 504, p. 1113, § 2.)

§ 34902. Majority vote; election of mayor; term; vacancy; elimination of elective office of mayor

(a) If a majority of the votes cast on the proposition is for it, the office of mayor shall thereafter be an elective office, except as provided in subdivision (b). At the next succeeding general municipal election held in the city one of the offices of city councilman, to be filled at such election, shall be designated as the office of mayor, to be filled at such election. The person elected at such election as mayor shall hold office from the Tuesday succeeding his election, and until his successor is elected and qualifies.

In the case of a vacancy in the office of the mayor for any reason, the council shall fill the vacancy by appointment. If the council fails to fill it within 30 days, it shall call an election to fill the vacancy to be held on the next established election date to be held not less than * * * 90 days thereafter. A person appointed or elected to fill a vacancy shall hold office for the unexpired term of the former incumbent.

(b) After an office of elective mayor has been established, the city council may subsequently submit to the electors the question of whether or not to eliminate the elective office of mayor, pursuant to the procedures enumerated in this article, and thereby reestablish the procedure of selection of the mayor by the city council. If a majority of the votes cast on such proposition are in favor of the elimination of the office of elective mayor, such office shall be eliminated on the expiration date of the incumbent's term, and on such date the procedure of selection of the mayor by the city council shall be reestablished.

(Amended by Stata.1969, c. 504, p. 1113, § 3; Stata.1973, c. 1146, p. 2366, § 20; Stata.1976, c. 217, p. 401, § 1; Stata.1977, c. 1205, p. 4076, § 88.)

1. In general

The electors of a general law city do not have the power, under §§ 34329 and 34503, to reduce the term of a city councilman

from four years to two years, with the exception of the office of mayor which is provided for under § 34900 and this section. 54 Opa.Atty.Gen. 127, 8-8-73.

§ 34904. Eligibility for office; elector and registered voter of city

A person is not eligible to hold office as mayor unless he is at the time of assuming such office an elector of the city, and * * * was a registered voter of the

Underline indicates changes or additions by amendment

city at the time nominating
Section 22842 of the Election Code
(Amended by Stata.1975, c. 100, p. 100)

§ 34906. Designation of

Notwithstanding Section 22842 and the election of the mayor is not evenly staggered to the first day for city election, designate one of the ballot, other than the office of the city council (or if there is a tie for term. At all subsequent city elections, shall be elected to

(Added by Stata.1975, c. 100, p. 100; Stata.1977, c. 237, p. 100)

Library References: Municipal Corporations C.J.S. Municipal Corporations

CHAPTER

Chapter

CHAPTER 7. ALI

Chapter

PART 2. M

Chapter

- 1. General Provisions
2. Preliminary Provisions
3. Proceedings
4. Completion and Organization, or
5. Terms And Conditions, or Municipal

Part

Former Part

Article

- 1. Introductory Provisions
2. Definitions
3. Notice
4. Elections

Chapter

Asterisks * * * indicate

city at the time nomination papers are issued to the candidate as provided for in Section 22842 of the Elections Code.

(Amended by Stats.1975, c. 1030, p. 2432, § 3, urgency, eff. Sept. 24, 1975.)

§ 34906. Designation of one office as two year term; subsequent four year terms

Notwithstanding Section 36503, if . . . a city has an elected mayor . . . and the election of the remaining members of the city council for four-year terms is not evenly staggered, the city council may, on a one-time basis only and prior to the first day for circulating nomination papers for the general municipal election, designate one of the city council offices appearing on the general municipal ballot, other than the office of the mayor, to serve a two-year term, or may provide that of the city council offices appearing on the general municipal ballot, other than the office of the mayor, the one which receives the least votes of those elected (or if there is a tie for such a position, as decided by lot) shall serve a two-year term. At all subsequent general municipal elections, each member of the city council elected at such election, other than the mayor if the mayor has a two-year term, shall be elected to serve a four-year term.

(Added by Stats.1975, c. 399, p. 876, § 1, urgency, eff. Aug. 29, 1975. Amended by Stats.1977, c. 237, p. 1080, § 1; Stats.1980, c. 732, p. —, § 1.)

Library References
Municipal Corporations §129.
C.J.E. Municipal Corporations § 472, 473.

CHAPTER 6. DISINCORPORATION [REPEALED]

Chapter 6 was repealed by Stats.1977, c. 1253, p. 4693, § 6.

CHAPTER 7. ALTERNATIVE FORMS OF GOVERNMENT [REPEALED]

Chapter 7 was repealed by Stats.1977, c. 1253, p. 4693, § 7.

PART 2. MUNICIPAL ORGANIZATION ACT [NEW]

Table with 2 columns: Chapter and Section. Rows include: 1. General Provisions (35000), 2. Preliminary Proceedings [New] (35100), 3. Proceedings (35200), 4. Completion and Effective Date of a City Incorporation, Change of Organization, or Municipal Reorganization [New] (35350), 5. Terms And Conditions; Effect of City Incorporation, Change of Organization, or Municipal Reorganization (35400)

Part 2 was added by Stats.1977, c. 1253, p. 4693, § 9.

Former Part 2 was repealed by Stats.1977, c. 1253, p. 4693, § 8.

CHAPTER 1. GENERAL PROVISIONS

Table with 2 columns: Article and Section. Rows include: 1. Introductory Provisions (35000), 2. Definitions (35020), 3. Notice (35055), 4. Elections (35060)

Chapter 1 was added by Stats.1977, c. 1253, p. 4693, § 9.

Asterisks . . . indicate deletions by amendment

2011

Affidavit of Publication

City of _____

AFFIDAVIT OF PUBLICATION

NOTICE OF MEASURE TO BE VOTED ON AT SPECIAL ELECTION TO BE HELD JANUARY 9, 1962

STATE OF CALIFORNIA
County of Stanislaus

ss. _____

At _____ of the said County, I says:

_____ duly sworn, deposes and

THAT _____ she is _____ tioned was a citizen _____ age of twenty-one year _____ party to, nor interest

at all times herein men- he United States, over the and that _____ she is not a the above entitled matter;

that _____ she is the _____ of the Turlock Daily Journal, circulation, printed _____ Turlock, County of Stanislaus, is published for the dissemination of a general intelligence of a general paper at all times here _____ a bona fide subscription _____ and which newspaper _____ and published at regular _____ Turlock, county of Stanislaus, one year next preceding _____ the notice hereinafter _____ paper is not devoted to _____ entertainment or instruction, profession, trade, calling, _____ number of same; that this is a printed copy and _____ of this affidavit, has been _____ and entire issue of said _____ supplement thereof on _____

_____ a newspaper of general _____ published in the City of _____ us, and which newspaper _____ ination of local news and _____ character, and which newspaper _____ mentioned had and still has _____ list of paying subscribers, _____ been established, printed _____ intervals in the said City of _____ us, for a period exceeding _____ the date of publication of _____ rred to; and which newspaper _____ published for the interests, _____ of a particular class, profession, or denomination, or any notice, of which the annexed _____ which is hereby made a part _____ published in each regular newspaper and not in any _____ following dates, to-wit:

December 2, _____

26, 1961

LEGAL NOTICE
NOTICE OF MEASURE TO BE VOTED ON AT SPECIAL ELECTION TO BE HELD JANUARY 9, 1962
NOTICE IS HEREBY GIVEN that the following measure is to be voted on at the Special Election to be held in the City of Turlock on January 9, 1962 (which election has been consolidated with the Special Municipal Bond Election to be held in said City on said date), to wit:
MEASURE (B):
(Election of Mayor and Four Councilmen)
shall the electors elect a Mayor and four City Councilmen?
DATED: December 11, 1961
F. R. HARRIS
City Clerk of the City of Turlock
December 10, 20, 1961

Subscribed and Sworn to _____ day of _____

before me this _____

JUN 10 1961

Affidavit of Publication

.....

 City of Turlock

AFFIDAVIT OF PUBLICATION

Resolution 61-58
RESOLUTION CONSOLIDATING THE TURLOCK MUNICIPAL BOND ELECTION AND AN ELECTION TO DETERMINE WHETHER OR NOT THE ELECTORS SHALL ELECT A MAYOR AND FOUR CITY COUNCILMEN

STATE OF CALIFORNIA, }
 County of Stanislaus } ss.

Ardis Okamura

of the said County, being duly sworn, deposes and says:

THATShe is and at all times herein mentioned was a citizen of the United States, over the age of twenty-one years, and thatShe is not a party to, nor interested in the above entitled matter;

thatShe is the principal clerk..... of the Turlock Daily Journal, a newspaper of general circulation, printed and published in the City of Turlock, County of Stanislaus, and which newspaper is published for the dissemination of local news and intelligence of a general character, and which newspaper at all times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of Turlock, county of Stanislaus, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to; and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race, or denomination, or any number of same; that the notice, of which the annexed is a printed copy and which is hereby made a part of this affidavit, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

Dec. 7, 8, 9, 11, 12, 13, 14, 1961

LEGAL NOTICE
RESOLUTION 61-58
RESOLUTION CONSOLIDATING THE TURLOCK MUNICIPAL BOND ELECTION AND AN ELECTION TO DETERMINE WHETHER OR NOT THE ELECTORS SHALL ELECT A MAYOR AND FOUR CITY COUNCILMEN.
 WHEREAS, the City Council of the City of Turlock has adopted Ordinance No. 633 calling a special municipal bond election in the City of Turlock for the purpose of submitting to the electors of said City a measure for the incurring of a bonded indebtedness of said City for the acquisition, construction and completion of certain municipal improvements, and the incurring of a bonded indebtedness therefor, and fixing the date of said election, namely January 9, 1962, the manner of holding the same, establishing election precincts and polling places for said election and appointing election officers therefor, and providing notice thereof, and
 WHEREAS, the City Council is desirous of submitting to the electors of the City of Turlock the question of whether or not the office of mayor shall be elective, now, therefore
BE IT RESOLVED that an election be held on January 9, 1962, which election shall be consolidated with the special municipal bond election on January 9, 1962, and that the election precincts, polling places and officers of election shall be the same as those set forth in Ordinance No. 633, reference to which is hereby made for such designations and that all publications designated in said Ordinance No. 633 giving notice of said proposed election be as designated in said Ordinance No. 633 and that said publications be conducted in like manner as designated in said Ordinance No. 633 in the TURLOCK DAILY JOURNAL, a newspaper of general circulation, and that the same number of publications be made as set forth in said Ordinance No. 633.
PASSED AND ADOPTED this 5th day of December, 1961, at a regular meeting of the City Council of the City of Turlock, by the following vote:
AYES: Councilmen Q. R. Norton, E. S. Christoffersen, J. Nikolauson, and M. K. Nelson.
NOES: Councilman J. P. Miguel.
ABSENT: (None)
 I, **F. R. HARRIS**, City Clerk of the City of Turlock, do hereby certify that the foregoing is a true and correct copy of a Resolution passed at a regular meeting of the City Council of the City of Turlock held on the 5th day of December, 1961, as the same appears of record in my office.
F. R. HARRIS
WILLIAM C. CULLENS
 City Attorney
 Geer Building
 227 East Main Street
 Turlock, California
 Dec. 7, 8, 9, 11, 12, 13, 14, 1961

MARK CROSSES (+) ON BALLOT
ONLY WITH RUBBER STAMP;
NEVER WITH PEN OR PENCIL

(ABSENTEE BALLOTS MAY BE MARKED
WITH PEN AND INK OR PENCIL.)

(Fold ballot to this perforated line, leaving top margin exposed)

No. 1234

No. 1234

No.

STAMPLE BALLOT

OFFICIAL BALLOT
CONSOLIDATED
SPECIAL MUNICIPAL BOND ELECTION
AND SPECIAL ELECTION
CITY OF TURLOCK

TUESDAY, JANUARY 9, 1962

INSTRUCTIONS TO VOTERS: To vote on any measure, stamp a cross (+) in the voting square after the word "YES" or after the word "NO". All marks except the cross (+) are forbidden. All distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly stamp, tear or deface this ballot, return it to the Inspector of Election and obtain another. On absent voter ballots mark a cross (+) with pen or pencil.

MEASURES SUBMITTED TO VOTE OF VOTERS		
MEASURE (A): Shall the City of Turlock incur a bonded indebtedness in the (Sewer System principal amount of \$650,000 for the acquisition, construction Improvements) and completion of the following municipal improvement, to wit: Sewer system improvements, including enlargement of industrial waste treatment plant, new trunk sewers, lands, easements, rights of way and other works, property or structures necessary or convenient for sewer system improvements for the City of Turlock?	YES	
	NO	
MEASURE (B): Shall the electors elect a mayor and four city councilmen? (Election of Mayor and Four Councilmen)	YES	
	NO	



Alice/

Would you believe it - the only thing
our City Attorney had them do was put the
question on the ballot with this Resolution.
There is no place in our City Code which
needs a change, so therefore - no Ordinance !!!
Our City Code governs the pay for Councilmen
and the time of meeting etc. only.
Sorry I can't help you any more than that.

Luv and stuff,

me

RESOLUTION NO. R 6387

RESOLVED AND ORDERED by the City Council of the City of Manteca that the following question appear on the Ballot for the General Municipal Election, which will be held March 7, 1978:

SHALL THE ELECTORS ELECT A MAYOR AND FOUR (4) CITY COUNCILMEN?

SHALL THE TERM OF OFFICE OF MAYOR BE TWO YEARS?

SHALL THE TERM OF OFFICE OF MAYOR BE FOUR YEARS?

DATED: December 19, 1977

ROLL CALL:

AYES: Councilmen Buchanan, Snyder, Shaefer, Kelley, Wentworth

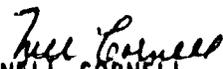
NOES: None

ABSENT: None



FREDRICK A. WENTWORTH
Mayor

ATTEST:


NELL CORNELL
City Clerk