



RESOLUTION NO. 2016-133

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DECLARING A VACANCY IN THE OFFICE OF COUNCILMEMBER FOR DISTRICT FIVE; CALLING A SPECIAL ELECTION TO FILL THE VACANCY TO BE CONSOLIDATED WITH THE NOVEMBER 8, 2016 GENERAL ELECTION; AND CALLING FOR A POTENTIAL RUN-OFF ELECTION ON MARCH 7, 2017

WHEREAS, Councilmember Sal Quintero has served in the office of Councilmember for District Five; and

WHEREAS, Councilmember Quintero's term of office was set to expire on the first Tuesday after the first Monday in January of 2019; and

WHEREAS, Councilmember Quintero has been elected to the Fresno County Board of Supervisors and will take office January 3, 2017; and

WHEREAS, Councilmember Quintero has submitted his resignation to the City Clerk effective January 3, 2017 (attached as Exhibit "A"); and

WHEREAS, Section 305 of the Fresno City Charter requires the vacancy to be filled by special election.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. Receipt of Councilmember Sal Quintero's letter of resignation by the City Clerk, effective January 3, 2017, is hereby acknowledged.
2. A vacancy is declared in the office of Councilmember for District Five effective January 3, 2017.
3. The Council hereby requests the election to fill the vacancy for the remaining term in the office of Councilmember for District Five be consolidated with the



Statewide General Election on November 8, 2016, to be held and conducted in the manner prescribed in Elections Code Section 10418. The City intends to pay the County for the election services it performs.

4. If no candidate receives a majority of the votes cast at the Statewide General Election, the Council requests a special election to be held on March 7, 2017.

5. This resolution shall take effect upon its adoption.

* * * * *



STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 14th day of July, 2016.

AYES : Baines, Brand, Brandau, Olivier, Soria, Caprioglio
NOES : None
ABSENT : Quintero
ABSTAIN : None

Mayor Approval: July 15th, 2016
Mayor Approval/No Return: N/A, 2016
Mayor Veto: N/A, 2016
Council Override Vote: N/A, 2016

YVONNE SPENCE, CMC
City Clerk

By: Yvonne Spence
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: [Signature] 7/18/16 Date
Laurie Avedisian-Favini
Assistant City Attorney

LAF:dy[71849dy/reso]

July 15, 2016

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Council Adoption: 7/14/2016
Mayor Approval:
Mayor Veto:
Override Request:



TO: MAYOR ASHLEY SWEARENGIN

FROM: YVONNE SPENCE, CMC
City Clerk

2016 JUL 15 PM 12 49
CITY CLERK, FRESNO CA

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 7/14/16, Council adopted the attached Resolution No. 2016-133, entitled, **Declaring a vacancy in the office of Councilmember for District 5; calling a special election to fill the vacancy to be consolidated with the November 8, 2016 General Election and calling for a potential run-off election on March 7, 2017.** Item No. 1-C, ID#16-785, by the following vote:

Ayes : Baines, Brand, Brandau, Caprioglio, Olivier, ~~Quintero~~^{PZ}, Soria
Noes : None
Absent : ~~PJ~~ None ^{Quintero}
Abstain : None

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before July 25, 2016. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10th day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

Thank you.

APPROVED/NO RETURN: _____

VETOED for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)

Ashley Swearengin
Ashley Swearengin, Mayor

Date: 7-15-16

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes :
Noes :
Absent :
Abstain :

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2016 JUN 21 PM 12 03

SAL QUINTERO
Councilmember, District Five

CITY CLERK, FRESNO CA

June 17, 2016

Yvonne Spence, City Clerk
2600 Fresno Street, Room 2133
Fresno, CA 93721

Re: Resignation from District 5

Dear Yvonne:

The election results show I have been elected to serve on the Fresno County Board of Supervisors. I understand my term there will begin on January 9, 2017.

Since I will have about two years left on my City Council term, please consider this my resignation from the Council to be effective on or about January 9, 2017. If the date is not correct, I will provide an amendment to this letter specifying the correct date.

Between now and January 9, I intend to fully participate as a Fresno City Councilmember. Nonetheless, this letter may allow the City Council to begin the process to fill my seat that will be vacant as of January 9.

As of writing this letter election results have not been certified, so this resignation is conditioned upon the results being certified showing that I have been elected.

If there are any questions, please let me know.

Sincerely,

SAL QUINTERO

Fresno City Councilmember
District 5

cc: City Councilmembers
Mayor

City of Fresno

City Hall • 2600 Fresno Street • Fresno, California 93721-3600
(559) 621-8000 • FAX (559) 490-5395 • www.fresno.gov

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CITY CLERK, FRESNO CA

SAL QUINTERO
Councilmember, District Five

July 8, 2016

Yvonne Spence, City Clerk
2600 Fresno Street, Room 2133
Fresno, CA 93721

Re: Resignation from District 5 – Date Correction

Dear Yvonne:

This letter is provided as a supplement to my resignation letter dated June 17, 2016. I have been informed my term as a Fresno County Supervisor will begin on January 3, 2017. By this letter I amend my resignation date to be effective January 3, 2017. All other provisions of my June 17, 2016 letter remain unchanged.

If there are any questions, please let me know.

Sincerely,

SAL QUINTERO
Fresno City Councilmember
District 5

cc: City Councilmembers
Mayor

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City of Fresno

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