

1 BEFORE THE BOARD OF SUPERVISORS

2 OF THE COUNTY OF FRESNO

3 STATE OF CALIFORNIA

4 ORDINANCE NUMBER 23-012 By.

FILED

NOV 13 2023

FRESNO COUNTY CLERK

DEPUTY

5 AN ORDINANCE CALLING A SPECIAL ELECTION TO BE HELD ON MARCH 5, 2024

6 IN THE COUNTY OF FRESNO FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS A
7 MEASURE TO AMEND SECTION 15 OF THE CHARTER OF THE COUNTY OF FRESNO
8 AND ORDERING CONSOLIDATION OF THE SPECIAL ELECTION WITH THE STATEWIDE
9 PRIMARY ELECTION TO BE HELD ON THE SAME DAY.

10 The Board of Supervisors of the County of Fresno ordains as follows:

11 **Section 1.** A special election is hereby called, ordered, and proclaimed to be held in the County
12 of Fresno ("County") on Tuesday, March 5, 2024, for the purpose of submitting to the voters of
13 the County a measure to amend Section 15 of the County Charter.

14 **Section 2.** The exact form of the measure as it will appear on the ballot is as follows:

15 Shall the measure amending section 15 of the Fresno County Charter to keep the election
16 dates for the office of Sheriff and District Attorney set in gubernatorial, non-presidential
election years with other County elective offices be adopted?

17 YES ___ NO ___

18 The complete text of the measure is set forth in Resolution No. 23-287, adopted by the
19 Board of Supervisors on August 22, 2023, a copy of which is attached hereto in Attachment A.

20 **Section 3.** In the event that the amendment to the County Charter contained in this measure is
21 rendered inoperative because of actions of any court, legislative or other body, or for any other
22 reason, the provisions of the County Charter in effect on Tuesday, March 5, 2024 will remain in
23 full force and effect.
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1 **Section 4.** If any sentence, clause, phrase, or word of the County Charter amendment
2 measure is for any reason held to be invalid or unenforceable, such invalidity or unenforceability
3 will not affect the validity or enforceability of the remaining sentences, clauses, phrases, or
4 words of Section 15 of the County Charter. The voters of the County declare that they would
5 have independently adopted each sentence, clause, phrase, or word of this measure
6 irrespective of the fact that any one or more other sentences, clauses, phrases, or words of
7 Section 15 of the County Charter is declared invalid or unenforceable.

8 **Section 5.** Pursuant to Part 3 (commencing at Section 10400) of Division 10 of the California
9 Elections Code, the Board of Supervisors resolves and orders the special election for the
10 County Charter amendment measure to be consolidated with the Statewide Primary Election to
11 be held on Tuesday, March 5, 2024. The measure will be placed on the same ballot as provided
12 for in the Statewide Primary Election. The precincts, polling places or vote centers, and precinct
13 board members will be the same as provided for in the Statewide Primary Election. The special
14 election will be held in the manner specified in California Elections Code Section 10418 as an
15 election consolidated with a statewide election.

16 **Section 6.** Pursuant to California Elections Code Section 12001, the Board of Supervisors
17 hereby proclaims that a special countywide election will be held on Tuesday, March 5, 2024, to
18 vote on the proposed County Charter amendment measure.

19 **Section 7.** Pursuant to California Elections Code Section 9141 and California Government
20 Code Section 25123, this ordinance shall take effect immediately.

21 **Section 8.** The ordinance is adopted pursuant to California Government Code Sections 23720,
22 23730, and 23731 and California Elections Code Sections 9141, 10402, 10403, and 12001.

23 **Section 9.** The ordinance must be published once, with the names of the members voting for
24 and against the ordinance, before the expiration of fifteen (15) days after its passage in a daily
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1 newspaper of general circulation, printed, published, and circulated in the County pursuant to
2 California Government Code Section 25124.

3 The Clerk of the Board of Supervisors is ordered to file a copy of this ordinance with the
4 County Clerk/Registrar of Voters at least 88 days prior to the day of the election.

5 THE FOREGOING, was passed and adopted by the following vote of the Board of
6 Supervisors of the County of Fresno this 7th day of November, 2023, to wit:

7 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco

8 NOES: Supervisor Quintero

9 ABSENT: None

10 ABSTAINED:None

11
12 SAL QUINTERO, Chairman of the Board of
13 Supervisors of the County of Fresno

14 **ATTEST:**
15 Bernice E. Seidel
16 Clerk of the Board of Supervisors
17 County of Fresno, State of California

18 By: _____
19 Deputy

20 FILE #23-1120

21 AGENDA # 37

22 ORDINANCE # 23-012
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