

RESOLUTION NO. 07-18

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BUCKEYE, ARIZONA, ORDERING AND CALLING A PRIMARY ELECTION TO BE HELD ON TUESDAY, AUGUST 28, 2018, AND, IF NECESSARY, A GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, TO NOMINATE CANDIDATES FOR COUNCIL MEMBER SEATS FOR DISTRICTS 4, 5, AND 6 IN THE CITY OF BUCKEYE; AND TO RATIFY THE UPDATED GENERAL PLAN FOR THE CITY OF BUCKEYE; PROVIDING FOR SPANISH TRANSLATION OF ELECTION MATERIALS, DEADLINES FOR VOTER REGISTRATION, AND MAILING OF BALLOTS.

WHEREAS, the Mayor and Council (collectively, the “Council”) desire to submit to the qualified electors of the City of Buckeye (the “City”) the (i) selection of candidates for Councilmember seats for Districts 4, 5, and 6 in the City, and (ii) ratification of the update to the City’s General Plan; and

WHEREAS, the Council may consolidate the election with any other election conducted in the City on August 28, 2018 and November 6, 2018, as applicable.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BUCKEYE, ARIZONA, as follows:

Section 1. Order and Call of Election; Purpose. The primary election (“Primary Election”) is hereby ordered and called to be held in and for the City on Tuesday, August 28, 2018 to (i) ratify the update to the City’s General Plan, and (ii) nominate candidates for three council member seats whose names shall appear on the ballot at the general election to be held on November 6, 2018 (the “General Election” and together with the Primary Election, the “Election”), if necessary. Any candidates receiving a majority of all the votes cast at the Primary Election will be declared elected without running at the General Election.

Section 2. Publication of the Call and Notice of Election. The publication of the call and notice of the Election shall be given, or caused to be given, by the City Clerk and as may be deemed necessary and appropriate in the City Clerk’s discretion to advise the public of the Election.

Section 3. Conduct of Election; Contracts. The Mayor, City Manager or City Clerk is authorized and directed to enter into an intergovernmental agreement with the Maricopa County Recorder and/or the Maricopa County Elections Department to conduct the Election. The Election shall be conducted and the votes cast thereat shall be counted and tabulated, and the returns thereof shall be made in the manner provided by law. Only persons who are qualified electors of the City shall vote at the Election. The Election may be conducted in the manner determined to be in the best interests of the City by the Maricopa County Elections Department and the City Council or either of them.

Section 4. Deadline for Voter Registration and Mailing of Ballots. Maricopa County registration and voting lists will be used for the Election. To be qualified to vote in the Primary Election, a City resident must be registered to vote by July 30, 2018. To be qualified to vote in the General Election, a City resident must be registered to vote by October 8, 2018. For those persons on the permanent early voter list, the Maricopa County Elections Department is required by law to mail official ballots to qualified electors no earlier than August 1, 2018 and not later than August 4, 2018 for the Primary Election, and no earlier than October 10, 2018 and not later than October 13, 2018 for the General Election.

Section 5. Voting Rights Act Submission and Spanish Translation. To comply with the Voting Rights Act of 1965, as amended, the proceedings pertaining to the Election will be translated into Spanish and posted, published, and/or recorded in each instance where posting, publication, and/or recording for such proceedings are required.

Section 6. Canvass of Election. The returns of the Election shall be made to the Council, which shall meet on a day that is within twenty (20) days after the Election to canvass the returns and certify the results, all as provided by law. The Council will be governed by the vote of the majority of the ballots cast on the questions submitted. The City Clerk shall record a copy of the Council resolution canvassing the results in the office of the Maricopa County Recorder.

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PASSED AND ADOPTED by the Mayor and City Council of the City of Buckeye, Arizona, this 17th day of April, 2018.

Jackie A. Meck, Mayor

ATTEST:

Lucinda J. Aja, City Clerk

APPROVED AS TO FORM:

City Attorney

CERTIFICATION

I, Lucinda J. Aja, the duly appointed and acting City Clerk of the City of Buckeye, Arizona, do hereby certify that the above and foregoing Resolution No. 07-18 was duly passed by the City Council of the City of Buckeye, Arizona, at a regular meeting held on April 17, 2018, and the vote was ____ aye's and ___ nay's and that the Mayor and ____ Council Members were present thereat and _____ Council Members were absent.

Lucinda J. Aja, City Clerk