



City Council

Staff Report

TO: Honorable Mayor and City Council

FROM: Moses Diaz, Deputy City Attorney

THROUGH: John Jansons, City Manager *[Signature]*

DATE: December 12, 2016

SUBJECT: ADOPTION OF RESOLUTION 2016-049 DECLARING RESULTS OF THE OFFICIAL CANVASS OF ELECTION RETURNS FOR THE GENERAL MUNICIPAL ELECTION HELD NOVEMBER 8, 2016.

RECOMMENDED ACTION:

That the City Council:

1. Adopt a draft Resolution 2016-049 certifying the official canvass of election results for the general municipal election held November 8, 2016.
2. Swear-in newly elected councilmembers.

BACKGROUND and DISCUSSION:

At the June 6, 2016 meeting, the City Council adopted Resolution No. 2016-21 giving notice of a general municipal election to be held on Tuesday, November 8, 2016 for the election of two City Councilmembers. The at-large election was held on November 8, 2016 and the voters elected the two candidates with highest number of votes as Councilmembers for a term of four years each.

Under Elections Code § 10262(b), for a consolidated election, the City Clerk or designated city elections official, upon receipt of the results of the election from the County elections official who conducted the election, must certify the results to the City Council who in turn must comply with Elections Code § 10263 (discuss later), not later than the next regularly scheduled city council meeting following presentation of the 28-day canvass of the returns, or at a special meeting called for this purpose.

Elections Code § 10263 requires that, upon the completion of the canvass and before installing the newly elected officers, the City Council must adopt a resolution reciting certain details about the election and its results, and must also declare elected the persons for whom the highest number of votes were cast for each office up for election. The accompanying draft resolution is designed to comply with the Elections Code requirements.

The Tulare County Registrar of Voters provided the Certification of Election Results to the City Clerk. The certified results are attached to and made a part of the draft Resolution 2016-049, as EXHIBIT A.

COORDINATION & REVIEW:

The Tulare County Registrar of Voters provided the Certification of Election Results to the City Clerk. The City Attorney's office assisted in preparation of the draft resolution

FISCAL IMPACT:

There is no fiscal impact.

ALTERNATIVES:

There are no alternatives that would result in compliance with the applicable statutes. Adoption of a resolution is required prior to installing each newly elected officer.

CONCLUSION:

That the City Council:

1. Adopt a draft Resolution 2016-049 certifying the official canvass of election results for the general municipal election held November 8, 2016.
2. Swear-in newly elected councilmembers.

ATTACHMENT(S): Draft Resolution 2016-049 declaring the results of recent municipal election.

Prepared and Submitted By:

M. D.
Moses Diaz, City Attorney

Reviewed By:

[Signature]
John Jansons, City Manager

**BEFORE THE CITY COUNCIL OF THE
CITY OF FARMERSVILLE**

IN THE MATTER OF:

Adoption of resolution declaring the results
of recent municipal election.

DRAFT RESOLUTION 2016-049

WHEREAS, the City of Farmersville (“City”) held a general municipal election on Tuesday, **November 8, 2016**, as required by law, and was consolidated with the general statewide presidential election;

WHEREAS, notice of election was duly provided as prescribed by law, candidates were nominated to fill the vacancy(ies) as provided by law, the election was held and conducted, votes were cast, received and canvassed, and the returns were made and declared in the time, form and manner as required by the provisions of the applicable laws;

WHEREAS, the City’s elections official has certified to the City Council that the County Registrar of Voters canvassed the returns of said election and certified the results to the City, and that said results were received and are attached hereto as **EXHIBIT A**, which is incorporated herein; and

WHEREAS, in accordance with Elections Code § 10263, the City Council now desires to declare the election results, declare elected the persons for whom the highest number of votes were cast for each office and allow for installation of the newly elected officials.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL:

1. Found that the foregoing recitals are true;
2. Declared the results of the election as specified in EXHIBIT A, attached hereto and made a part hereof;
3. Declared the following persons to be newly elected and installed onto this governing body upon taking and signing the oath of public office required by law:

- Gregorio Gomez, elected to City Council for term of four years; and
- Rosa Vasquez, elected to City Council for term of four years; and
- 4. Directed that the reorganization of officers of the governing body be added to the agenda for the first regular meeting occurring on or after December 1, following the certification of election results at the subsequent next regular City Council meeting.

UPON MOTION OF COUNCIL MEMBER _____, SECONDED BY COUNCIL MEMBER _____, THE FOLLOWING WAS PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL AT AN OFFICIAL MEETING HELD ON **December 12, 2016**, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

BY:

ATTEST:

PAUL BOYER,
MAYOR

BETINA ASHOORI,
Interim City Clerk

EXHIBIT A

CITY CLERK'S CERTIFICATION OF ELECTION RESULTS

Pursuant to Elections Code § 10264, the undersigned City Clerk of the City of Farmersville hereby certify the results of the consolidated general municipal election, held on **November 8, 2016**, are as set forth in the Statement of Votes Cast for said election, attached hereto as **ATTACHMENT 1** and made a part hereof, which was prepared and certified by the Tulare County Registrar of Voters on December 5, 2016.

ATTEST: _____

Date

Betina Ashoori
Interim City Clerk

NOTE TO CITY CLERK:

Please ensure that either that a copy of the Statement of Votes Cast prepared by the County Registrar of Voters is attached or list in this document each and all informational items mandated by Elections Code § 10264.

ATTACHMENT 1

(Copy of Statement of Votes Cast certified by Tulare County Registrar of Voters)

**TULARE COUNTY
REGISTRAR OF VOTERS**

5951 South Mooney Blvd. – Visalia, CA 93277
TEL: (559) 624-7300 FAX: (559) 737-4498
www.tularecounty.ca.gov/registrarofvoters



RITA A. WOODARD
Registrar of Voters

Ann Turner, Elections Division Manager
Kari McCully, Deputy Elections Supervisor

Office Hours:

Monday - Thursday 7:30 AM to 5:30 PM and Friday 8:00 to Noon

CERTIFICATION OF ELECTIONS OFFICIAL

MANUAL TALLY OF ELECTION RESULTS
PURSUANT TO CALIFORNIA ELECTION CODE § 15360

I, Rita A. Woodard, Tulare County Registrar of Voters do hereby declare that a 1% public manual tally of the ballots tabulated by Electronic Sequoia Optech Insights pursuant to Elections Code § 15360 was completed on November 28, 2016

I further declare that each vote that was manually tallied for each contest reflected accurate and true representation of the ballots tabulated during the semi-official canvass on November 8, 2016 using voting systems, as defined in California Elections Code § 362. Any variances in the machine count versus the manual count have been resolved.

Dated this 5th day of December, 2016




RITA A. WOODARD
REGISTRAR OF VOTERS
County of Tulare
State of California

CERTIFICATION OF ELECTIONS OFFICIAL

STATE OF CALIFORNIA
COUNTY OF TULARE

} ss.

Pursuant to the statewide voter registration list requirements set forth in the Help America Vote Act of 2002 (HAVA) (Pub. L. No. 107-252 (2002) 116 Stat. 1666, 42 U.S.C. § 15483), I, Rita A. Woodard, Registrar of Voters for the County of Tulare, State of California, hereby certify that I complied with all provisions of Chapter 2 of Division 7 of Title 2 of the California Code of Regulations for the Presidential General Election held on the 8th day of November, 2016, in the County of Tulare, State of California, and all elections consolidated therewith.

I hereby set my hand and official seal this 5th day of December, 2016 in the County of Tulare.




RITA A. WOODARD
REGISTRAR OF VOTERS
County of Tulare
State of California

100031		NON-PARTISAN CITY OF FARMERSVILLE MEMBER, CITY COUNCIL												
	Registration	Ballots Cast	Turnout (%)		CARRIE ELAINE ORTIZ	ROSA M. VASQUEZ	GREGORIO GOMEZ							137
108005 FARMERSVILLE CI HA	2072	687	33.16		186	355	306							
108005 - Vote by Mail	2072	628	30.31		235	340	282							
108005 - All-Mail Precincts	2072	0	0.00		0	0	0							
108801 MB FARMERSVILLE	661	37	5.60		5	17	25							
108801 - Vote by Mail	661	0	0.00		0	0	0							
108801 - All-Mail Precincts	661	353	53.40		111	179	171							
108802 MB FARMERSVILLE	0	0	0.00		0	0	0							
108802 - Vote by Mail	0	0	0.00		0	0	0							
108802 - All-Mail Precincts	0	0	0.00		0	0	0							
Precinct Totals	2733	724	26.49		191	372	331							
Vote by Mail Totals	2733	628	22.98		235	340	282							
All-Mail Precincts Totals	2733	353	12.92		111	179	171							
Grand Totals	2733	1705	62.39		537	891	784							
California	2733	1705	62.39		537	891	784							
22nd Congressional District	2733	1705	62.39		537	891	784							
14th State Senate District	2733	1705	62.39		537	891	784							
26th State Assembly District	2733	1705	62.39		537	891	784							
1st Equalization Board	2733	1705	62.39		537	891	784							
1st Supervisorial District	2733	1705	62.39		537	891	784							
Tulare County	2733	1705	62.39		537	891	784							
City of Farmersville	2733	1705	62.39		537	891	784							