

**RESOLUTION NO. 2016-041**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, THE 8th DAY OF NOVEMBER 2016, FOR THE ELECTION OF CERTAIN OFFICERS OF SAID CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES, AND REQUESTING THE BOARD OF SUPERVISORS OF SAID COUNTY OF NAPA TO CONSOLIDATE SAID ELECTION WITH THE NOVEMBER 8, 2016 CONSOLIDATED GENERAL ELECTION AND PERMIT THE COUNTY ELECTIONS OFFICIAL TO RENDER CERTAIN SERVICES TO THE CITY OF CALISTOGA FOR SAID ELECTION**

**WHEREAS**, Calistoga Municipal Code 2.06.050 stipulates that a General Municipal Election be held on the first Tuesday after the first Monday in November of even-numbered years; and

**WHEREAS**, the date of the next City election is November 8, 2016, for the election of two members of the City Council and a Mayor of the City of Calistoga, which need to be decided by the voters of the City; and

**WHEREAS**, pursuant to Election Code sections 10002, 10242, 10263, 10403, 10418 the City Council initiates the election process by adopting a Resolution calling and giving notice of the holding of a General Municipal Election.

**WHEREAS**, Election Code 10261 allows the governing body of the jurisdiction to establish a central counting place; and

**WHEREAS**, certain actions are required in connection with said Election; and

**WHEREAS**, all necessary expenses in performing election services will be reimbursed by the City of Calistoga.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Calistoga does hereby resolve, declare and order as follows:

SECTION 1. Pursuant to the requirements of the laws of the State of California relating to General Law Cities, there shall be, and there is hereby called and ordered, held in the City of Calistoga, County of Napa, State of California, on Tuesday, November 8, 2016, a General Municipal Election for the purpose of electing a Mayor for the term of two years; and two (2) Members of the City Council for the term of four (4) years.

SECTION 2. That notice of the time and place of holding said Election is hereby given, and the City Clerk is hereby authorized to give such further or additional notice of said Election in the time, form and manner as required by law.

SECTION 3. That the ballots to be used at said Election shall be, both as to form and matter contained therein, such as may be required by law.

SECTION 4. That the City Clerk of said City is hereby authorized to procure and furnish any and all official ballots, notices, consultant assistance and printed matters that may be necessary in order to properly and lawfully conduct said Election, except as noted herein.

SECTION 5. For the purposes of said Election, the City of Calistoga is hereby divided into the following precincts: 343701, 343702, 343703, 343704, and 343705.

SECTION 6. That the City Council of the City of Calistoga does hereby request the Napa County Board of Supervisors to consolidate the Municipal Election with the November 8, 2016 Consolidated General Election and establish a Central Counting Precinct at the Napa County Election Division, 900 Coombs Street, Room 256, Napa, California.

SECTION 7. That pursuant to the provisions of § 10002 of the Elections Code of the State of California, the City Council of the City of Calistoga does hereby request the Napa County Board of Supervisors to permit the County Elections Official to prepare and perform certain services for the City of Calistoga in relation to said consolidated Election:

- a) Contact precinct workers and polling places regarding availability for said Election, set compensation;
- b) Provide processing of vote-by-mail ballots;
- c) Furnish indexes, precinct supplies, appoint polling place workers and officials, instruct workers and officials, designate polling places for consolidated precincts;
- d) Send out notices of appointment and polling place confirmations, publish and deliver supplies to polls;
- e) Hold central counting, count write-in votes and conduct official canvass of the ballots for the City of Calistoga for said Election;
- f) Certify the ballots received, used, spoiled or destroyed for precincts 343701, 343702, 343703, 343704, and 343705;

- g) All other necessary actions required for holding of the Election as may be requested by the City;
- h) Provide an itemized bill for services performed subsequent to the Election;
- i) The City Clerk of the City of Calistoga is directed to forward a certified copy of this Resolution to the Clerk of the Board of Supervisors for presentation to the Board of Supervisors, and to the Elections Official, County of Napa.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Calistoga at a regular meeting held this **17<sup>th</sup> day of May, 2016**, by the following vote:

**AYES:** Councilmembers Kraus, Barnes and Lopez-Ortega, Vice Mayor Dunsford and Mayor Canning  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

  
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**CHRIS CANNING, Mayor**

**ATTEST:**

  
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**KATHY FLAMSON, City Clerk**

Note: A copy of this Resolution shall be filed with the Registrar of Voters/County Clerk's Office no later than 88 days before the election.

## RESOLUTION NO. 2016- 071

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA,  
COUNTY OF NAPA, STATE OF CALIFORNIA, PROVIDING FOR THE  
APPOINTMENT TO THE OFFICE OF MAYOR OF THIS CITY THAT WERE TO  
BE ELECTED ON TUESDAY, NOVEMBER 8, 2016**

**WHEREAS**, pursuant to § 10229 of the Elections Code of the State of California, as of the close of the nomination period on November 12, 2016, there were not more candidates than offices to be elected and that § 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the person who has been nominated.
2. Appoint to the office any eligible voter if no one has been nominated.
3. Hold the election if either no one or only one person has been nominated.

**WHEREAS**, a certification of facts regarding candidates filing activity was posted on Thursday, August 18, 2016; and

**WHEREAS**, a notice was published on July 1, July 8, July 15 and July 22, 2016, in a newspaper of general circulation, *The Calistoga Tribune*, pursuant to law.

**NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CALISTOGA, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to § 10229 of the Elections Code of the State of California, the following action is being taken:

- a) The following person is being appointed to the office to which he was nominated, and is considered to be the same as being elected, pursuant to § 10229(a)(3) of the Elections Code:

<u>NAME</u>	<u>OFFICE</u>	<u>TERM</u>
Chris Canning	Mayor	Two (2) Years

**SECTION 2.** The election scheduled to be held on Tuesday, November 8, 2016, is now canceled.

**SECTION 3.** The person(s) appointed, if any, shall qualify and take office and serve exactly as if elected at a municipal election for the office.

**SECTION 4.** That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Resolution No. 2016 – 071

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Calistoga at a regular meeting held this **24<sup>th</sup> day of August, 2016**, by the following vote:

**AYES:** Vice Mayor Dunsford, Councilmembers Barnes and Lopez-Ortega  
**NOES:** Councilmember Kraus  
**ABSTAIN:** None  
**ABSENT:** Mayor Canning



**MICHAEL DUNSFORD, Vice Mayor**

**ATTEST:**

  
**Kathy Flanson, City Clerk**

## RESOLUTION NO. 2016- 072

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA,  
COUNTY OF NAPA, STATE OF CALIFORNIA, PROVIDING FOR THE  
APPOINTMENT TO THE OFFICES OF THIS CITY THAT WERE TO BE  
ELECTED ON TUESDAY, NOVEMBER 8, 2016**

**WHEREAS**, pursuant to § 10229 of the Elections Code of the State of California, as of the close of the nomination period on November 12, 2016, there were not more candidates than offices to be elected and that § 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the person who has been nominated.
2. Appoint to the office any eligible voter if no one has been nominated.
3. Hold the election if either no one or only one person has been nominated .

**WHEREAS**, a certification of facts regarding candidates filing activity was posted on Thursday, August 18, 2016; and

**WHEREAS**, a notice was published on July 1, July 8, July 15 and July 22, 2016, in a newspaper of general circulation pursuant to law.

**NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CALISTOGA, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to § 10229 of the Elections Code of the State of California, the following action is being taken:

- a) The following persons are being appointed to the offices to which they were nominated, and are considered to be the same as being elected, pursuant to § 10229(a)(3) of the Elections Code:

<u><b>NAME</b></u>	<u><b>OFFICE</b></u>	<u><b>TERM</b></u>
Irais Lopez-Ortega	Council Member	Four (4) Years
Michael Dunsford	Council Member	Four (4) Years

**SECTION 2.** The election scheduled to be held on Tuesday, November 8, 2016, is now canceled.

**SECTION 3.** The persons appointed, if any, shall qualify and take office and serve exactly as if elected at a municipal election for the office.

**SECTION 4.** That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Resolution No. 2016 – 072

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Calistoga at a regular meeting held this **24<sup>th</sup> day of August, 2016**, by the following vote:

**AYES:** Councilmember Barnes, Mayor Canning and  
Councilmember Kraus  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Councilmember Lopez-Ortega and Vice Mayor Dunsford

  
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CHRIS CANNING, Mayor

**ATTEST:**

  
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Kathy Flanson, City Clerk