


City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: Kathy Flamson, City Clerk
DATE: December 6, 2016
SUBJECT: General Municipal Election 2016 - Declaration of Results

APPROVAL FOR FORWARDING:



Dylan Feik, City Manager

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ISSUE: Consideration of a Resolution declaring the results of the General Municipal Election held in the City of Calistoga, November 8, 2016.

RECOMMENDATION: Adopt Resolution.

BACKGROUND/DISCUSSION: The City of Calistoga was to have conducted its General Election on November 8, 2016. In accordance with State law, the election process officially begins at least 127 days prior to the election when the City Council calls for the election, and ends at least 30 days subsequent to the election when the City Council declares the results of the election. This report includes: 1) a general description of the election process; 2) a description of the official canvass; and 3) a summary of the results of the election.

The Election Process

The City Clerk's Department began preparing for the 2016 General Municipal Election in May 2016 by conducting a review of prior election files, election procedures manuals, the candidate handbook, and the State election laws.

On May 17, 2016, the City Council adopted Resolution 2016-041 requesting that the Napa County Elections Department consolidate the November 8, 2016 General Municipal Election with other County Municipal Elections for the purpose of the

23 election of three members to the City Council (pursuant to Elections Code section
24 10403).

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26 The candidate nomination period opened on July 18, 2016. By the close of the
27 nomination period on August 12, 2016, three (3) individuals had submitted
28 nomination papers, all of whom were later qualified as candidates. To qualify, all
29 candidates must be registered to vote in the City, and must be nominated by 20
30 individuals whose voter registration and signatures are verified, and who have not
31 nominated more candidates to any office than there are seats.

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33 During the period from July 1, 2016 through November 8, 2016, the City Clerk's
34 office engaged in the following activities: 1) published and posted notices as
35 required by state law; 2) assisted candidates with campaign finance disclosure
36 requirements; and 3) publicized the election.

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38 At the close of the nomination period on Friday, August 12, 2016, the City had
39 received filing papers from the three (3) incumbents whose Council positions were
40 terminating. The individuals were Chris Canning (Mayor), Irais Lopez-Ortega
41 (Councilmember) and Michael Dunsford (Councilmember). No other nomination
42 papers were received. This allowed for the provisions in State of California Election
43 Code §10229 to be enacted, which is to appoint qualified nominees and cancel the
44 election. As stated in this provision, the persons appointed shall qualify and take
45 office and serve exactly as if elected at a municipal election for the office.

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47 At a Special City Council meeting held on August 24, 2016, the Calistoga City
48 Council adopted Resolution No. 2016-071 and Resolution No. 2016-072 appointing
49 the three (3) nominees listed above to their respective positions and cancelling the
50 November 8, 2016 General Municipal Election. These resolutions were forwarded to
51 the Napa County Registrar of Voters and the Napa County Board of Supervisors.

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53 The County conducted the election of all qualified state and local candidates,
54 prepared the certification and the canvass of returns of the election pursuant to
55 Elections Code 10418.

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57 The Official Canvass

58 The official canvass was conducted by the Napa County Elections Department
59 during the period November 8, 2016 through November 28, 2016 for Mayor and City
60 Council.

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62 The Election Results

63 Since the Calistoga General Municipal Election was cancelled, there are no election
64 results reflecting a Calistoga certification or canvass.

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66 **CONSISTENCY WITH CITY COUNCIL GOALS AND OBJECTIVES:** Goal 2: Offer
67 excellent professional services to all customers. Objective 1: Provide a high
68 standard in the delivery of emergency and general municipal services.

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70 **FISCAL IMPACT:** Adoption of the Resolution has no fiscal impact.

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72 **ATTACHMENTS:**

73 1. Draft Resolution

74 2. Resolution No. 2016-041 Notice of General Municipal Election

75 3. Resolution No. 2016-071 Authorizing Cancellation of Election and Appointing
76 Mayor

77 4. Resolution No. 2016-072 Authorizing Cancellation of Election and Appointing
78 Councilmembers

RESOLUTION NO. 2016-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, CALIFORNIA, RECITING THE FACT OF THE CONSOLIDATED GENERAL MUNICIPAL ELECTION THAT WAS TO BE HELD ON NOVEMBER 8, 2016 DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a General Municipal Election was to be held and conducted in the City of Calistoga, California, on Tuesday, November 8, 2016, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; and

WHEREAS, on August 24, 2016, the Calistoga General Municipal Election was cancelled due to insufficient candidates as per California Election Code §10229; and

WHEREAS, pursuant to Resolution No. 2016-041 adopted May 17, 2016, the County Election Department canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part hereof as "Exhibit A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALISTOGA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The Calistoga General Municipal Election was cancelled on August 24, 2016.

SECTION 2. Name of person appointed as if he was elected for Mayor was as follows: Two Year Term: Chris Canning. Names of persons appointed as if they were elected for Councilmember were as follows: Four Year Term: Irais Lopez-Ortega and Michael Dunsford.

SECTION 3. The number of votes cast in the City to each of the persons above named for respective offices for which the persons were candidates are listed in "Exhibit A" attached.

SECTION 4. The City Council does declare and determine that Chris Canning was appointed as Mayor for the full term of two years; Irais Lopez-Ortega was appointed as Member of the City Council for the full term of four years; Michael Dunsford was appointed as Member of the City Council for the full term of four years.

SECTION 5. The City Clerk shall enter on the records of the City Council of the City, a statement of the result of the election, showing: (1) The whole number of ballots cast in

47 the City; (2) The names of the persons appointed for; (3) For what office each person
48 was voted for; and (4) The number of votes in the City given to each person.

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50 **SECTION 6.** That the City Clerk shall immediately make and deliver to each of the
51 persons so appointed a Certificate of appointment signed by the City Clerk and
52 authenticated; that the City Clerk shall also administer to each person appointed the
53 Oath of Office prescribed in the Constitution of the State of California and shall have
54 them subscribe to it and file it in the office of the City Clerk. Each and all of the persons
55 so appointed shall then be inducted into the respective office to which they have been
56 appointed.

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58 **SECTION 7.** That the City Clerk shall certify to the passage and adoption of this
59 resolution and enter it into the book of original resolutions.

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61 **PASSED, APPROVED, AND ADOPTED** by the City Council of the City of
62 Calistoga at a regular meeting held this **6nd day of December, 2016**, by the following
63 vote:

64 **AYES:**
65 **NOES:**
66 **ABSTAIN:**
67 **ABSENT:**

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70 **CHRIS CANNING, Mayor**

71 **ATTEST:**
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75 **KATHY FLAMSON, City Clerk**