

**CITY OF SEBASTOPOL  
CITY COUNCIL  
STAFF REPORT**

**Meeting Date:** December 6, 2016  
**To:** Honorable Mayor and City Councilmembers  
**From:** City Manager-City Attorney Larry McLaughlin  
Assistant City Manager/City Clerk Mary Gourley  
**Subject:** Resolution of the City Council of the City of Sebastopol Reciting the Facts of the General Municipal Election Held on November 8, 2016 Declaring the Result and Such Other Matters as Provided by Law  
**Recommendation :** That the City Council Approve and Adopt the attached Resolution Certifying the Election Results  
**Funding:** Currently Budgeted: \_\_\_\_\_ Yes \_\_\_\_\_ No XX N/A  
Net General Fund Cost:  
Amount: \$

**INTRODUCTION:** This item is to request that the City Council approve the attached Resolution declaring the results of the November 8, 2016, election for the Office of Member of the Sebastopol City Council, thereby determining:

That Neysa Hinton and Michael Carnacchi have been elected to the office of Member of the City of Sebastopol City Council.

**BACKGROUND:**

Pursuant to Election Code §10264, the City of Sebastopol City Council by resolution must declare the results of the election. The declaration must show: 1) the whole number of votes cast in the City; 2) the names of persons voted for; 3) the measure voted upon (City had no measures) 4) what office each person was voted for; 5) the number of votes given at each precinct to each person and 6) the total number of votes given to each person and for and against the measure (City had no measures).

**DISCUSSION:**

The County of Sonoma Registrar of Voters conducted the election on behalf of the City of Sebastopol and has provided the results (Cumulative Totals). However, the County Registrar of Voters is required to provide to the City a Certification of Election Results. At the writing of this staff report, the City has not yet received the Certification of Election Results from the County of Sonoma Elections Department which constitutes certification of the Official Canvass for adoption by the City Council. The County Registrar of Voters has indicated that this will be completed and distributed to the City prior to the December 6, 2016 City Council Meeting.

Based upon receipt of the Certification from the County, the resolution will be revised to

incorporate the certified numbers.

**RECOMMENDATION:**

Staff recommends that the City Council approve the attached Resolution declaring the results of the November 8, 2016, election for the Office of Member of the Sebastopol City Council, thereby determining:

That Neysa Hinton and Michael Carnacchi have been elected to the office of Member of the City of Sebastopol City Council.

**Attachment:**

Resolution

Certification of Election Results from Sonoma County Registrar of Voters

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL  
RECITING THE FACTS OF THE CONSOLIDATED GENERAL MUNICIPAL  
ELECTION HELD ON NOVEMBER 8, 2016  
DECLARING THE RESULT AND SUCH OTHER MATTERS  
AS PROVIDED BY LAW AND THEREBY DETERMINING THAT  
NEYSA HINTON AND MICHAEL CARNACCHI HAVE BEEN ELECTED  
TO THE OFFICE OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL AS APPROVED BY THE  
VOTERS

WHEREAS, on July 5, 2016, the City Council by Resolution NumberS 6100 and 6101, called a General Municipal Election to be held and conducted in the City of Sebastopol, Sonoma County, California, on Tuesday; November 8, 2016, as required by law for the election of two members of the City Council; and

WHEREAS, a General Municipal Election was held and conducted in the City of Sebastopol, Sonoma County, 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; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received, and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, the City General Municipal Election was consolidated with the Statewide General Election; and

WHEREAS, the Sonoma County Registrar of Voters was authorized and has canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part here of as "Exhibit A", and

WHEREAS, Elections Code 10263 provides that upon the completion of the canvass and before installing the new officers, the governing body shall adopt a resolution reciting the fact of the election and the other matters that are enumerated in Section 10264 as follows:

As soon as the result of the election is declared, the elections official of the governing body shall enter on its records a statement of the result.

The statement shall show:

- (a) The whole number of votes cast in the city.
- (b) The names of the persons voted for.
- (c) The measures voted upon (City had no measures).
- (d) For what office each person was voted for.
- (e) The number of votes given at each precinct to each person and for and against each measure (City had no measures).
- (f) The number of votes given in the city to each person and for and against each measure (City had no measures); and

WHEREAS, the governing body shall declare elected the persons for whom the highest number of votes were cast for each office.

NOW, THEREFORE, the City Council of the City of Sebastopol, California, does resolve, declare, determine and order as follows:

Section 1. That the whole number of ballots for the office of Member of the City Council cast in the precinct except absent voter ballots was \_\_\_\_\_.

Section 2. That the names of the persons voted for at the election for Member of the City Council are as follows:

Neysa Hinton

Michael Carnacchi

Jonathan Greenberg

Write In Candidate

Section 3. The City Council does declare and determine that Neysa Hinton and Michael Carnacchi were elected as Members of the City Council for the full term of four years as provided below:

Neysa Hinton \_\_\_\_\_

Michael Carnacchi \_\_\_\_\_

Jonathan Greenberg \_\_\_\_\_

Write in Candidate \_\_\_\_\_

Section 4. That the number of votes given at each precinct to each person and the

respective total votes cast for each person are contained in Exhibit A, Statement of the Votes Cast at the City of Sebastopol Consolidated General Election held on November 8, 2016, and which is hereby attached.

Section 5. The City Clerk shall enter on the records of the City Council of the City of Sebastopol, a statement of the result of the election, showing: 1) the whole number of ballots cast in the City; 2) the names of the persons voted for; 3) for what office each person was voted for; and 4) the number of votes given at each precinct to each person.

Section 6. The City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file it in the Office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

Section 7. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

IN COUNCIL DULY PASSED, APPROVED and ADOPTED this 6<sup>th</sup> day of December 2016.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City of Sebastopol City Council by the following vote:

VOTE:

Ayes:

Nays:

Abstain:

Absent:

Attest: \_\_\_\_\_

Sarah Glade Gurney, Mayor

Certified by: \_\_\_\_\_

Mary Gourley, Assistant City Manager/City Clerk, MMC

Attachment:

Certification of Election Results From County Registrar of Voters

**Numbers indicated in red above are the Official Results, Cumulative Totals, and will be verified once the Official Certification of Election has been received by the County Registrar of Voters**