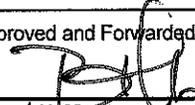# OAKLEY

CALIFORNIA

STAFF REPORT

Approved and Forwarded to City Council

Bryan H. Montgomery, City Manager

Date: Tuesday, December 13, 2016

To: Bryan H. Montgomery, City Manager

From: Libby Vreonis, City Clerk

SUBJECT: Resolution Accepting the Results of the Canvass of the November 8, 2016 Election in Oakley

Background and Analysis

On May 10, 2016, the City Council adopted a resolution calling the General Election for three City Councilmember seats held by Doug Hardcastle, Vanessa Perry and Kevin Romick. Vanessa Perry did not run for re-election. During the nomination period, nine candidates were qualified to run in this election.

On August 9, 2016, the City Council adopted a resolution authorizing the submission to the voters of a ballot measure establishing a utility users tax known as Measure E, and a related advisory ballot measure known as Measure G, and requested consolidation of the ballot measures with the November 8, 2016 General Election.

The California Elections Code Section 10263 states that upon completion of the canvass of results by the County and prior to installation of the officers, the City Council shall adopt a resolution reciting the facts of the election and declaring the result. Staff has been advised by the County that the canvass will be presented to the Board of Supervisors for approval at its meeting to be held December 13, 2016, the same day as this meeting; however, EC Section 10263 noted above, does not require Board of Supervisor approval for the Council to proceed with adopting the attached resolution.

On Tuesday, November 8, 2016, the General Election was conducted by the Contra Costa County Registrar of Voters. The County Clerk's official canvass of the Election has been completed. Incumbents Doug Hardcastle and Kevin Romick, along with Claire Alaura, were elected to serve full, four-year terms of office as City of Oakley Councilmembers. Measure E did not pass. Measure G passed, but was advisory and applicable only if Measure E passed.

For the Council's consideration, attached is a resolution accepting the Certificate of the County Clerk as to the results of the canvass of the election of November 8, 2016.

Fiscal Impact

The Contra Costa County Election Department estimated the total cost of the 2016 General Municipal Election would be approximately $40,000. The estimated expense for the 2016 General Municipal Election was included in the 2016/2017 Operating Budget.

Recommendation

Staff recommends that the City Council adopt the attached resolution.

Attachments

1) Resolution Accepting the Certificate of the County Clerk as to the results of the canvass of the City of Oakley Election held on November 8, 2016.

RESOLUTION NO. ___-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY
ACCEPTING THE COUNTY CLERK'S CERTIFICATE OF THE RESULT
OF THE CANVASS OF THE CONSOLIDATED GENERAL MUNICIPAL
ELECTION HELD ON NOVEMBER 8, 2016, DECLARING THE RESULT
AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a General Municipal Election was held and conducted in the City of Oakley, California, on November 8, 2016; and

WHEREAS, included on the ballot for the General Municipal Election were Measures E and G; and

WHEREAS, notice of the election was given in the time, form and manner as provided by law; voting precincts were properly established; 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 the 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 County Elections Department has canvassed the returns of the election and has certified the results attached as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OAKLEY:

SECTION 1.   That the whole number of ballots cast in the precincts was 5,592; that the whole number of vote-by-mail ballots cast in the City was 8,924 making a total of 14,516 ballots cast in the City.   Oakley had 19,666 registered voters as of the November 8, 2016 Election. Oakley voter turnout was 73.81%.

SECTION 2.   That the measures voted upon at the Election were as follows:

Measure E-City of Oakley
Utility Users Tax.
To maintain and enhance essential City services, such as fire protection and emergency medical response services, shall an Ordinance be adopted to enact a three and one-half percent (3.5%) utility user tax on electricity, water, sewer, gas and cable television to raise approximately two million dollars on an annual basis?

Yes votes: 4,294 (32.95%)   No votes: 8,737 (67.05%)

Measure G-City of Oakley
Advisory Vote Only.
If Measure E passes, should the revenue raised be used to restore and enhance fire and emergency medical response services in the City of Oakley?

Yes votes: 9,181 (73.71%)   No votes: 3,274 (26.29%)

SECTION 3.   That as a result of the election, approval by a majority of voters (more than 50%) required to approve Measure E was not obtained; therefore, Measure E does not carry and is not adopted.

SECTION 4.   That as a result of the election, approval by a majority of voters (more than 50%) required to approve Measure G was obtained; however, it was an advisory vote and was only effective if Measure E passed; therefore, Measure G does not carry and is not adopted.

SECTION 5.   That the number of votes given at each precinct for and against Measures E and G are listed in the attached Exhibit A.

SECTION 6.   That the names of the persons voted for at the election for three Councilmembers were as follows:

<div style="text-align:center">

Office of Councilmember: Randi Jill Adler
Claire Alaura
Stephen Demarco
Michael Dupray
Doug Hardcastle
Bruno Korbmacher
Dezi Pina
Kevin Romick
Paul Seger

</div>

SECTION 7.   That the City Council does declare and determine that Claire Alaura, Doug Hardcastle and Kevin Romick were elected as members of the City Council for full, four-year terms.

SECTION 8.   That the City Clerk shall cause the Oath of Office prescribed in the Constitution of the State of California to be administered to each newly elected Councilmember and shall file the Oaths 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.

PASSED, APPROVED AND ADOPTED by the Oakley City Council on December 13, 2016 by the following vote:

AYES: Hardcastle, Higgins, Perry, Pope, Romick

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____

Kevin Romick, Mayor

ATTEST:

_____   _____
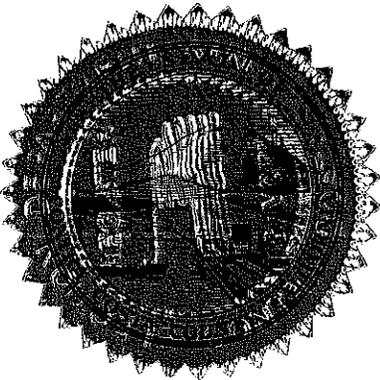
Libby Vreonis, City Clerk   Date

Exhibit "A"

CERTIFICATE OF COUNTY CLERK AS TO THE RESULTS OF THE CANVASS OF THE

CITY OF OAKLEY

NOVEMBER 8, 2016 GENERAL ELECTION

State of California   )
) ss.
County of Contra Costa   )

       I, JOSEPH E. CANCIAMILLA, County Clerk in and for the County of Contra Costa, State of California, do hereby certify that, pursuant to the provisions of the Elections Code, I did canvass the returns of the votes cast in the **CITY OF OAKLEY** in said county at the General Election held on November 8, 2016 for said city candidates and Measures E and G submitted to the vote of the voters. I further certify that the statement of the votes cast, to which this certificate is attached, shows the whole number of votes cast in said City and each respective precinct therein, and that the totals of the respective columns and the totals as shown for each candidate and measure are full, true and correct.

       WITNESS my hand and official seal this 6th day of December, 2016.

JOSEPH E. CANCIAMILLA, County Clerk

By: _____
Rosa Mena, Deputy Clerk

City of Oakley Member, City Council
3 TO BE ELECTED (more to follow)

18 PRECINCTS

Candidate columns (all NON-partisan): decoded from the stacked-letter headers as best read —
C1 = BROUNBOMACHER, C2 = PAUL SEGER, C3 = MICHAEL DUPRAY, C4 = STEPHEN DEMARCO, C5 = KEVIN ROMICK, C6 = DOUG HARDCASTLE, C7 = RANDI ADLER, C8 = CLAIRE ALAURA, C9 = DIANA PEREZ.

Precinct	A/V	REGISTERED	BALLOTS CAST	TURNOUT %	BROUNBOMACHER (NON)	PAUL SEGER (NON)	MICHAEL DUPRAY (NON)	STEPHEN DEMARCO (NON)	KEVIN ROMICK (NON)	DOUG HARDCASTLE (NON)	RANDI ADLER (NON)	CLAIRE ALAURA (NON)	DIANA PEREZ (NON)
Oakley101	A	1719	787	45.78	128	193	169	146	247	261	73	165	75
Oakley101	V	1719	463	26.93	66	113	87	59	109	123	29	100	40
Oakley102	A	1100	493	44.82	96	88	138	61	116	144	44	105	133
Oakley102	V	1100	309	28.09	43	63	66	38	72	77	26	50	72
Oakley103	A	1133	532	46.95	90	117	134	81	135	172	54	123	129
Oakley103	V	1133	356	31.42	65	67	73	56	93	114	27	58	79
Oakley104	A	1087	480	44.16	87	114	100	81	96	126	46	137	77
Oakley104	V	1087	284	26.13	37	66	53	29	56	71	16	55	44
Oakley105	A	1061	585	55.14	109	117	161	149	150	197	49	146	111
Oakley105	V	1061	254	23.94	46	54	45	40	49	66	18	43	55
Oakley106	A	1234	577	46.76	115	126	120	118	193	203	34	141	65
Oakley106	V	1234	383	31.04	83	84	61	57	106	112	20	68	52
Oakley107	A	1603	696	43.42	153	188	187	108	226	273	60	157	102
Oakley107	V	1603	472	29.44	81	113	85	53	108	138	35	91	76
Oakley108	A	884	345	39.03	52	82	63	56	111	124	42	94	67
Oakley108	V	884	310	35.07	49	71	58	38	74	74	27	66	61
Oakley109	A	1002	387	38.62	82	81	94	55	108	135	41	94	74
Oakley109	V	1002	301	30.04	45	67	50	31	50	55	22	66	35
Oakley110	A	993	446	44.91	85	120	109	82	137	157	58	87	69
Oakley110	V	993	322	32.43	48	77	55	43	94	114	28	72	68
Oakley111	A	876	379	43.26	83	97	82	73	107	133	37	96	77
Oakley111	V	876	269	30.71	46	65	44	42	69	79	18	55	53
Oakley112	A	834	368	44.12	64	79	90	73	116	148	47	98	51
Oakley112	V	834	222	26.62	48	63	34	44	51	67	23	46	31
Oakley113	A	1505	699	46.45	139	153	169	103	182	245	76	210	92
Oakley113	V	1505	388	25.78	77	100	67	54	78	119	25	85	52
Oakley114	A	1225	568	46.37	103	123	123	114	211	236	51	160	78
Oakley114	V	1225	360	29.39	65	66	52	50	95	124	30	81	49
Oakley115	A	1075	522	48.56	78	115	101	92	162	185	54	197	83
Oakley115	V	1075	285	26.51	40	57	49	33	79	96	22	83	24
Oakley116	A	1383	660	47.72	141	151	138	119	221	250	63	164	88
Oakley116	V	1383	353	25.52	77	74	66	58	62	99	28	80	47
Oakley117	A	948	393	41.46	76	94	107	56	121	124	45	109	68
Oakley117	V	948	261	27.53	36	56	61	34	50	67	28	59	13
Oakley801	A	4	7	175.00	0	0	0	0	1	0	0	0	0
Oakley801	V	4	0		0	0	0	0	0	0	0	0	0
COUNTY TOTAL		19666	14516	73.81	2633	3294	3091	2326	3935	4708	1296	3441	2290
ABSENTEES		19666	8924	45.38	1681	2038	2085	1567	2640	3113	874	2283	1439
VOTING PRECINCTS		19666	5592	28.43	952	1256	1006	759	1295	1595	422	1158	851
9TH CONGRESSIONAL DST		19666	14516	73.81	2633	3294	3091	2326	3935	4708	1296	3441	2290
CONGRESSIONAL TOTAL		19666	14516	73.81	2633	3294	3091	2326	3935	4708	1296	3441	2290
7TH SENATORIAL		19666	14516	73.81	2633	3294	3091	2326	3935	4708	1296	3441	2290

CONTRA COSTA COUNTY
PRESIDENTIAL GENERAL ELECTION
TUESDAY, NOVEMBER 8, 2016

Final

City of Oakley Member, City Council
3. TO BE ELECTED (more to follow)

18 PRECINCTS	REGISTERED VOTERS	BALLOTS CAST	TURN PERCENTAGE	BROWN BURNOMACHER (NON)	PAUL. GLER (NON)	SSEG E R (NON)	MICHCPHRAEL (NON)	STEMPHARHENO D U E (NON)	KROEVMIINCK R (NON)	DOUGDCASTLE H A R (NON)	RJAANLDDLEIR (NON)	CALLAIURREA (NON)	DPEIZNIA (NON)
STATE SENATE TOTAL	19666	14516	73.81	2633	3294	3091	2326	3935	4708	1296	3441	2290
11TH ASSEMBLY DST	19666	14516	73.81	2633	3294	3091	2326	3935	4708	1296	3441	2290
STATE ASSEMBLY TOTAL	19666	14516	73.81	2633	3294	3091	2326	3935	4708	1296	3441	2290
Bd Of Equalization	19666	14516	73.81	2633	3294	3091	2326	3935	4708	1296	3441	2290
BD OF EQUALIZATION TOT	19666	14516	73.81	2633	3294	3091	2326	3935	4708	1296	3441	2290
3RD SUPERVISORIAL	19666	14516	73.81	2633	3294	3091	2326	3935	4708	1296	3441	2290
SUPERVISORIAL TOTAL	19666	14516	73.81	2633	3294	3091	2326	3935	4708	1296	3441	2290
CITY OF OAKLEY	19666	14516	73.81	2633	3294	3091	2326	3935	4708	1296	3441	2290
CITY TOTAL	19666	14516	73.81	2633	3294	3091	2326	3935	4708	1296	3441	2290
MAIL BALLOT PRECINCT	4	7	175.00	0	0	0	0	1	0	0	0	0

18 PRECINCTS		R V E G I S T E R E D	B A L L O T S	T U R N O U T P E R C E N T A G E	City of Oakley Member, City Council 3 TO BE ELECTED (continuation) W R I T E - I N (NON)
Oakley101	A	1719	787	45.78	0
Oakley101	V	1719	463	26.93	2
Oakley102	A	1100	493	44.82	0
Oakley102	V	1100	309	28.09	0
Oakley103	A	1133	532	46.95	5
Oakley103	V	1133	356	31.42	1
Oakley104	A	1087	480	44.16	1
Oakley104	V	1087	284	26.13	0
Oakley105	A	1061	585	55.14	4
Oakley105	V	1061	254	23.94	0
Oakley106	A	1234	577	46.76	12
Oakley106	V	1234	383	31.04	4
Oakley107	A	1603	696	43.42	1
Oakley107	V	1603	472	29.44	1
Oakley108	A	884	345	39.03	2
Oakley108	V	884	310	35.07	1
Oakley109	A	1002	387	38.62	6
Oakley109	V	1002	301	30.04	1
Oakley110	A	993	446	44.91	2
Oakley110	V	993	322	32.43	1
Oakley111	A	876	379	43.26	1
Oakley111	V	876	269	30.71	1
Oakley112	A	834	368	44.12	4
Oakley112	V	834	222	26.62	1
Oakley113	A	1505	699	46.45	1
Oakley113	V	1505	388	25.78	1
Oakley114	A	1225	568	46.37	2
Oakley114	V	1225	360	29.39	0
Oakley115	A	1075	522	48.56	2
Oakley115	V	1075	285	26.51	1
Oakley116	A	1383	660	47.72	3
Oakley116	V	1383	353	25.52	0
Oakley117	A	948	393	41.46	4
Oakley117	V	948	261	27.53	3
Oakley801	A	4	7	175.00	0
Oakley801	V	4	0		0
COUNTY TOTAL		19666	14516	73.81	68
ABSENTEES		19666	8924	45.38	50
VOTING PRECINCTS		19666	5592	28.43	18
9TH CONGRESSIONAL DST		19666	14516	73.81	68
CONGRESSIONAL TOTAL		19666	14516	73.81	68
7TH SENATORIAL		19666	14516	73.81	68
STATE SENATE TOTAL		19666	14516	73.81	68

CONTRA COSTA COUNTY
PRESIDENTIAL GENERAL ELECTION
TUESDAY, NOVEMBER 8, 2016

City of Oakley Member, City Council
3 TO BE ELECTED (continuation)

18 PRECINCTS	REGISTERED	BALLOTS CAST	TURN OUT PERCENTAGE	WRITE-IN (NON)
11TH ASSEMBLY DST	19666	14516	73.81	68
STATE ASSEMBLY TOTAL	19666	14516	73.81	68
Bd Of Equalization	19666	14516	73.81	68
BD OF EQUALIZATION TOT	19666	14516	73.81	68
3RD SUPERVISORIAL	19666	14516	73.81	68
SUPERVISORIAL TOTAL	19666	14516	73.81	68
CITY OF OAKLEY	19666	14516	73.81	68
CITY TOTAL	19666	14516	73.81	68
MAIL BALLOT PRECINCT	4	7	175.00	0

Official Results

CONTRA COSTA COUNTY
PRESIDENTIAL GENERAL ELECTION
TUESDAY, NOVEMBER 8, 2016

Final

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18 PRECINCTS		REGISTERED VOTERS	BALLOTS CAST	TURNOUT PERCENTAGE	Measure E - City of Oakley Utility Users Tax - Majority		Measure G - City of Oakley Advisory - Majority	
					Yes (NON)	No (NON)	Yes (NON)	No (NON)
Oakley101	A	1719	787	45.78	243	493	546	164
Oakley101	V	1719	463	26.93	124	265	258	106
Oakley102	A	1100	493	44.82	150	298	336	104
Oakley102	V	1100	309	28.09	97	164	188	57
Oakley103	A	1133	532	46.95	160	332	356	119
Oakley103	V	1133	356	31.42	122	188	192	91
Oakley104	A	1087	480	44.16	133	298	312	107
Oakley104	V	1087	284	26.13	84	150	184	36
Oakley105	A	1061	585	55.14	182	362	401	138
Oakley105	V	1061	254	23.94	81	141	162	52
Oakley106	A	1234	577	46.76	144	389	344	165
Oakley106	V	1234	383	31.04	103	225	215	100
Oakley107	A	1603	696	43.42	197	442	473	157
Oakley107	V	1603	472	29.44	133	280	292	101
Oakley108	A	884	345	39.03	98	206	220	76
Oakley108	V	884	310	35.07	90	172	169	67
Oakley109	A	1002	387	38.62	118	238	270	72
Oakley109	V	1002	301	30.04	85	162	172	54
Oakley110	A	993	446	44.91	154	262	317	79
Oakley110	V	993	322	32.43	83	193	187	72
Oakley111	A	876	379	43.26	116	236	250	94
Oakley111	V	876	269	30.71	85	144	166	58
Oakley112	A	834	368	44.12	97	227	219	97
Oakley112	V	834	222	26.62	74	123	143	49
Oakley113	A	1505	699	46.45	212	434	461	156
Oakley113	V	1505	388	25.78	123	214	218	85
Oakley114	A	1225	568	46.37	175	363	374	138
Oakley114	V	1225	360	29.39	105	210	213	85
Oakley115	A	1075	522	48.56	166	321	341	125
Oakley115	V	1075	285	26.51	89	156	161	67
Oakley116	A	1383	660	47.72	189	423	422	172
Oakley116	V	1383	353	25.52	96	213	216	81
Oakley117	A	948	393	41.46	99	267	249	96
Oakley117	V	948	261	27.53	87	143	153	53
Oakley801	A	4	7	175.00	0	3	1	1
Oakley801	V	4	0		0	0	0	0
COUNTY TOTAL		19666	14516	73.81	4294	8737	9181	3274
ABSENTEES		19666	8924	45.38	2633	5594	5892	2060
VOTING PRECINCTS		19666	5592	28.43	1661	3143	3289	1214
9TH CONGRESSIONAL DST		19666	14516	73.81	4294	8737	9181	3274
CONGRESSIONAL TOTAL		19666	14516	73.81	4294	8737	9181	3274
7TH SENATORIAL		19666	14516	73.81	4294	8737	9181	3274
STATE SENATE TOTAL		19666	14516	73.81	4294	8737	9181	3274
11TH ASSEMBLY DST		19666	14516	73.81	4294	8737	9181	3274
STATE ASSEMBLY TOTAL		19666	14516	73.81	4294	8737	9181	3274

Official Results

CONTRA COSTA COUNTY
PRESIDENTIAL GENERAL ELECTION
TUESDAY, NOVEMBER 8, 2016

Final

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18 PRECINCTS	REGISTERED VOTERS	BALLOTS CAST	TURNOUT PERCENTAGE	Measure E - City of Oakley Utility Users Tax - Majority		Measure G - City of Oakley Advisory - Majority	
				Yes (NON)	No (NON)	Yes (NON)	No (NON)
Bd Of Equalization	19666	14516	73.81	4294	8737	9181	3274
BD OF EQUALIZATION TOT	19666	14516	73.81	4294	8737	9181	3274
3RD SUPERVISORIAL	19666	14516	73.81	4294	8737	9181	3274
SUPERVISORIAL TOTAL	19666	14516	73.81	4294	8737	9181	3274
CITY OF OAKLEY	19666	14516	73.81	4294	8737	9181	3274
CITY TOTAL	19666	14516	73.81	4294	8737	9181	3274
MAIL BALLOT PRECINCT	4	7	175.00	0	3	1	1