



# **CITY COUNCIL AGENDA REPORT**

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MEETING DATE: December 2, 2008

ITEM NUMBER: **VI-1**

**SUBJECT:** Election Results of the General Municipal Election held on November 4, 2008

**DATE:** November 21, 2008

**FROM:** City Clerk's Office

**PRESENTATION BY:** Julie Folcik, City Clerk

**FOR FURTHER INFORMATION CONTACT:** Julie Folcik, (714) 754-5221

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## **RECOMMENDATION:**

1. Adopt Resolution: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 4, 2008; DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW.
2. Swearing in of newly elected City Council Members by City Clerk.

## **BACKGROUND:**

Pursuant to the Costa Mesa Municipal Code Section 2-14, the City's general municipal elections are held in November of even-numbered years, concurrent with the statewide elections. Three (3) council member seats, each serving a full term of four years, were available in the General Municipal election, held November 4, 2008.

As authorized by Resolution No. 08-40, the election was consolidated with the Orange County Registrar of Voters, who conducted the elections and provided such services that included, in part, the printing of the sample ballots, coordinating of the precinct boards and polling locations, issuing of absentee ballots, processing and counting of the returned ballots, absentee and provisional ballots. The results of that election are to be certified by the Board of Supervisors on December 1, 2008 and their certification of the results and Statement of Votes will be attached to the resolution as "Exhibit A".

The nomination period for qualified candidates was from July 14, 2008, and extended through August 13, 2008. Upon certification of the nomination papers returned, nine (9) candidates qualified. The following is a list of the qualified candidates as their names appeared on the ballot and in ballot order:

JIM RIGHEIMER, LISA REEDY, CHRIS MCEVOY, NICK MOSS, GARY MONAHAN,  
WILLIAM SNEEN, KATRINA FOLEY, ERIC BEVER, CHRISTOPHER S. BUNYAN.

**ANALYSIS:**

The total voter registration in Costa Mesa is 55,144 voters. After the results have been certified by the Board of Supervisors on December 1, 2008, the results will be considered final and will be announced at the City Council meeting. At that time the vote count will be recited relative to the total of votes cast, the number of votes cast in early voting and through absentee ballots and the total number of votes cast at the 74 precinct locations with in the city on Election Day.

The results of the election reflect that the top three candidates to succeed to the City Council, having received the most votes, as: Gary Monahan, Katrina Foley, and Eric Bever.

**ALTERNATIVES CONSIDERED:**

No alternatives have been considered, as it is a State Code requirement that the results, certified by the Board of the Supervisors, also be certified by the City Council.

**FISCAL REVIEW:**

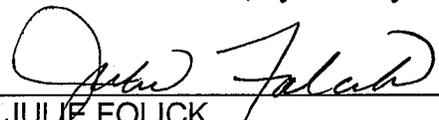
No fiscal review was required for the declaration of results.

**LEGAL REVIEW:**

Legal has reviewed the resolution and approved it as to form.

**CONCLUSION:**

The election was held and conducted as required by law and the results have been determined. It is requested that the City Council adopt the attached resolution certifying the results of the election, followed by the swearing into office of the newly elected City Council Members, by the City Clerk.

  
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JULIE FOLICK  
City Clerk

  
\_\_\_\_\_  
ALLAN ROEDER  
City Manager

DISTRIBUTION: City Council  
City Manager  
Asst. City Manager  
City Attorney

ATTACHMENTS: 1 Resolution Declaring the Results of the General  
Municipal Election Held November 4, 2008

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 4, 2008; DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

WHEREAS, a General Municipal Election was held and conducted in the City of Costa Mesa, California, on Tuesday, November 4, 2008, 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 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 holding elections in general law cities; and

WHEREAS, pursuant to Resolution No. 08-40, adopted June 3, 2008, the election was consolidated with the Statewide General Election; the Registrar of Voters of the County of Orange canvassed the returns of the election, certified the results to this City Council, and the results are received, attached, and made a part hereof as Exhibit "A";

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

SECTION 1. That the whole number of ballots cast in the precincts, except absent voter ballots and provisional ballots was \_\_\_\_\_; that the whole number of absent voter

ballots cast in the City was \_\_\_\_; the whole number of provisional ballots cast in the City was \_\_\_\_, making a total of \_\_\_\_ ballots cast in the City.

SECTION 2. That the names of persons voted for at the election for Member of the City Council are as follows: JIM RIGHEIMER, LISA REEDY, CHRIS MCEVOY, NICK MOSS, GARY MONAHAN, WILLIAM SNEEN, KATRINA FOLEY, ERIC BEVER, CHRISTOPHER S. BUNYAN.

SECTION 3. That the number of votes given at each precinct, the number of votes given in the City to each above-named candidate for Member of the City Council, is as listed in Exhibit "A" attached hereto.

SECTION 4. The City Council does hereby declare and determine that GARY MONAHAN, KATRINA FOLEY and ERIC BEVER were elected as Members of the City Council for the full term of four years.

SECTION 5. The City Clerk shall enter into 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 the City;
- (2) The names of the persons voted for;
- (3) The office for which each person was voted;
- (4) The number of votes given at each precinct to each person; and
- (5) The total number of votes given 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 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.

PASSED AND ADOPTED this 2<sup>nd</sup> day of December, 2008.

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Mayor of the City of Costa Mesa

ATTEST:

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City Clerk of the City of Costa Mesa

APPROVED AS TO FORM

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City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )       ss  
CITY OF COSTA MESA )

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No.       and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 2<sup>nd</sup> day of December, 2008, by the following roll call vote, to wit:

AYES:           COUNCIL MEMBERS:

NOES:           COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 2<sup>nd</sup> day of December , 2008.

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JULIE FOLCIK, CITY CLERK

(SEAL)