

RESOLUTION NO. 2019-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERNON, CALIFORNIA, RECITING THE FACTS OF THE SPECIAL MUNICIPAL ELECTION HELD ON OCTOBER 15, 2019, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a Special Municipal Election was held and conducted in the City of Vernon, California, on Tuesday, October 15, 2019, as required by law; and

WHEREAS, pursuant to Ordinance No. 1201, the election was conducted entirely by vote-by-mail ballot pursuant to Section 4000, et seq., of the Elections Code of the State of California; and

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

WHEREAS, an election officer was appointed, vote-by-mail ballots were properly sent to all registered voters, and in all respects the election was held and conducted, the votes were cast, received and canvassed, and the returns were made and declared in the time, form and manner required by the City Charter and the Elections Code of the State of California; and

WHEREAS, the City Clerk canvassed the returns of the election and has certified the results to the City Council, which certification and results are received, attached and made a part hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERNON AS FOLLOWS:

SECTION 1: The City Council of the City of Vernon hereby finds and determines that the above recitals are true and correct.

SECTION 2: The City Council of the City of Vernon finds

that this action is exempt from California Environmental Quality Act (CEQA) review, because it is an administrative activity that will not result in direct or indirect physical changes to the environmental, and therefore does not constitute a "project" as defined by CEQA Guidelines Section 15378.

SECTION 3: Two (2) voting precincts were established for the purpose of holding said Election, consisting of the regular election precincts in the City as established for the holding of State and County elections.

SECTION 4: The whole number of vote-by-mail voter ballots legally cast in the City for the Special Municipal Election held on October 15, 2019, was sixty-four (64), with two (2) provisional ballots cast.

SECTION 5: The City Clerk canvassed the returns of the election and certified the results to the City Council, which certification and results are received and accepted, attached and made a part hereto as Exhibit A.

SECTION 6: The names of the persons voted for at the Special Municipal Election for the office of member of the City Council, in order as they appeared on the official ballot, are as follows:

Diana Morales Gonzales

Dennis E. Gulla

SECTION 7: The following are declared to be the results of said Special Municipal Election for the office of member of the City Council:

Diana Morales Gonzales 36 votes

Dennis E. Gulla 28 votes

Section 8: The City Council of the City of Vernon hereby declares that Diana Morales Gonzales, was elected as member of the City Council for the unexpired term to end April 2020.

SECTION 9: The City Clerk shall immediately make and deliver to the person so elected a Certificate of Election signed by the City Clerk and authenticated.

SECTION 10: The City Clerk shall also administer to the person elected the Oath of Office prescribed in the Constitution of the State of California and shall have him or her subscribe to it and file it in the Office of the City Clerk. The person so elected shall then be inducted into the respective office to which he or she has been elected.

SECTION 11: 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 number of ballots cast in the City;
- (2) The names of the persons voted for;
- (3) For what office the person was voted for; and
- (4) The number of votes given to the person.

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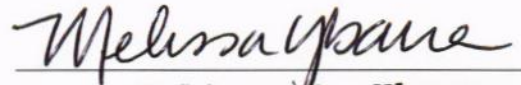
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SECTION 12: The City Clerk of the City of Vernon shall certify to the passage, approval and adoption of this resolution, and the City Clerk, of the City of Vernon shall cause this resolution and the City Clerk's certification to be entered in the File of Resolutions of the Council of this City.

APPROVED AND ADOPTED this 5th day of November, 2019.



Name: **Melissa A. Ybarra**

Title: Mayor / ~~Mayor Pro Tem~~

ATTEST:



Lisa Pope, City Clerk

APPROVED AS TO FORM:



Brian Byun,
Senior Deputy City Attorney

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Lisa Pope, City Clerk of the City of Vernon, do hereby certify that the foregoing Resolution, being Resolution No. 2019-48, was duly passed, approved and adopted by the City Council of the City of Vernon at a regular meeting of the City Council duly held on Wednesday, November 5, 2019, and thereafter was duly signed by the Mayor or Mayor Pro-Tem of the City of Vernon.

Executed this 12th day of November, 2019, at Vernon, California.



Lisa Pope, City Clerk

(SEAL)



EXHIBIT A



EXHIBIT A

CITY OF VERNON OCTOBER 15, 2019 SPECIAL MUNICIPAL ELECTION CERTIFICATION OF CANVASS

I, Lisa Pope, City Clerk of the City of Vernon, County of Los Angeles, State of California, do hereby certify that I have canvassed the returns of the Special Municipal Election held on October 15, 2019, and find that the number of votes cast were as follows:

TO ELECT ONE COUNCIL MEMBER	Diana Morales Gonzales	Dennis E. Gulla	Undervotes	Overvotes	Total
Precinct 11	33	11	0	0	44
Precinct 12	3	17	0	0	20
Total Votes	36	28	0	0	64

VOTER TURNOUT	
Registered Voters	103
Voter Turnout	62%

TOTALS BY BALLOT TYPE	
Vote by Mail	62
Provisional	2
Total Ballots Cast	64

These results are OFFICIAL and reflect all ballots received and verified for the October 15, 2019 Election.

The results will be certified and the new City Council Member sworn in at the Regular City Council meeting on Tuesday, November 5, 2019.

Lisa Pope, City Clerk
October 21, 2019, 4:49 p.m.

STAFF REPORT

City Council Agenda Item Report

Agenda Item No. COV-475-2019

Submitted by: Lisa Pope

Submitting Department: City Clerk

Meeting Date: November 5, 2019

SUBJECT

Results of the Special Municipal Election held on October 15, 2019

Recommendation:

A. Find that the approval of the proposed action is exempt under the California Environmental Quality Act (CEQA) because it is an administrative activity that will not result in direct or indirect physical changes to the environmental, and therefore does not constitute a "project" as defined by CEQA Guidelines Section 15378;

B. Adopt a Resolution declaring the results of the Special Municipal Election held October 15, 2019; and

C. Authorize the City Clerk to deliver the Certificate of Election and administer the oath of Office to the new Council Member.

Background:

On June 18, 2019, the City Council adopted Resolution No. 2019-15 calling a special election on October 15, 2019, conducted by all-mail ballot for the purpose of electing a Council Member to fill the unexpired term ending April 2020 created by the resignation of Yvette Woodruff-Perez.

Two individuals qualified as candidates for City Council Member: Diana Morales Gonzales and Dennis E. Gulla. There were no qualified write-in candidates.

As of election day, the City had a total of 103 voters, to whom ballots were issued. A total of 64 ballots were returned.

On October 15, 2019, a Special Municipal Election was held in conformance with the City Charter, Vernon Municipal Code, California Elections Code and the Federal Voting Rights Act. The official canvass was conducted from October 15, 2019 through October 21, 2019 and the final results were determined.

Pursuant to Elections Code Section 10263, the City Council must adopt a resolution reciting the facts of the election. The Certificate of Canvass attached to the resolution declaring the results of the election provides details of the results, including the total votes cast for each candidate and the precincts in which those votes were cast (Attachment 1).

Fiscal Impact:

None.

ATTACHMENTS

- 1. October 15, 2019 Special Election Results Resolution

OATH OR AFFIRMATION
OF ALLEGIANCE
FOR PUBLIC OFFICERS AND
EMPLOYEES

State of California)
County of Los Angeles) SS.
City of Vernon)

The Execution of this Oath is Required by Article XX, Section 3, of the Constitution of the State of California.

I, Diana M. Gonzales , do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Subscribed and sworn to before me this 5th day of November, 2019



Alyn Pope

Signature of Officer Administering Oath

City Clerk

Title of Officer Administering Oath

Diana M. Gonzales

Signature of Person Taking Oath