RESOLUTION NO. 2015-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERNON, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD ON FEBRUARY 17, 2015, 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, February 17, 2015, for the election of a Municipal Officer; 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 part hereof 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: One (1) voting precinct was established for the
purpose of holding said election, consisting of the regular election precinct in the City as established for the holding of State and County elections.

SECTION 3: The whole number of vote-by-mail voter ballots legally cast in the City for the Special Municipal Election held on February 17, 2015, was 25, with no provisional ballots cast.

SECTION 4: The following be declared to be the results of said Special Municipal Election for the office of member of the City Council:

Melissa Ybarra      25 votes

Section 5: The City Council of the City of Vernon hereby declares that Melissa Ybarra, being the only official candidate, was elected as member of the City Council for the unexpired term of two (2) years to end on April 2017.

SECTION 6: The City Clerk, or Deputy City Clerk, shall immediately make and deliver to the person so elected a Certificate of Election signed by the City Clerk, or Deputy City Clerk, and authenticated.

SECTION 7: The City Clerk, or Deputy 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 them 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 she has been elected.
SECTION 8: The City Clerk, or Deputy 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 person voted for;
(3) For what office the person was voted for; and
(4) The number of votes given to the person.

SECTION 9: The City Clerk, or Deputy City Clerk, of the City of Vernon shall certify to the passage, approval and adoption of this resolution, and the City Clerk, or Deputy City Clerk, of the City of Vernon shall cause this resolution and the City Clerk’s, or Deputy City Clerk’s, certification to be entered in the File of Resolutions of the Council of this City.

APPROVED AND ADOPTED this 3rd day of March, 2015.

[Signature]
Name: W. Michael McCormick
Title: Mayor / Mayor Pro-Tem

ATTEST:

[Signature]
Maria E. Ayala
City Clerk / Deputy City Clerk

APPROVED AS TO FORM:

[Signature]
Hema Patel, City Attorney
STATE OF CALIFORNIA  ss  
COUNTY OF LOS ANGELES  ss  

I, Maria E. Ayala, City Clerk / Deputy City Clerk of the City of Vernon, do hereby certify that the foregoing Resolution, being Resolution No. 2015-09, 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 Tuesday, March 3, 2015, and thereafter was duly signed by the Mayor or Mayor Pro-Tem of the City of Vernon.

Executed this 5th day of March, 2015, at Vernon, California.

(SIGNATURE)

Maria E. Ayala
City Clerk / Deputy City Clerk

(SEAL)
EXHIBIT A

CITY OF VERNON – SPECIAL MUNICIPAL ELECTION HELD FEBRUARY 17, 2015
CITY CLERK’S CERTIFICATION OF CANVASS

I, María E. Ayala, 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 February 17, 2015, and find
that the number of votes cast were as follows:

<table>
<thead>
<tr>
<th></th>
<th>Councilmember</th>
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<tbody>
<tr>
<td></td>
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</tr>
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<td>1</td>
</tr>
<tr>
<td>Total Votes Cast</td>
<td>25</td>
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</tbody>
</table>

Maria E. Ayala, City Clerk

Dated: February 23, 2015
DATE: March 5, 2015

TO: Kristen Enomoto, Deputy City Administrator
    Mark Whitworth, City Administrator

FROM: Deborah Juarez, Records Management Assistant

RE: Resolution No. 2015-09 — A Resolution of the City Council of the City of Vernon, California, Reciting the Fact of the Special Municipal Election Held on February 17, 2015, Declaring the Results and Such Other Matters as Provided by Law

Transmitted herewith is a copy of Resolution No. 2015-09 referenced above, which was approved by City Council on March 3, 2015.

Thank you.

Attachment

c: Maria Ayala
    Resolution No. 2015-09
DATE: March 3, 2015
TO: Honorable Mayor and City Council
FROM: Maria E. Ayala, City Clerk
RE: A Resolution of the City Council of the City of Vernon, California, Reciting the Fact of the Special Municipal Election held on February 17, 2015, Declaring the Result and Such Other Matters as Provided by Law

Recommendation

It is recommended that the City Council:

1. Find that the approval proposed in this staff report is exempt under the California Environmental Quality Act ("CEQA") in accordance with Section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment as this is merely an administrative item; and

2. Adopt the attached Resolution declaring the results of the Special Municipal Election held February 17, 2015, declaring that Melissa Ybarra is elected to the office of member of the City Council; and

3. Authorize the City Clerk to deliver the Certificate of Election and administer the oath of office to Melissa Ybarra.

Background

On February 17, 2015, a Special Municipal Election was held for the purpose of electing one member to the City Council for the unexpired term of former City Councilmember Michael A. Ybarra; said unexpired term to end on April 2017. As of the closing of the nomination period on November 24, 2014, at 5:30 p.m., Melissa Ybarra was the only official candidate. As of February 3, 2015, the City Clerk’s office had not received any requests for a write-in candidate.

On January 27, 2015, the City Clerk’s office mailed sixty-three (63) vote-by-mail ballots. No additional ballots or provisional ballots were issued.
There were a total of sixty-three (63) individuals registered to vote in this election. The City Clerk’s office received twenty-five (25) ballots. All received ballots were substantiated for signature verification. Canvassing of twenty-four (24) ballots was conducted on February 17, 2015; with a second canvassing on February 23, 2015 being required for one (1) ballot that had not been processed for signature verification in time for the first canvassing. No additional postmarked ballots were received by the City Clerk’s Office three (3) days after the election, pursuant to California Elections Code Section 4103.

The results of said canvassing are summarized in the City Clerk’s Certification of Canvass, and are to be incorporated as part of the proposed Resolution.

**Fiscal Impact**

There is no fiscal impact.
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WHEREAS, a special municipal election was held and conducted in the City of Vernon, California, on Tuesday, February 17, 2015, for the election of a Municipal Officer; and

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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 part hereof as Exhibit A.

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

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SECTION 6: The City Clerk, or Deputy City Clerk, shall immediately make and deliver to the person so elected a Certificate of Election signed by the City Clerk, or Deputy City Clerk, and authenticated.

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/ / / 
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1) The number of ballots cast in the City;
2) The names of the person voted for;
3) For what office the person was voted for; and
4) The number of votes given to the person.

SECTION 9: The City Clerk, or Deputy City Clerk, of the City of Vernon shall certify to the passage, approval and adoption of this resolution, and the City Clerk, or Deputy City Clerk, of the City of Vernon shall cause this resolution and the City Clerk’s, or Deputy City Clerk’s, certification to be entered in the File of Resolutions of the Council of this City.

APPROVED AND ADOPTED this 3rd day of March, 2015.

Name: __________________________
Title: Mayor / Mayor Pro-Tem

ATTEST:

____________________________________
City Clerk / Deputy City Clerk

APPROVED AS TO FORM:

______________________________
Hema Patel, City Attorney
EXHIBIT A

CITY OF VERNON – SPECIAL MUNICIPAL ELECTION HELD FEBRUARY 17, 2015
CITY CLERK'S CERTIFICATION OF CANVASS

I, Maria E. Ayala, 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 February 17, 2015, and find that the number of votes cast were as follows:

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Maria E. Ayala, City Clerk

Dated: February 23, 2015
United States of America

Certificate of Election

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

I, Maria E. Ayala, City Clerk, of the City of Vernon, State of California, certify, that a Special Municipal Election was held in the City on the 17th day of February, 2015, and at a regular meeting of the City Council held on the 3rd day of March, 2015,

MELISSA YBARRA

was officially declared elected to the office of

MEMBER OF THE CITY COUNCIL

as shown by the Minutes of the City Council now on file in my office.

I affix my hand and official seal this 3rd day of March, 2015.

[Signature]
Maria E. Ayala, City Clerk
OATH OR AFFIRMATION
OF ALLEGIANCE
FOR PUBLIC OFFICERS AND
EMPLOYEES

State of California
County of Los Angeles
City of Vernon

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

I, MELISSA YBARRA, 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 3rd day of March, 2015

[Signature]
Signature of Officer Administering Oath

[Title]
Title of Officer Administering Oath

[Signature]
Signature of Person Taking Oath