



OCEANSIDE CITY CLERK REPORT

DATE: July 6, 2010
TO: Mayor and Councilmembers
FROM: Barbara Riegel Wayne, City Clerk
SUBJECT: CERTIFICATION OF ELECTION RESULTS AND ADOPTION
OF RESOLUTION DECLARING THE RESULTS OF THE CITY'S
SPECIAL MUNICIPAL ELECTION OF JUNE 8, 2010

BACKGROUND

Pursuant to the California Elections Code, on December 16, 2009, the City Council adopted the necessary resolutions for holding the Special Municipal Election to be held in the City on Tuesday, June 8, 2010, for the purpose of a ballot measure to adopt a City Charter.

On January 6, 2010, the City Council adopted the necessary resolutions regarding the June 8, 2010 Special Municipal Election to fill the existing Councilmember vacancy.

Following the City's Special Municipal Election, and in accordance with the California Elections Code, the governing body of the city shall pass a resolution reciting the fact of the election.

ANALYSIS

The City's Special Municipal Election was held in the City of Oceanside on Tuesday, June 8, 2010. The official ballot contained the question of

“Shall the proposed City Charter of the City of Oceanside be adopted?”

The ballot also contained the names of those candidates to fill the existing Council vacancy (created by the resignation of Councilmember Rocky Chavez on December 18, 2009) with the term ending December, 2010. Five candidates were on the ballot for the vacant Council seat. In addition, there was one write-in candidate.

On July 6, 2010, the Registrar of Voters completed the canvass with the final results of that election provided to the City Clerk/City's Elections Official. The official results, as attached to the resolution, show:

- a) the total number of ballots cast: 30,419

1 RESOLUTION NO. 10-R _____ -1

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 OCEANSIDE, CALIFORNIA, RECITING THE FACT OF THE
5 CITY'S SPECIAL MUNICIPAL (CONSOLIDATED) ELECTION
6 HELD ON TUESDAY, JUNE 8, 2010, DECLARING THE
7 RESULTS THEREOF AND SUCH OTHER MATTERS AS
8 PROVIDED BY LAW

9 WHEREAS, a Special Municipal (Consolidated) Election was held and conducted in the
10 City of Oceanside on Tuesday, June 8, 2010, as required by law; and

11 WHEREAS, notice of the election was given in time, form and manner as provided by
12 law; that voting precincts were properly established by the Registrar of Voters of San Diego
13 County; that election officers were appointed; and that in all respects the election was held and
14 conducted and the votes were cast, received and canvassed and the returns made and declared
15 in time, form and manner as required by the provisions of the laws of the State of California
16 relating to General Law cities; and

17 WHEREAS, the Registrar of Voters of San Diego County has canvassed the returns of
18 the election and has certified the results as attached hereto and made a part hereof as "Exhibit
19 A".

20 NOW, THEREFORE, the City Council of the City of Oceanside does RESOLVE,
21 DECLARE, DETERMINE AND ORDER as follows:

22 SECTION 1. That the whole number of ballots cast in the City, including provisional
23 ballots and excepting absent voter ballots, was 10,015.

24 That the whole number of absent voter ballots cast in the City was 20,404, making a
25 total of 30,419 ballots cast in the City.

26 SECTION 2. That the measure voted upon at the election was as follows:

Shall the proposed City Charter of the City of Oceanside be adopted?	YES	
	NO	

1 SECTION 3. That the names of persons [in ballot order] on the official ballot to fill the
2 existing vacancy and voted for at the election for one Member of the City Council (term ending
3 December 2010) were as follows:

- 4 Charles "Chuck" Lowery
- 5 Michael T. Lucas
- 6 Lloyd Hershel Prosser
- 7 Ward M. O'Doherty
- 8 Ken Crossman

9 SECTION 4. That there was one write-in candidate: John C. Dowell.

10 SECTION 5. That the number of votes given at each precinct and the number of votes
11 given in the City to the measure and the number of votes given at each precinct and the number
12 of votes given in the City to each of the persons above named for the respective office for
13 which the persons were candidates are as listed in Exhibit A attached.

14 SECTION 6. In accordance with Exhibit A, the City Council DOES DECLARE AND
15 DETERMINE that:

16 The city charter measure was successful and Charles "Chuck" Lowery was elected as
17 Member of the City Council for the term ending December 2010.

18 SECTION 7. The City Clerk shall make and deliver to the person so elected a Certificate
19 of Election signed by the City Clerk and authenticated; that in accordance with California
20 Government Code Section 36507, the City Clerk shall also administer to the person elected the
21 Oath of Office prescribed in the Constitution of the State of California and shall have him
22 subscribe to it and file it in the office of the City Clerk. The person so elected shall then be
23 inducted into the office to which he has been elected.

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25 /////
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1 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,
2 this 6th day of July, 2010, by the following vote:

- 3 AYES:
- 4 NAYS:
- 5 ABSENT:
- 6 ABSTAIN:

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MAYOR OF THE CITY OF OCEANSIDE

APPROVED AS TO FORM:

ATTEST:



CITY ATTORNEY

CITY CLERK

Resolution Certifying Special Municipal Election Results 2010