

RESOLUTION NO. 2010-249

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION HELD ON
NOVEMBER 2, 2010 DECLARING THE RESULTS AND SUCH OTHER MATTERS
AS PROVIDED BY LAW**

WHEREAS, a General Municipal Election was held and conducted in the City of Elk Grove, California, on Tuesday, November 2, 2010, as required by law; and

WHEREAS, notice of the election was given in the time, form and manner as provided by law; that candidates were nominated to fill the vacancy or vacancies 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 the ballots 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 the holding of elections in general law cities; and

WHEREAS, pursuant to Council Resolution No. 2010-83 adopted April 27, 2010, the Sacramento County Registrar of Voters canvassed the returns of the election and has submitted the Certificate of Facts, attached and made a part hereof as Exhibit A.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELK GROVE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the names of persons voted for at the election for Member of the City Council are as follows:

Council District 2

Patrick A. Hume
George Murphey
Davies Ononiwu

Council District 4

Gary Davis
Jimmie Johnson
James White

Section 2. That the following measures were submitted to the voters at the election of the City of Elk Grove as follows:

MEASURE J

UTILITY USER TAX REDUCTION AND MODERNIZATION MEASURE Shall an ordinance be adopted to reduce the existing Utility User Tax from 2.5% to 2.25%; modernize the current ordinance to treat taxpayers equally regardless of technology used for telecommunications and video services; to preserve funding for essential general municipal services, such as public safety?	YES
	NO

AND

MEASURE K

ELECTIVE OFFICE OF MAYOR Shall the electors elect a mayor and four city council members? A "Yes" vote means the citizens directly elect the mayor; a "No" vote continues the practice that the council chooses one of its members to preside as mayor on an annual basis.	YES
	NO

AND

MEASURE L

TWO YEAR TERM OF ELECTIVE OFFICE OF MAYOR Shall the term of office of mayor be two years ?	YES
	NO

AND

MEASURE M

FOUR YEAR TERM OF ELECTIVE OFFICE OF MAYOR Shall the term of office of mayor be four years ?	YES
	NO

AND

MEASURE N

ADVISORY VOTE ONLY	
INCREASE TO A SEVEN MEMBER LEGISLATIVE BODY Shall members of the legislative body of the City of Elk Grove be qualified by and elected from six (6) districts and the mayor be qualified and elected on a citywide basis by the voters of the entire city; a "Yes" vote increases the legislative body to seven (7) members; a "No" vote retains the current size of the legislative body at five (5) members.	YES
	NO

Section 3. That the number of votes given to each of the persons above named in Section 1 for the respective offices for which the persons were candidates, and for and against the measures listed in Section 2, are displayed in Exhibit A, attached.

Section 4. The City Council does declare and determine that:

- 1) Patrick A. Hume was elected from Council District 2 as a member of the City Council for the full term of four years; and
- 2) Gary Davis was elected from Council District 4 as a member of the City Council for the full term of four years.

Section 5. The City Council does declare and determine that, as a result of the election:

- 1) A majority of the voters voting on Measure J relating to the Utility User Tax Ordinance reduction and modernization measure **did** vote in favor thereof; and
- 2) A majority of the voters voting on Measure K relating to the elective office of mayor **did** vote in favor thereof; and
- 3) A majority of the voters voting on Measure L relating to a two year term of elective office of mayor **did** vote in favor thereof; and
- 4) A majority of the voters voting on Measure M relating to four year term of elective office of mayor **did not** vote in favor thereof; and
- 5) A majority of the voters voting on Measure N relating to an advisory vote to consider increasing to a seven member legislative body **did not** vote in favor thereof

Section 6. That the City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the Registrar of Voters 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 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.

Section 7. The City Clerk shall enter on the records of the City Council of the City of Elk Grove, a statement of the result of the election, showing: 1) the whole number of ballots cast in the City of Elk Grove, 2) the names of the persons voted for, 3) the measures voted upon, 4) for what office each person was voted for, and 5) the total number of votes given to each person, and for and against each measure.

Section 8. That the City Clerk shall certify to the passage and adoption of this resolution.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 8th day of December 2010.



SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

EXHIBIT A

STATE OF CALIFORNIA

} ss.

County of Sacramento

CERTIFICATE OF FACTS

I, Jill LaVine, Registrar of Voters of the County of Sacramento, State of California, do hereby certify that the names of the candidates shown below were submitted to the known qualified electors in the **City of Elk Grove, Districts 2 and 4** for the purpose of electing **One (1) City Council Member in each District** at the November 2, 2010 General Election.

The results of the Official Canvass conducted by this office are as follows:

District 2	Votes Cast
*Patrick A. Hurne	17,304
George Murphey	13,402
Davies Ononiwu	7,942

District 4	Votes Cast
*Gary Davis	22,380
Jimmie Johnson	12,186
James White	4,182

And that the conduct of the election and canvass of the ballots was in every respect in accordance with the election laws of the State of California.

Witness My Hand and Seal this 19th day of November 2010.




JILL LAVINE
REGISTRAR OF VOTERS
County of Sacramento
State of California

* Candidates elected

STATE OF CALIFORNIA

County of Sacramento

} ss.

CERTIFICATE OF FACTS

I, Jill LaVine, Registrar of Voters of the County of Sacramento, State of California, do hereby certify that **Measure "J"** (shown below) was submitted to the known qualified electors of the **City of Elk Grove** at the General Election held on November 2, 2010.

UTILITY USER TAX REDUCTION AND MODERNIZATION MEASURE

Shall an ordinance be adopted to reduce the existing Utility User Tax from 2.5% to 2.25%; modernize the current ordinance to treat taxpayers equally regardless of technology used for telecommunications and video services; to preserve funding for essential general municipal services, such as public safety?

The results of the Official Canvass conducted by this office are as follows:

YES VOTES

NO VOTES

31,093

9,514

And that the conduct of the election and canvass of the ballots was in every respect in accordance with the election laws of the State of California.

Witness My Hand and Seal this 19th day of November 2010.



Jill LaVine
JILL LAVINE
REGISTRAR OF VOTERS
County of Sacramento
State of California

STATE OF CALIFORNIA

County of Sacramento

} ss.

CERTIFICATE OF FACTS

I, Jill LaVine, Registrar of Voters of the County of Sacramento, State of California, do hereby certify that **Measure "K"** (shown below) was submitted to the known qualified electors of the **City of Elk Grove** at the General Election held on November 2, 2010.

ELECTIVE OFFICE OF MAYOR

Shall the electors elect a mayor and four city council members? A "Yes" vote means the citizens directly elect the mayor; a "No" vote continues the practice that the council chooses one of its members to preside as Mayor on an annual basis.

The results of the Official Canvass conducted by this office are as follows:

YES VOTES


32,500

NO VOTES

9,030

And that the conduct of the election and canvass of the ballots was in every respect in accordance with the election laws of the State of California.

Witness My Hand and Seal this 19th day of November 2010.


JILL LAVINE
REGISTRAR OF VOTERS
County of Sacramento
State of California

STATE OF CALIFORNIA

County of Sacramento

} ss.

CERTIFICATE OF FACTS

I, Jill LaVine, Registrar of Voters of the County of Sacramento, State of California, do hereby certify that **Measure "L"** (shown below) was submitted to the known qualified electors of the **City of Elk Grove**, State of California at the General Election held on November 2, 2010.

TWO YEAR TERM OF ELECTIVE OFFICE OF MAYOR
Shall the term of office of mayor be **two years**?

The results of the Official Canvass conducted by this office are as follows:

YES VOTES

NO VOTES

26,170

14,928

And that the conduct of the election and canvass of the ballots was in every respect in accordance with the election laws of the State of California.

Witness My Hand and Seal this 19th day of November 2010.



Jill LaVine
JILL LAVINE
REGISTRAR OF VOTERS
County of Sacramento
State of California

STATE OF CALIFORNIA

} ss.

County of Sacramento

CERTIFICATE OF FACTS

I, Jill LaVine, Registrar of Voters of the County of Sacramento, State of California, do hereby certify that **Measure "M"** (shown below) was submitted to the known qualified electors of the **City of Elk Grove** at the General Election held on November 2, 2010.

FOUR YEAR TERM OF ELECTIVE OFFICE OF MAYOR

Shall the term of office of mayor be **four years**?

The results of the Official Canvass conducted by this office are as follows:

YES VOTES

NO VOTES

14,194

26,142

And that the conduct of the election and canvass of the ballots was in every respect in accordance with the election laws of the State of California.

Witness My Hand and Seal this 19th day of November 2010.



Jill LaVine
JILL LAVINE
REGISTRAR OF VOTERS
County of Sacramento
State of California

STATE OF CALIFORNIA }
County of Sacramento } ss.

CERTIFICATE OF FACTS

I, Jill LaVine, Registrar of Voters of the County of Sacramento, State of California, do hereby certify that **Measure "N"** (shown below) was submitted to the known qualified electors of the **City of Elk Grove** at the General Election held on November 2, 2010.

INCREASE TO A SEVEN MEMBER LEGISLATIVE BODY

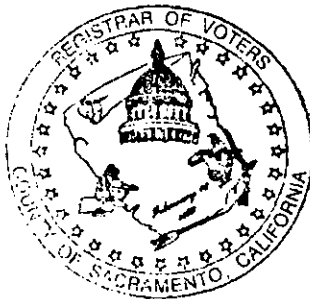
Shall members of the legislative body of the City of Elk Grove be qualified by and elected from **six (6) districts** and the Mayor be qualified and elected on a citywide basis by the voters of the entire city; a "Yes" vote increases the legislative body to seven (7) members; a "No" vote retains the current size of the legislative body at five (5) members.

The results of the Official Canvass conducted by this office are as follows:

YES VOTES	NO VOTES
16,833	22,727

And that the conduct of the election and canvass of the ballots was in every respect in accordance with the election laws of the State of California.

Witness My Hand and Seal this 19th day of November 2010.



Jill LaVine
JILL LAVINE
REGISTRAR OF VOTERS
County of Sacramento
State of California

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2010-249

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on December 8, 2010 by the following vote:

AYES : COUNCILMEMBERS: *Scherman, Detrick, Cooper, Davis, Hume*

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*


Jason Lindgren, City Clerk
City of Elk Grove, California