



AGENDA REPORT
SAN CLEMENTE CITY COUNCIL MEETING
 Meeting Date: November 19, 2019

Agenda Item A
Approvals:
 City Mgr.
 Dept. Head
 Attorney
 Finance JCR

Department: City Clerk
Prepared By: Joanne Baade, City Clerk/Legislative Administrator *JAB*

Subject: **RESULTS OF THE SPECIAL MUNICIPAL ELECTION HELD ON NOVEMBER 5, 2019**

Fiscal Impact: Council previously approved a supplemental appropriation of up to \$295,500 in Account 001-133-44510 (Election Expenses) to fund the Special Municipal Election of November 5, 2019. This appropriation was authorized prior to the City receiving confirmation that the election qualified for an all-mail ballot election, which is less costly than a precinct election. The cost to contract with the Orange County Registrar of Voters to conduct a precinct election was estimated at \$267,651 to \$293,989, plus an additional \$1,500 to fund City translation and publication costs. The cost to contract with the Orange County Registrar of Voters to conduct an all-mail ballot election was estimated at \$164,831 to \$193,565, plus an additional \$1,500 to fund City translation and publication costs. Because the election was conducted as an all-mail ballot election, the election cost will be less than the amount budgeted. The final election cost, however, has not yet been determined by the Registrar of Voters.

Summary: A Special Municipal Election was held in the City of San Clemente on November 5, 2019 for the purpose of electing one Member of the City Council for a term of one year (i.e., to fill the remainder of the term created by the death of Steve Swartz). In accordance with Council direction, the City's Special Municipal Election was conducted by the Orange County Registrar of Voters as an all-mail ballot election.

The ballots were counted and the results canvassed and certified by the Orange County Registrar of Voters. A copy of the certified election results is attached to this report.

Five candidates appeared on the ballot in the following order: Christina Selter, Dee Coleman, Michael (Mickey) McLane, Jackson Hinkle, and Gene James. As the below vote tally indicates, Gene James was the candidate who received the highest number of votes.

CITY OF SAN CLEMENTE Member, City Council
 Completed Precincts: 28 of 28

	Vote Count	Percentage
GENE JAMES	8,253	54.9%
JACKSON HINKLE	4,683	31.2%
DEE COLEMAN	785	5.2%
CHRISTINA SELTER	667	4.4%
MICHAEL (MICKEY) MCLANE	638	4.2%

* Indicates Incumbent Candidate, if any

The California Elections Code requires that Council declare the results of the election no later than the fourth Friday after the election (*i.e., on November 29, 2019*). Consequently, Council is requested to adopt the attached resolution reciting the fact of the election at this time.

Due to a pre-planned family event, Councilmember-Elect James is unable to attend the Council meeting of November 19, 2019 to be inducted into office. Consequently, the City Clerk will administer the Oath of Office to Councilmember-Elect James at his earliest opportunity after Council declares the election results so that he is eligible to participate in the Closed Session on December 3, 2019. For ceremonial purposes, the City Clerk will again administer the Oath of Office to Councilmember James at the public portion of the December 3, 2019 City Council meeting. Pursuant to Council Policy and Procedure, Council will also appoint a Mayor and Mayor Pro Tem at its first meeting in December (*i.e., on December 3, 2019*).

Recommended

Action: STAFF RECOMMENDS THAT the City Council adopt a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD IN THE CITY ON NOVEMBER 5, 2019, DECLARING THE RESULTS, AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

Attachments: Proposed City Council resolution (which includes the certified election results as an attachment)

Notification: Candidates for Office of the City Council.

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD NOVEMBER 5, 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 San Clemente, California, on Tuesday, November 5, 2019 as an all-mail ballot election; and

WHEREAS, notice of the election was given in the time, form and manner as provided by law and in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in the 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 Resolution No. 19-13, adopted on May 21, 2019, and Resolution No. 19-14, adopted on May 21, 2019, the Orange County Registrar of Voters canvassed the returns of the election and has certified the results, which is attached hereto and made a part herein as Exhibit "A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

Section 1: That the number of ballots cast in the City was 15,088.

Section 2: That the names of persons voted for at the election for Member of the City Council are as follows (in the order as they appeared on the ballot):

Christina Selter
Dee Coleman
Michael (Mickey) McLane
Jackson Hinkle
Gene James

Section 3: That the number of ballots cast for the office of Member of the City Council is listed in Exhibit "A", attached hereto and made a part hereof.

Section 4: The City Council does declare and determine that Gene James was elected as a Member of the City Council for a term of one year, to fill the unexpired term of office created by the death of Steven Swartz.

Section 5: The City Clerk shall enter into the records of the City of San Clemente, a statement of the results of the election, showing: (1) the whole number of ballots cast in the City; (2) the names of the persons appearing on the ballot for the office of Member of the City Council; and (3) the number of votes given for each person.

Section 6: That the City Clerk shall immediately make and deliver to the person elected a Certificate of Election signed by the City Clerk or Deputy City Clerk and authenticated; that the Oath of Office prescribed in the Constitution of the State of California shall be administered to the person elected. The person elected shall subscribe to the Oath and a copy shall be filed in the office of the City Clerk. The person elected shall then be inducted into the respective office to which they were elected.

Section 11: 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 19th day of November, 2019.

MAYOR PRO TEM of the City of
San Clemente, California

ATTEST:

CITY CLERK of the City of
San Clemente, California

RESOLUTION NO.

Page 3

STATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the City Council of the City of San Clemente held on the 19th day of November, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this _____ day of _____, 2019.

CITY CLERK of the City of
San Clemente, California

Approved as to form:

City Attorney

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11-19-19 / A-5

**CERTIFICATE OF REGISTRAR OF VOTERS TO RESULT
OF THE CANVASS OF THE GENERAL DISTRICT ELECTION RETURNS**

STATE OF CALIFORNIA)
)ss.
COUNTY OF ORANGE)

I, Neal Kelley, Registrar of Voters of Orange County, do hereby certify the following to be a full, true and correct Statement of the Vote of the City of San Clemente Special Municipal Election listed below, consolidated with the General District Election held on November 5, 2019.

**CITY OF SAN CLEMENTE
MEMBER OF THE CITY COUNCIL**


GENE JAMES	8,253
JACKSON HINKLE	4,683
DEE COLEMAN	785
CHRISTINA SELTER	667
MICHAEL (MICKEY) MCLANE	638

VOTE-BY-MAIL BALLOTS CAST:	15,087
ELECTION DAY BALLOTS CAST:	1
TOTAL BALLOTS CAST:	15,088

I hereby certify that the number of votes cast for each candidate is as set forth above and appears in the Certified Statement of the Vote.

WITNESS my hand and Official Seal this 14th day of November, 2019.




NEAL KELLEY
Registrar of Voters
Orange County



Voting/Vote-by-Mail/Regular Pct Xref Summary - Voting Pct Order
General District Election - 11/5/2019

Voting Precinct	Ballot Type	Ballot Pct	MB?	VBIM Pct	Regular Pct	Voting Precinct	Ballot Type	Ballot Pct	MB?	VBIM Pct	Regular Pct	Ballot Type
27133 - STANTON	Regular	27133 STANTON	Yes	8027133	27133 STANTON	48155 - SAN CLEMENTE	Regular	48155	Yes	8048155	48155 SAN CLEMENTE	2
27134 - STANTON	Regular	27134 STANTON	Yes	8027134	27134 STANTON	48156 - SAN CLEMENTE	Regular	48156	Yes	8048156	48156 SAN CLEMENTE	2
27136 - STANTON	Regular	27136 STANTON	Yes	8027136	27136 STANTON	48157 - SAN CLEMENTE	Regular	48157	Yes	8048157	48157 SAN CLEMENTE	2
27137 - STANTON	Regular	27137 STANTON	Yes	8027137	27137 STANTON	48161 - SAN CLEMENTE	Regular	48161	Yes	8048161	48161 SAN CLEMENTE	2
27139 - STANTON	Regular	27139 STANTON	Yes	8027139	27139 STANTON	48165 - SAN CLEMENTE	Regular	48165	Yes	8048165	48165 SAN CLEMENTE	2
27140 - STANTON	Regular	27140 STANTON	Yes	8027140	27140 STANTON	48166 - SAN CLEMENTE	Regular	48166	Yes	8048166	48166 SAN CLEMENTE	2
27141 - STANTON	Regular	27141 STANTON	Yes	8027141	27141 STANTON	48167 - SAN CLEMENTE	Regular	48167	Yes	8048167	48167 SAN CLEMENTE	2
27146 - STANTON	Regular	27146 STANTON	Yes	8027146	27146 STANTON	48169 - SAN CLEMENTE	Regular	48169	Yes	8048169	48169 SAN CLEMENTE	2
27155 - STANTON	Regular	27155 STANTON	Yes	8027155	27155 STANTON	48171 - SAN CLEMENTE	Regular	48171	Yes	8048171	48171 SAN CLEMENTE	2
27157 - STANTON	Regular	27157 STANTON	Yes	8027157	27157 STANTON	48173 - SAN CLEMENTE	Regular	48173	Yes	8048173	48173 SAN CLEMENTE	2
27164 - STANTON	Regular	27164 STANTON	Yes	8027164	27164 STANTON	48175 - SAN CLEMENTE	Regular	48175	Yes	8048175	48175 SAN CLEMENTE	2
27168 - STANTON	Regular	27168 STANTON	Yes	8027168	27168 STANTON	48239 - SAN CLEMENTE	Regular	48239	Yes	8048239	48239 SAN CLEMENTE	2
27701 - STANTON	Regular	27701 STANTON	Yes	8027701	27701 STANTON	48240 - SAN CLEMENTE	Regular	48240	Yes	8048240	48240 SAN CLEMENTE	2
						48241 - SAN CLEMENTE	Regular	48241	Yes	8048241	48241 SAN CLEMENTE	2
						48245 - SAN CLEMENTE	Regular	48245	Yes	8048245	48245 SAN CLEMENTE	2
						48249 - SAN CLEMENTE	Regular	48249	Yes	8048249	48249 SAN CLEMENTE	2
27702 - STANTON	Regular	27702 STANTON	Yes	8027702	27702 STANTON	48250 - SAN CLEMENTE	Regular	48250	Yes	8048250	48250 SAN CLEMENTE	2
						48252 - SAN CLEMENTE	Regular	48252	Yes	8048252	48252 SAN CLEMENTE	2
						48256 - SAN CLEMENTE	Regular	48256	Yes	8048256	48256 SAN CLEMENTE	2
						48257 - SAN CLEMENTE	Regular	48257	Yes	8048257	48257 SAN CLEMENTE	2
						48258 - SAN CLEMENTE	Regular	48258	Yes	8048258	48258 SAN CLEMENTE	2
						51064 - BAY VIEW	Regular	51064	Yes	8051064	51064 BAY VIEW	3
27703 - STANTON	Regular	27703 STANTON	Yes	8027703	27703 STANTON	51066 - BAY VIEW	Regular	51066	Yes	8051066	51066 BAY VIEW	3
						51072 - BAY VIEW	Regular	51072	Yes	8051072	51072 BAY VIEW	3
						51073 - BAY VIEW	Regular	51073	Yes	8051073	51073 BAY VIEW	3
						51213 - BAY VIEW	Regular	51213	Yes	8051213	51213 BAY VIEW	3
						52180 - COSTA MESA	Regular	52180	Yes	8052180	52180 COSTA MESA	3
						52231 - COSTA MESA	Regular	52231	Yes	8052231	52231 COSTA MESA	3
48141 - SAN CLEMENTE	Regular	48141 SAN CLEMENTE	Yes	8048141	48141 SAN CLEMENTE	52235 - COSTA MESA	Regular	52235	Yes	8052235	52235 COSTA MESA	3
48142 - SAN CLEMENTE	Regular	48142 SAN CLEMENTE	Yes	8048142	48142 SAN CLEMENTE	52236 - COSTA MESA	Regular	52236	Yes	8052236	52236 COSTA MESA	3
48143 - SAN CLEMENTE	Regular	48143 SAN CLEMENTE	Yes	8048143	48143 SAN CLEMENTE	53345 - NEWPORT BEACH	Regular	53345	Yes	8053345	53345 NEWPORT BEACH	3
48147 - SAN CLEMENTE	Regular	48147 SAN CLEMENTE	Yes	8048147	48147 SAN CLEMENTE	53346 - NEWPORT BEACH	Regular	53346	Yes	8053346	53346 NEWPORT BEACH	3
48148 - SAN CLEMENTE	Regular	48148 SAN CLEMENTE	Yes	8048148	48148 SAN CLEMENTE	53373 - NEWPORT BEACH	Regular	53373	Yes	8053373	53373 NEWPORT BEACH	3
48151 - SAN CLEMENTE	Regular	48151 SAN CLEMENTE	Yes	8048151	48151 SAN CLEMENTE	59701 - IRVINE	Regular	59701	Yes	8059701	59701 IRVINE	3
48152 - SAN CLEMENTE	Regular	48152 SAN CLEMENTE	Yes	8048152	48152 SAN CLEMENTE				Yes	8059214	59214 IRVINE	3

Grand Totals 2	CITY OF SAN CLEMENTE Member, City Council													
	Registration	Ballots Cast	Turnout (%)		CITY OF SAN CLEMENTE CHRISTINA SELTER	DEE COLEMAN	MICHAEL (MICKEY) MCLANE	JACKSON HINKLE	GENE JAMES					
73rd Assembly District	40,561	15,088	37.2		667	785	638	4683	8253					
5th Supervisorial District	40,561	15,088	37.2		667	785	638	4683	8253					
Capistrano Unified School District	40,561	15,088	37.2		667	785	638	4683	8253					
Municipal Water District Of Orange	40,561	15,088	37.2		667	785	638	4683	8253					
Municipal Water District of Orange County	6,649	2,335	35.1		88	117	77	563	1480					
Municipal Water District of Orange County	33,912	12,753	37.6		579	668	561	4120	6773					
South Orange County Community College	40,561	15,088	37.2		667	785	638	4683	8253					
South Orange County Community College	6,660	2,200	33.0		108	125	114	740	1100					
South Orange County Community College	33,901	12,888	38.0		559	660	524	3943	7153					
Early Voting Totals	40,561	0	0.0		0	0	0	0	0					
Absentee Totals	40,561	15,087	37.2		667	785	638	4682	8253					
Election Day Totals	40,561	1	0.0		0	0	0	1	0					
Grand Totals	40,561	15,088	37.2		667	785	638	4683	8253					

2		CITY OF SAN CLEMENTE Member, City Council												
	Registration	Ballots Cast	Turnout (%)	CITY OF SAN CLEMENTE CHRISTINA SELTER	DEE COLEMAN	MICHAEL (MICKEY) MCLANE	JACKSON HINKLE	GENE JAMES						
48147	1,323	555	42.0	21	41	43	180	266						
48148	719	287	39.9	13	18	18	87	151						
48151	1,523	641	42.1	24	35	31	181	369						
48157	2,108	718	34.0	25	30	30	178	456						
48161	1,093	339	31.0	27	19	20	102	166						
48165	2,061	717	34.8	27	28	27	180	451						
48171	1,598	652	40.8	27	38	22	158	407						
48173	1,889	699	31.7	18	35	15	147	382						
48175	1,101	367	33.3	16	16	13	80	240						
48255	163	62	50.3	1	8	4	15	54						
48260	1,995	604	26.6	25	29	16	237	196						
48260	294	92	31.3	11	3	4	34	40						
48258	2	1	50.0	0	1	0	0	0						
Early Voting Totals	40,561	0	0.0	0	0	0	0	0						
Absentee Totals	40,561	15,087	37.2	667	785	638	4682	8253						
Election Day Totals	40,561	1	0.0	0	0	0	1	0						
Grand Totals	40,561	15,088	37.2	667	785	638	4683	8253						

Early Voting Totals 2	CITY OF SAN CLEMENTE Member, City Council														
	Registration	Ballots Cast	Turnout (%)		CITY OF SAN CLEMENTE CHRISTINA SELTER	DEE COLEMAN	MICHAEL (MICKEY) MCLANE	JACKSON HINKLE	GENE JAMES						
73rd Assembly District	40,581	0	0.0		0	0	0	0	0						
5th Supervisorial District	40,581	0	0.0		0	0	0	0	0						
Capistrano Unified School District	40,581	0	0.0		0	0	0	0	0						
Municipal Water District Of Orange	40,581	0	0.0		0	0	0	0	0						
Municipal Water District of Orange County	6,849	0	0.0		0	0	0	0	0						
Municipal Water District of Orange County	33,912	0	0.0		0	0	0	0	0						
South Orange County Community College	40,581	0	0.0		0	0	0	0	0						
South Orange County Community College	6,860	0	0.0		0	0	0	0	0						
South Orange County Community College	33,901	0	0.0		0	0	0	0	0						
Early Voting Totals	40,581	0	0.0		0	0	0	0	0						

Absentee Totals 2		CITY OF SAN CLEMENTE Member, City Council												
	Registration	Ballots Cast	Turnout (%)		CITY OF SAN CLEMENTE CHRISTINA SELTER	DEE COLEMAN	MICHAEL (MICKEY) MCLANE	JACKSON HINKLE	GENE JAMES					
73rd Assembly District	40,561	15,087	37.2		667	785	638	4682	8253					
5th Supervisorial District	40,561	15,087	37.2		667	786	638	4682	8253					
Capistrano Unified School District	40,561	15,087	37.2		667	785	638	4682	8253					
Municipal Water District Of Orange	40,561	15,087	37.2		667	785	638	4682	8253					
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South Orange County Community College	40,561	15,087	37.2		667	785	638	4682	8253					
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South Orange County Community College	33,901	12,887	38.0		559	660	524	3942	7153					
Absentee Totals	40,561	15,087	37.2		667	785	638	4682	8253					