



NOTICE AND CALL OF A
CITY OF RIVERBANK
SPECIAL CITY COUNCIL MEETING
City Hall Council Chambers
6707 Third Street, Suite B • Riverbank • CA 95367



AGENDA

TUESDAY, NOVEMBER 25, 2014 AT 5:30 P.M.

(The agenda packet is posted at the City Clerk's office and at www.riverbank.org)

<u>CALL TO ORDER:</u>	Mayor Richard D. O'Brien
<u>FLAG SALUTE:</u>	Mayor Richard D. O'Brien
<u>INVOCATION:</u>	Riverbank Ministerial Association
<u>ROLL CALL:</u>	Mayor Richard D. O'Brien Vice Mayor Cal Campbell Councilmember Darlene Barber-Martinez Councilmember Leanne Jones Cruz Councilmember Jeanine Tucker

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken)

Pursuant to Government Code, in reference to a special meeting, the public has the opportunity to address the City Council only on items appearing on this special meeting notice. Individual comments are limited to a **maximum of 5 minutes** per person and each person may speak once during this time. Time cannot be yielded to another person.

2. BUSINESS

Item 2.1: **A Resolution of the City Council of the City of Riverbank, California, Reciting the Fact of the Consolidated General Municipal Election Held on November 4, 2014, and Declaring the Results and Such Other Matters as Provided by Law** – It is recommended that the City Council adopt a resolution reciting the official certified results of Riverbank's Consolidated General Municipal Election held on November 4, 2014, for the purpose of declaring elected the persons for whom the highest number of votes were cast for the two offices of Councilmember; each to serve a four-year term that expires November 2018.

Item 2.2: Seating of the Newly Elected Councilmembers.

- A. Oath administered and Certificate of Election presented to Cal Campbell and Leanne Jones Cruz, initiating their four-year terms as Councilmembers of the City of Riverbank City Council; expiring November 2018.
- B. Newly elected Councilmembers to take their seats at the dais.
- C. Comments:
 - a. Councilmember Campbell
 - b. Councilmember Jones Cruz
 - c. Mayor and other Members of the Council
 - d. City Manager

ROLL CALL OF THE NEW RIVERBANK CITY COUNCIL

Mayor Richard D. O'Brien
Councilmember Darlene Barber-Martinez
Councilmember Cal Campbell
Councilmember Jones Cruz
Councilmember Jeanine Tucker

ADJOURNMENT

MEET AND GREET NEW COUNCILMEMBERS; FOOD AND REFRESHMENTS PROVIDED.

(THE REGULAR CITY COUNCIL MEETING WILL FOLLOW AT 6:00 P.M.)

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted on the exterior City Hall bulletin board, next to the City Council Chamber entrance, 24 hours prior to the meeting pursuant to the Brown Act.

Dated this 24th day of November, 2014.

/s/ Annabelle H. Aguilar, CMC, City Clerk

Notice Regarding Americans with Disabilities Act: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (209) 863-7122. Notification 48-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

Notice Regarding Non-English Speakers: Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Riverbank City Council/LRA Board shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

GENERAL INFORMATION

Meeting Schedule	The City Council Members also serve as the LRA Board Members. The Riverbank City Council/LRA Board meets in the City Hall North Council Chambers. Regular City Council meetings are held on the 2nd and 4th Tuesdays of each month at 6:00 p.m. The Local Redevelopment Authority Board meets on an "as needed" basis. Meetings are held as indicated, unless otherwise noticed.
City Council / LRA Agenda & Reports	The City Council/LRA Board agenda is posted pursuant to the California Brown Act, which only requires these agenda title pages to be posted near the entrance of the location where the meeting is to be held and, if available, on the City's website. Additional documents may be provided by the City in its efforts of transparency to keep the public well informed. The agenda packet (agenda plus supporting documents) are posted for public review at the City Clerk's Office, 6707 Third Street, Riverbank, CA and at www.riverbank.org upon distribution to a majority of the City Council/LRA Board. A subscription to receive the agenda can be purchased for a nominal fee through the City Clerk's Office.
Public Hearings	In general, a public hearing is an open consideration within a regular meeting of the City Council or a meeting of the LRA, for which special notice has been given and may be required. During a specified portion of the hearing, any resident or concerned individual is invited to present protests or offer support for the subject under consideration.
Televised / Video of Meetings	City Council/LRA meetings are televised on Charter Channel 2 and AT&T Uverse Channel 99. Video of the meeting and the schedule of replays may be seen on the City's website, under the "Action 2" Icon. (Note: Technical difficulty occurs on occasion preventing the televising or recording of the meeting.)
Questions	Contact the City Clerk at (209) 863-7122 or aaguilar@riverbank.org

SPECIAL RIVERBANK CITY COUNCIL AGENDA ITEM NO. 2.1

SECTION 2: BUSINESS

Meeting Date: November 25, 2014

Subject: A **Resolution** of the City Council of the City of Riverbank, California, Reciting the Fact of the Consolidated General Municipal Election Held on November 4, 2014, and Declaring the Results and Such Other Matters as Provided by Law

From: Jill Anderson, City Manager

Submitted by: Annabelle Aguilar, CMC, City Clerk (Elections Official)

RECOMMENDATION

It is recommended that the City Council adopt a resolution reciting the official certified results of Riverbank's Consolidated General Municipal Election held on November 4, 2014, for the purpose of declaring elected the persons for whom the highest number of votes were cast for the two offices of Councilmember; each to serve a four-year term that expires November 2018.

SUMMARY

The City of Riverbank consolidated its General Municipal Election with Stanislaus County's General Statewide Election and, as a result, the County's Elections Official would conduct the City's canvassing of ballots returned, and certify the City's election results. Pursuant to California Election Code for a consolidated election, the City's Elections Official (City Clerk), upon receipt of the certified election results from the County, shall certify the results to the City Council, no later than the next regularly scheduled City Council meeting or at a special meeting called for this purpose. Upon completion of the canvass and before installing the new officers, the City Council shall adopt a resolution reciting the fact of the election and other matters enumerated in the statement of results; thereby, declaring elected the persons for whom the highest numbers of votes were cast for each office.

The official certified results of Riverbank's General Municipal Election, as stated in the following table and derived from Exhibit A (Statement of the Vote) of the attached resolution, confirm that the highest number of votes cast to fill two (2) seats for Councilmember, are for incumbent Cal Campbell and incumbent Leanne Jones Cruz, respectively.

<u>COUNCILMEMBER CANDIDATES</u> (2 to be Elected on November 4, 2014)	<u>VOTES</u>
Cal Campbell	1,857
Leanne Jones Cruz	1,727
Larry King	1,145

As a result, Riverbank's Elections Official shall administer the Oath of Office to each newly elected Councilmember, present them with their official Certificate of Election, and conclude by having each new Officer take their place at the dais to begin their new terms.

FINANCIAL IMPACT

Pursuant to Municipal Code § 30.02(B), Councilmembers Campbell and Jones Cruz shall each receive a monthly stipend of \$350.00. In addition, the estimated cost associated with consolidating the election, which had been included and approved in the 2014/15 budget, was estimated to be \$20,000.00.

ATTACHMENTS

1. Exhibit A – County Elections Official, Certified Official Statement of Vote
2. Resolution – Reciting and Certifying the Consolidated General Municipal Election Results for the City of Riverbank

CITY OF RIVERBANK

RESOLUTION NO. 2014-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, RECITING THE FACT OF THE CONSOLIDATED GENERAL
MUNICIPAL ELECTION HELD ON NOVEMBER 4, 2014, AND DECLARING THE
RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW**

WHEREAS, a General Municipal Election was held and conducted in the City of Riverbank, California, on Tuesday, November 4, 2014, as required by law; and

WHEREAS, notice of the election was given in time, form, and manner 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 votes were cast, received, and canvassed, and that the returns were made and declared in time, form, and manner as required by the provisions of the Election Code of the State of California for the holding of elections in general law cities; and

WHEREAS, the Stanislaus County Elections Official canvassed the returns of the election and has certified the results; and

WHEREAS, by this resolution of the City of Riverbank City Council, the City's Election Official (City Clerk) declares and certifies to the City Council the official results received, which are attached hereto and incorporated herein as **Exhibit A** (Statement of the Vote).

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

SECTION 1: That the whole number of votes cast in the City of Riverbank at the General Municipal Election was 3,337 and

SECTION 2: That the names of persons voted for and numbers of votes cast at the election for Councilmember are as follows:

<u>COUNCILMEMBER CANDIDATES</u> (2 to be Elected on November 4, 2014)	<u>VOTES</u>
Cal Campbell	1,857
Leanne Jones Cruz	1,727
Larry King	1,145

SECTION 3: That the number of votes given at each precinct and the number of votes given in the City to each of the persons named above for the respective offices of Councilmember for which the persons were candidates are as listed in **Exhibit A** attached.

SECTION 4: The City Council of the City of Riverbank does declare and determine that: Cal Campbell was elected as Councilmember for the full term of four (4) years; expiring November 2018, and that Leanne Jones Cruz was elected as Councilmember for the full term of four (4) years; expiring November 2018.

SECTION 5: The City Clerk shall enter on the records of the City Council of the City of Riverbank, a statement of the result of the election, showing: (1) The whole number of votes cast in the City; (2) The names of the persons voted for; (3) For what office each person was voted for; (4) The number of votes given at each precinct to each person; and (5) The total number of votes given to each person.

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 City Clerk 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 it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted into their respective office to which they have been elected.

SECTION 7: That 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 by the City Council of the City of Riverbank at a regular meeting held on the 25th day of November, 2014; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following vote City Council vote of ____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

Annabelle H. Aguilar, CMC
City Clerk

APPROVED:

Richard D. O'Brien
Mayor

Attachment: Exhibit A –Certified Statement of Vote for the November 4, 2014, Riverbank Consolidated General Municipal Election

EXHIBIT A

The Official Election Results

for the

City of Riverbank

Consolidated General Municipal Election of

November 4, 2014

Containing the Statement of Vote pursuant to

Election Code § 10264



**STATEMENT OF THE VOTE
FOR**

STANISLAUS COUNTY

STATE OF CALIFORNIA

-CAST AT THE-

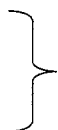
GUBERNATORIAL GENERAL ELECTION

-HELD-

TUESDAY, NOVEMBER 4, 2014

STATE OF CALIFORNIA

COUNTY OF STANISLAUS



ss.

I, LEE LUNDRIGAN, County Clerk Recorder & Registrar of Voters, of the above named county, in accordance with the provisions of Section 15301 of the California Elections Code, do hereby certify that within is a true and correct statement of result of the votes cast in this county at the Gubernatorial General Election as determined by the official canvass of the returns of said election.

I hereby set my hand and official seal this 20th day of November 2014 at the County of Stanislaus.



Lee Lundrigan
County Clerk Recorder & Registrar of Voters
County of Stanislaus
State of California



**OFFICE OF COUNTY CLERK-RECORDER
& REGISTRAR OF VOTERS
ELECTIONS DIVISION**

LEE LUNDRIGAN
*Clerk-Recorder, Registrar of Voters &
Commissioner of Civil Marriage*

*Elections: 1021 "I" Street, Suite 101, Modesto, CA 95354
Telephone: 209.525.5200
Facsimile: 209.525.5802*

**CERTIFICATION OF
COUNTY CLERK RECORDER
& REGISTRAR OF VOTERS
OF THE RESULTS OF THE CANVASS OF THE
NOVEMBER 4, 2014 GENERAL ELECTION**

STATE OF CALIFORNIA

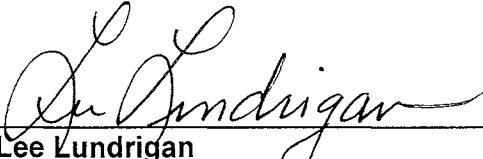
COUNTY OF STANISLAUS

} ss.

I, LEE LUNDRIGAN, County Clerk Recorder & Registrar of Voters of said county, do hereby certify that, in pursuance to the provisions of Elections Code Section 15300, et seq., I did canvass the results of the votes cast in the General Election held in said County on November 4, 2014, for measures and contests that were submitted to the vote of the voters, and that the Statement of Votes Cast to which this certificate is attached, is full, true and correct.

I hereby set my hand and official seal this 20th day of November 2014 at the County of Stanislaus.




Lee Lundrigan
County Clerk Recorder & Registrar of Voters
County of Stanislaus
State of California



**OFFICE OF COUNTY CLERK-RECORDER
& REGISTRAR OF VOTERS
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**HELP AMERICA VOTE ACT OF 2002
CERTIFICATION OF ELECTIONS OFFICIAL**

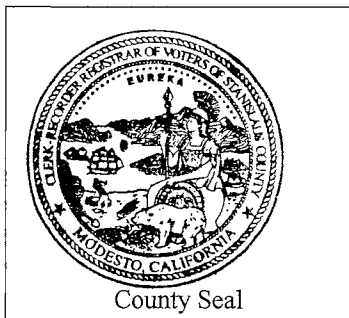
STATE OF CALIFORNIA

COUNTY OF STANISLAUS

} ss.

Pursuant to the statewide voter registration list requirements set forth in the Help America Vote Act of 2002 (HAVA) (Pub. L. No. 107-252 (2002) 116 Stat. 1666, 42 U.S.C. § 15483), I, Lee Lundrigan, County Clerk Recorder & Registrar of Voters for the County of Stanislaus, State of California, hereby certify that I complied with all provisions of Chapter 2 of Division 7 of Title 2 of the California Code of Regulations for the Gubernatorial General Election held on the 4th day of November 2014, in the County of Stanislaus, State of California, and all elections consolidated therewith.

I hereby set my hand and official seal this 20th day of November 2014 at the County of Stanislaus.



County Seal

Lee Lundrigan
County Clerk Recorder & Registrar of Voters
County of Stanislaus
State of California



**OFFICE OF COUNTY CLERK-RECORDER
& REGISTRAR OF VOTERS
ELECTIONS DIVISION**

LEE LUNDRIGAN
**Clerk-Recorder, Registrar of Voters &
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Certified Write-In Candidates
Gubernatorial General Election – November 4, 2014

FINAL HAND TALLY

LIST OF CERTIFIED WRITE-IN CANDIDATES

THERE WERE NO QUALIFIED WRITE-IN CANDIDATES



**OFFICE OF COUNTY CLERK-RECORDER
& REGISTRAR OF VOTERS
ELECTIONS DIVISION**

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**Clerk-Recorder, Registrar of Voters &
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1% Post Election Manual Tally Report

Gubernatorial General Election – November 4, 2014

The Stanislaus County 1% Post Election Manual Tally identified no discrepancies between the machine count and the manual tally. Elections Code 15360(e)

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PAGE 128

				City of Riverbank, Member, City Council 2 TO BE ELECTED				
	R V E O G T I E S R T S E R E D	B C A A L S L T O T S	T P U E R R N C O E U N T T A G E	L J C E O R A N U N E Z N S E (NON)	C C A A L M P B E L (NON)	L K L K A I R N R G Y (NON)	O V V O V O E T R E S	U V N O N O D T E E R S
10 PRECINCTS								
COUNTY TOTAL	8659	3337	38.54	1727	1857	1145	0	1895
VOTING PRECINCTS	8659	3337	38.54	1727	1857	1145	0	1895
BD OF EQUALIZATION 1	8659	3337	38.54	1727	1857	1145	0	1895
BOARD TOTAL	8659	3337	38.54	1727	1857	1145	0	1895
CONGRESSIONAL 10	8659	3337	38.54	1727	1857	1145	0	1895
CONGRESSIONAL TOTAL	8659	3337	38.54	1727	1857	1145	0	1895
SENATORIAL DISTRICT 5	8659	3337	38.54	1727	1857	1145	0	1895
SENATORIAL TOTAL	8659	3337	38.54	1727	1857	1145	0	1895
ASSEMBLY DISTRICT 12	8659	3337	38.54	1727	1857	1145	0	1895
ASSEMBLY TOTAL	8659	3337	38.54	1727	1857	1145	0	1895
1ST SUPERVISORIAL	8659	3337	38.54	1727	1857	1145	0	1895
SUPERVISORIAL TOTAL	8659	3337	38.54	1727	1857	1145	0	1895
RIVERBANK	8659	3337	38.54	1727	1857	1145	0	1895
CITY TOTAL	8659	3337	38.54	1727	1857	1145	0	1895

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PAGE 129

				City of Riverbank, Member, City Council 2 TO BE ELECTED				
				R V	T P			
				E O	U E	C C		
				G T	R R	A A		
				I E	B C	N C	L J C	L M
				S R	A A	O E	E O R	P L K
				T S	L S	U N	A N U	B A I O V U V
				E	L T	T T	N E Z	E R N V O N O
				R	O	A	N S	L R G E T D T
				E	T	G	E	L Y R E E E
10 PRECINCTS				D	S	E	(NON)	(NON) (NON) S R S
0124	126001	RIVERBANK 1,	674	181	26.85	83	102	65 0 105
0125	126003	RIVERBANK 3,	639	150	23.47	69	68	52 0 109
0126	126004	RIVERBANK 4,	854	266	31.15	146	131	107 0 144
0127	126008	RIVERBANK 8,	699	162	23.18	81	69	51 0 120
0128	126009	RIVERBANK 9,	699	152	21.75	75	62	56 0 111
0322	AV 126001	RIVERBANK	934	494	52.89	228	322	190 0 240
0323	AV 126003	RIVERBANK	804	307	38.18	168	167	111 0 161
0324	AV 126004	RIVERBANK	1293	688	53.21	370	405	218 0 370
0325	AV 126008	RIVERBANK	996	447	44.88	238	261	149 0 243
0326	AV 126009	RIVERBANK	1067	490	45.92	269	270	146 0 292
GRAND TOTALS				8659	3337	38.54	1727	1857 1145 0 1895