



Agenda Date: 6/27/2006
Agenda Placement: 6W

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Belle Altman for John Tuteur - Registrar of Voters
Elections
REPORT BY: Belle Altman, Staff Services Manager, 707-253-4295
SUBJECT: DECLARATION OF RESULTS OF JUNE 6, 2006 ELECTION, INCLUDING DECLARATION OF
RESULTS OF MEASURE Z (ORDINANCE 05-01)

RECOMMENDATION

Assessor-Recorder-County Clerk as ex-officio Registrar of Voters requests that the Board take the following actions:

1. Declare results of those elections under the County's jurisdiction as set forth in the Certified Statement of Vote (Official Canvass) for the Primary Election held on Tuesday, June 6, 2006 pursuant to California Elections Code Sections 15300-15400; and
2. Declare results of Measure Z and direct Clerk of the Board to file Ordinance 05-01 after entering the aye and no votes.

EXECUTIVE SUMMARY

Election Code Section 15372 provides that the Elections Official shall prepare a certified statement of the results of the election and submit it to the governing body within 28 days of the election.

Election Code Section 15400 provides that the governing body shall declare the results of each election under its jurisdiction as to each measure voted at such election.

Elections Code Section 9122 provides that an ordinance approved by a majority of the voters voting on a proposed ordinance shall become a valid and binding ordinance of the county. The ordinance shall be considered as adopted upon the date the vote is declared by the Board of Supervisors and shall go into effect 10 days after that date. As part of the declaration of the results of Measure Z (Ordinance No. 05-01), the Board should direct the Clerk of the Board to file Ordinance 05-01 after entering the aye and no votes.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is a ministerial action which is exempt from CEQA. (14 CCR 15268).

BACKGROUND AND DISCUSSION

Elections Code Section 15372 provides that the elections official shall prepare a certified statement of the results of the election and submit it to the governing body within 28 days of the election. Elections Code Section 15400 provides that the governing body (Board of Supervisors) shall declare elected or nominated to each local office voted at its election under its jurisdiction the person (persons, in the case of nomination) having the highest number of votes for that office. The Board shall also declare the results of each election under its jurisdiction as to each measure voted at such election.

For the June 6, 2006 primary election, the Board needs to declare elected the following persons:

- | Superintendent of Schools - Barbara Nemko
- | Supervisor, 1st District - Brad Wagenknecht
- | Supervisor, 3rd District - Diane Dillon
- | Assessor-Recorder-County Clerk - John Tuteur
- | Auditor-Controller - Pam Kindig
- | District Attorney - Gary Lieberstein
- | Sheriff-Coroner - Doug Koford
- | Treasurer-Tax Collector - Marcia Hull

For the same election the Board needs to declare the following results for the County contests:

- | Measure Z - passed
- | Measure A - failed
- | Measure H - failed

as set forth in the certification of election results. All other contests and propositions are to be declared either at the state level or by local municipalities or school districts.

Elections Code Section 9122 provides that an ordinance approved by a majority of the voters voting on a proposed ordinance shall become a valid and binding ordinance of the county. The ordinance shall be considered as adopted upon the date the vote is declared by the Board of Supervisors and shall go into effect 10 days after that date.

As part of the declaration of results, the Board should direct the Clerk of the Board to file Ordinance 05-01 (Measure Z) after entering the aye and no votes.

A copy of the Statement of Results has been delivered to the Clerk of the Board of Supervisors.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Maiko Klieman