



# CITY OF LODI

# COUNCIL COMMUNICATION

**AGENDA TITLE:** Resolution Providing That The Determination Of A Tie Vote By Candidates Who Receive An Equal Number Of Votes And The Highest Number Of Votes For One Office In The November 3, 1998 General Municipal Election Will Be By Lot

**MEETING DATE:** June 3, 1998

**PREPARED BY:** City Clerk

**RECOMMENDED ACTION:** That the City Council adopt Resolution No. 98-87 providing that the determination of a tie vote by candidates who receive an equal number of votes and the highest number of votes for one office in the November 3, 1998 General Municipal Election will be by lot.

**BACKGROUND INFORMATION:** §15651 of the State of California Election Code provides that the determination of a tie vote by candidates who receive an equal number of votes and the highest number of votes for one office in an election to be either by lot or by the conduct of a special runoff election.

A special runoff election shall be held only if the legislative body adopts the provisions for the special election prior to the conduct of the election resulting in the tie vote.

Because of the time and cost involved in conducting a special runoff election, it is recommended that the tie vote be determined by lot which process would be conducted by the City Clerk at the City Council meeting immediately following the canvass of the subject General Municipal Election.

**FUNDING:** None required.

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk

AMR/jmp

Attachment

APPROVED: \_\_\_\_\_

*H. Dixon Flynn*  
H. Dixon Flynn -- City Manager

RESOLUTION NO. 98-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA, PROVIDING THAT THE DETERMINATION OF A TIE VOTE BY CANDIDATES WHO RECEIVE AN EQUAL NUMBER OF VOTES AND THE HIGHEST NUMBER OF VOTES FOR ONE OFFICE IN THE NOVEMBER 3, 1998 GENERAL MUNICIPAL ELECTION WILL BE LOT

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RESOLVED BY THE LODI CITY COUNCIL, that pursuant to §15651 of the State of California Election Code, the Lodi City Council does hereby order that the determination of a tie vote by candidates who receive an equal number of votes and the highest number of votes for one office in the November 3, 1998 General Municipal Election will be by lot.

SECTION 1. That this Resolution shall apply only to the election to be held November 3, 1998 and shall then be repealed.

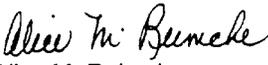
SECTION 2. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**Dated:** June 3, 1998

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I hereby certify that Resolution No. 98-87 was passed and adopted by the Lodi City Council in a regular meeting held June 3, 1998 by the following vote:

- Ayes: Council Members - Johnson, Land, Mann, Pennino and Sieglock (Mayor)
- Noes: Council Members - None
- Absent: Council Members - None
- Abstain: Council Members - None

  
Alice M. Reimche  
City Clerk