



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Resolution Certifying the Election Results of the November 3, 1998, General Municipal Election

MEETING DATE: December 1, 1998

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council adopt Resolution No. 98-180 certifying the election results of the November 3, 1998, General Municipal Election.

BACKGROUND INFORMATION: Pursuant to an Attorney General opinion, the Swearing-In Ceremony and the reorganization of the City Council will take place 28 days after the election on December 1, 1998. We may not be able to provide a copy of Exhibit A of Resolution No. 98-180 certifying the election results until the December 1, 1998 meeting.

Attached is an agenda and memorandum outlining the procedure for the December 1, 1998 Special City Council meeting.

FUNDING: None required.


Alice M. Reimche
City Clerk

AMR/jmp

Attachment

APPROVED: _____
H. Dixon Flynn -- City Manager

SWEARING-IN CEREMONY
Tuesday, December 1, 1998

Program

1. Business matters on the Regular City Council meeting agenda.
 - As the meeting opens, the present City Council Members will be seated at their usual places at the Council table.
 - Council Members Elect Nakanishi and Hitchcock and their families and the family of Council Member Pennino will be seated in the first few rows of reserved seats in the Council Chambers. In addition, a row will be reserved for the families of each member of the City Council.
2. Presentation and adoption of Resolution certifying the election results of the November 3, 1998, General Municipal Election.
3. Departing comments by Council Member Johnson and presentation of gift by City Clerk Reimche.
4. Departing comments by Mayor Sieglock and presentation of gift by City Clerk Reimche.
5. Swearing-in of new Council Members.
 - Presentation of Certificates of Election
 - Presentation of gifts
6. New Council Members to take seat at the Council table and make comments.
7. Election of Mayor and Mayor Pro Tempore.
 - City Manager and City Attorney to vacate seats at Council table and be seated at the staff table.
 - City Clerk to take Mayor's chair and conduct the election for Mayor.
 - Following the election of Mayor, the new Mayor will conduct the election for Mayor Pro Tempore.
8. Presentation of gifts to new Mayor and Mayor Pro Tempore by City Clerk Reimche.
9. Comments by new Mayor.
10. Adjournment of meeting by Mayor
11. Reception



MEMORANDUM
Office of the Lodi City Clerk

TO: Honorable Mayor and
Members of the Lodi City Council
City Council Members Elect
City Manager
City Attorney

FROM: Alice M. Reimche *AR*
City Clerk

DATE: November 20, 1998

SUBJECT: December 1, 1998 Special City Council Meeting Agenda And Procedure

This memorandum is being sent to you to outline the agenda and the procedure that will be followed at the December 1, 1998 Special City Council meeting.

As the meeting opens, the present City Council Members will be seated at their usual places at the Council table in order to conduct business matters on the Regular City Council meeting agenda.

Council Members Elect Nakanishi and Hitchcock and their families and the family of Council Member Pennino will be seated in the first few rows of reserved seats in the Council Chambers. In addition, a row will be reserved for the families of each member of the City Council.

The certification of the election and reorganization of the City Council will take place as follows:

- *Agenda item #L-1 entitled, "Resolution certifying the election results of the November 3, 1998 General Municipal Election"*

City Clerk Reimche will present the official canvass of the November 3, 1998, General Municipal Election and ask the present City Council to adopt the resolution certifying the results of the election.

- *Agenda item #L-2(a) entitled, "Presentation to outgoing members of the Lodi City Council, Council Member Johnson"*

At this point on the agenda, Council Member Johnson will be asked to make departing comments. The City Clerk will then ask Council Member Johnson to join her at the podium at which time she will make a presentation on behalf of the City. Next, City Manager Flynn will make a presentation to Council Member Johnson. Mr. Johnson will then take a seat in the audience.

- *Agenda item #L-2(b) entitled, "Presentation to outgoing members of the Lodi City Council, Mayor Sieglock"*

Mayor Sieglock will then be asked to make departing comments. The City Clerk will ask the Mayor to join her at the podium at which time she will make a presentation on behalf of the City of Lodi. Next, City Manager Flynn will make a presentation to Mayor Sieglock. Mr. Sieglock will then take a seat in the audience.

- *Agenda item #L-3 entitled, "City Clerk to administer the Oath of Office to Lodi City Council Members Elect Hitchcock, Nakanishi and Pennino"*

City Clerk Reimche will ask Council Members Elect Nakanishi, Pennino and Hitchcock to join her at the podium. They will be asked to raise their right hand and at that time she will administer the Oath of Office. Each will then be asked to sign their individual Oath of Office forms.

- *Agenda item #L-4 entitled, "Presentations to incoming members of the Lodi City Council"*

City Clerk Reimche will then make presentations on behalf of the City of Lodi to incoming members of the City Council.

The newly installed Council Members will then be seated at the Council table; however, the seat at the Mayor's position should be left vacant.

It would be appropriate at this time for the newly seated Council Members to give brief remarks if they wish to do so.

- *Agenda item #L-5 entitled, "Reorganization of the Lodi City Council a) Election of Mayor; and b) Election of Mayor Pro Tempore"*

City Manager Flynn and City Attorney Hays will leave their seats at the Council table and be seated at the staff table.

The City Clerk will take the Mayor's seat for the purpose of conducting the election of the new Mayor. The following procedure will be followed. The City Clerk will declare that nominations are open for the office of Mayor. Following receipt of nomination(s), the City Clerk will state, "Are there any further nominations?" Hearing none, she will declare that nominations are closed.

The City Clerk will then ask for the vote in the following manner:

"As many as are in favor of _____ to serve as Mayor of the City of Lodi, say 'Aye' _____, opposed 'No' _____."

Following the vote, the City Clerk will declare the name of the newly elected Mayor and pass the gavel to that person. The Mayor, who will conduct the election of the Mayor Pro Tempore following the same procedure, will be seated in the Mayor's seat and the City Clerk will be seated in the City Manager's seat.

Following the election, City Clerk Reimche will then make a presentation to the new Mayor and Mayor Pro Tempore. The City Clerk will then return to her usual seat.

Following the election, it would be an appropriate time for the newly elected Mayor to make brief comments, if so desired.

- *Agenda item #M entitled, "Adjournment"*

The newly elected Mayor will adjourn the meeting.

A reception will be held in the Carnegie Forum, 305 West Pine Street, immediately following the meeting in honor of the incoming and outgoing City Council Members. Please feel free to have family members take pictures during the ceremony.

Should you have any questions, please do not hesitate to call.

AMR/jmp



CERTIFICATE OF ELECTION AND OATH OF OFFICE

I, Alice M. Reimche, City Clerk of the City of Lodi, State of California, do hereby certify that at a General Municipal Election held in the City of Lodi, on the 3rd day of November, 1998, Phillip Anthony Pennino, was elected to the office of Member, Lodi City Council as it appears in the Official Result of said Election on file in my office.

WITNESS my hand and official seal this 1st day of December, 1998.

Alice M. Reimche
Alice M. Reimche, City Clerk

STATE OF CALIFORNIA }
County of San Joaquin } ss.

I, Phillip Anthony Pennino, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Member, Lodi City Council

Phillip Anthony Pennino
Phillip Anthony Pennino (Signature)

Subscribed and sworn to before me, this 1st day of December, 1998.

Alice M. Reimche
Alice M. Reimche, City Clerk



CERTIFICATE OF ELECTION AND OATH OF OFFICE

I, Alice M. Reimche, City Clerk of the City of Lodi, State of California, do hereby certify that at a General Municipal Election held in the City of Lodi, on the 3rd day of November, 1998, Alan S. Nakanishi, was elected to the office of Member, Lodi City Council as it appears in the Official Result of said Election on file in my office.

WITNESS my hand and official seal this 1st day of December, 1998.

Alice M. Reimche
Alice M. Reimche, City Clerk

STATE OF CALIFORNIA }
County of San Joaquin } ss.

I, Alan S. Nakanishi, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Member, Lodi City Council

Alan S. Nakanishi
Alan S. Nakanishi (Signature)

Subscribed and sworn to before me, this 1st day of December, 1998.

Alice M. Reimche
Alice M. Reimche, City Clerk



CERTIFICATE OF ELECTION AND OATH OF OFFICE

I, Alice M. Reimche, City Clerk of the City of Lodi, State of California, do hereby certify that at a General Municipal Election held in the City of Lodi, on the 3rd day of November, 1998, Susan Hitchcock, was elected to the office of Member, Lodi City Council as it appears in the Official Result of said Election on file in my office.

WITNESS my hand and official seal this 1st day of December, 1998.

Alice M. Reimche
Alice M. Reimche, City Clerk

STATE OF CALIFORNIA }
County of San Joaquin } ss.

I, Susan Hitchcock, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Member, Lodi City Council

Susan Hitchcock
Susan Hitchcock (Signature)

Subscribed and sworn to before me, this 1st day of December, 1998.

Alice M. Reimche
Alice M. Reimche, City Clerk

RESOLUTION NO. 98-180

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA,
RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION
HELD ON NOVEMBER 3, 1998, DECLARING THE RESULT AND SUCH
OTHER MATTERS AS PROVIDED BY LAW

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WHEREAS, a General Municipal Election was held and conducted in the City of Lodi, California, on Tuesday, November 3, 1998, 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 the returns 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, pursuant to State statute, the San Joaquin County Registrar of Voters' Office canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part hereof as "Exhibit A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA,
DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS SHOWN ON EXHIBIT A:

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

Taj Khan
Alan Nakanishi
Phillip Anthony Pennino
Joseph Spinelli
Rev. William R. Singh
Jane Lea
Robert J. Johnson
Susan Hitchcock
Harry L. Marzolf

SECTION 2. That the number of votes given at each precinct and the number of votes given in the City to each of the persons above named for the respective offices for which the persons were candidates was as listed in Exhibit A attached.

SECTION 3. The City Council does declare and determine that Alan Nakanishi was elected as Council Member for the full term of four years; Phillip Anthony Pennino was elected as Council Member for the full term of four years; and Susan Hitchcock was elected as Council Member for the full term of four years.

SECTION 4. The City Clerk shall enter on the records of the City Council of the City, a statement of the result of the election, showing: (1) The whole number of votes (ballots) 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.

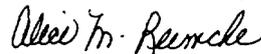
SECTION 5. That the City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of 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 the respective office to which they have been elected.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Dated: December 1, 1998

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I hereby certify that Resolution No. 98-180 was passed and adopted by the City Council of the City of Lodi in a special meeting held December 1, 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. Reincke
City Clerk

REGISTRAR OF VOTER'S
 CERTIFICATE OF RESULTS
 OF THE
 CITY OF LODI GENERAL MUNICIPAL ELECTION
 HELD ON
 NOVEMBER 3, 1998

I, HEREBY CERTIFY that the Office of the Registrar of Voters has completed the canvass of the City of Lodi General Municipal Election held on Tuesday, November 3, 1998, and that the following are the results of said election:

<u>COUNCIL MEMBER:</u>	Vote for Three
ALAN NAKANISHI	8,180
PHILLIP ANTHONY PENNINO	6,646
SUSAN HITCHCOCK	6,232
ROBERT J. JOHNSON	5,696
TAJ KHAN	4,187
JOSEPH SPINELLI	2,456
JANE LEA	2,197
HARRY L. MARZOLF	2,154
REV. WILLIAM R. SINGH	1,047

November 30, 1998


 LARRY C. TUNISON
 Registrar of Voters

CONSOLIDATED GENERAL ELECTION, NOVEMBER 3, 1998
CITY ELECTIONS-CONTINUED

12/01/98 380

Ballot Measure	REGISTRATION	BALLOT TOTALS	TURNOUT	COUNCIL MEMBERS	PHILIP ANTHONY	JOSEPH SPINELLI	REEVILLIAM	JANEELEA	ROBERT J. JOHNSON	SUSAN HITCHCOCK	HARRYLMAZZOLF	MACY TRDVAN OF BLAIR A-RCLEAVY
33523-PCT 0033523	566	286	50.5									212
33524-PCT 0033524	735	314	42.7									255
33527-PCT 0033527	620	301	48.5									226
33529-PCT 0033529	698	308	44.1									233
33532-PCT 0033532	416	182	43.8									137
33533-PCT 0033533	695	331	47.5									249
33534-PCT 0033534	712	342	48.0									272
33535-PCT 0033535	822	360	43.8									251
33536-PCT 0033536	482	168	34.9									92
33537-PCT 0033537	851	236	27.7									175
33538-PCT 0033538	461	200	43.4									142
33539-PCT 0033539	465	201	43.2									151
33540-PCT 0033540	305	103	33.8									77
42401-PCT 0042401	539	226	42.7	66	95	86	40	23	52	61	95	24
42402-PCT 0042402	384	206	53.6	54	112	103	33	13	23	85	80	35
42403-PCT 0042403	565	251	44.1	63	103	81	42	25	59	50	94	24
42405-PCT 0042405	567	231	34.6	51	94	90	58	22	41	66	104	22
42406-PCT 0042406	805	341	42.4	100	157	170	61	15	40	136	139	41
42407-PCT 0042407	565	266	47.1	68	113	110	55	15	42	103	112	42
42408-PCT 0042408	590	290	49.2	87	154	156	42	10	45	93	111	47
42409-PCT 0042409	510	243	47.6	73	115	103	25	10	28	110	89	40
42410-PCT 0042410	670	321	47.9	86	187	138	30	29	54	113	125	58



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WITNESS my hand and official seal this 1st day of December, 1998.

Alice M. Reimche
Alice M. Reimche, City Clerk

STATE OF CALIFORNIA }
County of San Joaquin } ss.

I, Phillip Anthony Pennino, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Member, Lodi City Council

Phillip Anthony Pennino
Phillip Anthony Pennino (Signature)

Subscribed and sworn to before me, this 1st day of December, 1998.

Alice M. Reimche
Alice M. Reimche, City Clerk



CERTIFICATE OF ELECTION AND OATH OF OFFICE

I, Alice M. Reimche, City Clerk of the City of Lodi, State of California, do hereby certify that at a General Municipal Election held in the City of Lodi, on the 3rd day of November, 1998, Susan Hitchcock, was elected to the office of Member, Lodi City Council as it appears in the Official Result of said Election on file in my office.

WITNESS my hand and official seal this 1st day of December, 1998.

Alice M. Reimche
Alice M. Reimche, City Clerk

STATE OF CALIFORNIA }
County of San Joaquin } ss.

I, Susan Hitchcock, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Member, Lodi City Council

Susan Hitchcock
Susan Hitchcock (Signature)

Subscribed and sworn to before me, this 1st day of December, 1998.

Alice M. Reimche
Alice M. Reimche, City Clerk