

DATE SUBMITTED 12/14/2022
 SUBMITTED BY ACM
 DATE ACTION REQUIRED 12/21/2022

COUNCIL ACTION (X)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION (X)
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: Results of General Municipal Election Held November 8, 2022

1. Adoption of Resolution 2022-80; A Resolution of the City Council of the City of Imperial Reciting the Facts of the General Municipal Election Held on November 8, 2022, and Declaring the Results and Such Other Matters Provided by Law.

DEPARTMENT INVOLVED: City Manager's Office

BACKGROUND/SUMMARY:

On June 29, 2022, the Imperial City Council adopted Resolutions 2022-38, 2022-39, and 2022-40 calling for a General Election to be consolidated with the Statewide General Election to be held on November 8, 2022. The election was called for the purposes of electing certain officers and for submitting a ballot measure regarding the City's Transient Occupancy Tax. On Tuesday, December 6, 2022 the County of Board of Supervisors certified the results of the November 8th Election. Resolution 2022-80 is put before the City Council to accept the results of the General Election as certified by the Registrar of Voters. A summary of the results are as follows:

City Council (3) Seats/Votes
 James Tucker – 1,849
 Ida Obeso Martinez – 1,756
 Stacy Mendoza – 1,680

City Clerk (Qualified Write- In Candidate)
 Kristina Shields – 168 votes

Measure G – TOT *Passed*
 Yes – 2,137 (56.02%)
 No- 1,678 (43.98%)

FISCAL IMPACT: N/A

ADMIN SERV INITIALS DP

STAFF RECOMMENDATION: It is staff's recommendation to adopt Resolution 2022-80 accepting and declaring the results as certified by the County of Imperial Board of Directors for the City of Imperial City Council, City Clerk and TOT Measure G.

DEPT. INITIALS AB

MANAGER'S RECOMMENDATION: approve

CITY MANAGER'S INITIALS DTH

MOTION:

SECONDED:
AYES:
NAYES:
ABSENT:

REFERRED TO:

APPROVED ()
DISAPPROVED ()

REJECTED ()
DEFERRED ()

RESOLUTION 2022-80

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL,
CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION
HELD ON NOVEMBER 8, 2022, DECLARING THE RESULTS AND SUCH OTHER
MATTERS AS PROVIDED BY LAW**

WHEREAS, a General Municipal Election was held and conducted in the City of Imperial, California, on Tuesday, November 8, 2022, 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 by the provisions of the Elections Code of the State of California for holding of elections in general law cities; and

WHEREAS, the County of Imperial Registrar of Voters, canvassed the returns of the election and has certified the results to the City Council, the results are received, attached and made a part hereof as "Exhibit A".

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Imperial Declares and Determines as follows:

Section 1. That the whole number of votes cast by mail and in-person ballots in the City of Imperial is 4,030.

Section 2. That the names of the persons voted for at the election for Member of the City Council are as follows:

James Tucker
Ida Obeso-Martinez
Stacy Mendoza
Luis Garcia
Elia Valdez
David Escobar

Section 3. That the names of persons voted for at the election for City Clerk are as follows:

Kristina Shields

Section 4. That the Measure voted for at the election for Transient Occupancy Tax is as follows:

<p>Shall the City of Imperial amend the current Transient Occupancy Tax (TOT) paid only by hotel/motel/all other transient occupancies guests visiting the city from 8% to 12%, to support general municipal services such as street and road repair, parks and recreation, police and fire services, providing an estimated \$600,000.00 annually, until repealed by voters, all funds benefiting Imperial residents?</p>	YES
	NO

Section 5. The City Council of the City of Imperial does hereby declare and determine that the following individuals were elected to the offices of City Council for the term of four (4) years:

James Tucker
 Ida Obeso-Martinez
 Stacy Mendoza

Section 6. The City Council of the City of Imperial does declare and determine that Kristina Shields was elected to the Office of the City Clerk for the term of four (4) years.

Section 7. The City Council of the City of Imperial does declare and determine that as a result of the election to majority of voters voting on “Measure G” amending Transient Occupancy Tax (TOT) in the City from eight (8) percent (%) to twelve (12) percent (%) shall be deemed adopted and ratified.

Section 8. The City Clerk shall enter in the records of the City Council of the City, a statement of the result of the election, annexed hereto as Exhibit A showing:

1. The whole number of votes (ballots) cast in the City of Imperial;
2. The names of the persons voted for; and
3. For what office(s) each person was voted for; and
4. The number of votes given at each precinct to each person; and
5. The total number of votes given to each person; and
6. The total number of votes given to each person, and for and against the measure.

Section 9. That the City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the Registrar of Voters and authenticated; that the City Clerk shall also administer to each person the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribed to it and file it in the Office of the City Clerk. Each and all of the persons

elected shall then be inducted into the respective office to which they have been elected.

Section 10. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Imperial at its regular meeting held the 21st day of December, 2022.

ATTEST:

El Centro City Council (Vote for 2)

Precincts Reported: 29 of 29 (100.00%)

	Vote by Mail	Early Voting	Election Day	Total		
Times Cast	5,769	11	2,371	8,151 / 22,811	35.73%	
Candidate	Party	Vote by Mail	Early Voting	Election Day	Total	
TOMÁS OLIVA		2,755	5	969	3,729	31.49%
SONIA CARTER		2,393	6	901	3,300	27.87%
JASON JACKSON		1,847	3	862	2,712	22.90%
DANIELLE FLORES		1,540	2	559	2,101	17.74%
Total Votes	8,535	16	3,291	11,842		

Holtville City Council (Vote for 2)

Precincts Reported: 4 of 4 (100.00%)

	Vote by Mail	Early Voting	Election Day	Total		
Times Cast	786	5	393	1,184 / 2,846	41.60%	
Candidate	Party	Vote by Mail	Early Voting	Election Day	Total	
MICHAEL GOODSELL		498	1	267	766	42.48%
JOHN MUNGER		225	0	132	357	19.80%
ROSS DANIELS		258	1	95	354	19.63%
STACY BRITSCHGI		211	2	113	326	18.08%
Total Votes	1,192	4	607	1,803		

Imperial City Council (Vote for 3)

Precincts Reported: 10 of 10 (100.00%)

	Vote by Mail	Early Voting	Election Day	Total		
Times Cast	2,641	5	1,384	4,030 / 11,181	36.04%	
Candidate	Party	Vote by Mail	Early Voting	Election Day	Total	
JAMES TUCKER		1,160	2	687	1,849	21.53%
IDA S. OBESO MARTINEZ		1,160	3	593	1,756	20.45%
STACY MENDOZA		1,146	1	533	1,680	19.56%
LUIS GARCIA		944	3	446	1,393	16.22%
ELIA VALDEZ		699	1	330	1,030	11.99%
DAVID ESCOBAR		636	0	243	879	10.24%
Total Votes	5,745	10	2,832	8,587		

Measure E (Vote for 1)

Precincts Reported: 25 of 25 (100.00%)

		Vote by Mail	Early Voting	Election Day	Total	
Times Cast		5,029	12	1,983	7,024 / 20,546	34.19%
Candidate	Party	Vote by Mail	Early Voting	Election Day	Total	
BONDS, YES		2,854	8	1,043	3,905	58.39%
BONDS, NO		1,947	3	833	2,783	41.61%
Total Votes		4,801	11	1,876	6,688	

Measure G (Vote for 1)

Precincts Reported: 10 of 10 (100.00%)

		Vote by Mail	Early Voting	Election Day	Total	
Times Cast		2,641	5	1,384	4,030 / 11,181	36.04%
Candidate	Party	Vote by Mail	Early Voting	Election Day	Total	
Yes		1,496	2	639	2,137	56.02%
No		1,023	3	652	1,678	43.98%
Total Votes		2,519	5	1,291	3,815	

CERTIFICATE OF ELECTION RESULTS

November 8, 2022
CALIFORNIA GENERAL ELECTION

Imperial City Council

I, LINSEY J. DALE, Registrar of Voters, County of Imperial, State of California, having jurisdiction over the conduct of the election held in the County of Imperial, hereby certify that commencing at 9:00 am on Wednesday November 9, 2022, at the Imperial County Administration Center, Room 206, Elections Department, being the day, hour and place specified in the Notice of Election, the returns of the election held in said County at the November 8, 2022 California General Election were publicly canvassed in the manner prescribed by law; and that the following are the results of votes cast:

<u>Candidate</u>	<u>Votes</u>	<u>Percentage</u>
James Tucker	1,849	21.53%
Ida S. Obeso Martinez	1,756	20.45%
Stacy Mendoza	1,680	19.56%
Luis Garcia	1,393	16.22%
Elia Valdez	1,030	11.99%
David Escobar	879	10.24%

I further certify that the statement of votes cast, to which this certificate is attached shows the whole number of votes cast at said election in said County and in each precinct therein, and that the totals are full, true and correct. I further certify that one copy of this certificate and the results have been placed in the permanent files of my office.

Date: December 1, 2022



Linsey J. Dale
Registrar of Voters

CERTIFICATE OF ELECTION RESULTS

**November 8, 2022
CALIFORNIA GENERAL ELECTION**

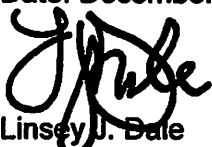
Imperial City Clerk

I, LINSEY J. DALE, Registrar of Voters, County of Imperial, State of California, having jurisdiction over the conduct of the election held in the County of Imperial, hereby certify that commencing at 9:00 am on Wednesday November 9, 2022, at the Imperial County Administration Center, Room 206, Elections Department, being the day, hour and place specified in the Notice of Election, the returns of the election held in said County at the November 8, 2022 California General Election were publicly canvassed in the manner prescribed by law; and that the following are the results of votes cast:

<u>Candidate</u>	<u>Votes</u>	<u>Percentage</u>
Kristina Shields	168	100%

I further certify that the statement of votes cast, to which this certificate is attached shows the whole number of votes cast at said election in said County and in each precinct therein, and that the totals are full, true and correct. I further certify that one copy of this certificate and the results have been placed in the permanent files of my office.

Date: December 1, 2022



Linsey J. Dale
Registrar of Voters

CERTIFICATE OF ELECTION RESULTS

November 8, 2022
CALIFORNIA GENERAL ELECTION

Measure G

I, LINSEY J. DALE, Registrar of Voters, County of Imperial, State of California, having jurisdiction over the conduct of the election held in the County of Imperial, hereby certify that commencing at 9:00 am on Wednesday November 9, 2022, at the Imperial County Administration Center, Room 206, Elections Department, being the day, hour and place specified in the Notice of Election, the returns of the election held in said County at the November 8, 2022 California General Election were publicly canvassed in the manner prescribed by law; and that the following are the results of votes cast:

	<u>Votes</u>	<u>Percentage</u>
YES	2,137	56.02%
NO	1,678	43.98%

I further certify that the statement of votes cast, to which this certificate is attached shows the whole number of votes cast at said election in said County and in each precinct therein, and that the totals are full, true and correct. I further certify that one copy of this certificate and the results have been placed in the permanent files of my office.

Date: December 1, 2022



Linsey J. Dale
Registrar of Voters

ORDINANCE NO. 824

**ORDINANCE OF THE CITY OF IMPERIAL, CALIFORNIA AMENDING CHAPTER 21,
ARTICLE IV, SECTION 21-19 OF THE IMPERIAL MUNICIPAL CODE RELATING TO
TRANSIENT OCCUPANCY TAX**

THE PEOPLE OF THE CITY OF IMPERIAL DO ORDAIN AS FOLLOWS:

SECTION 1. SECTION 21-19 of the Imperial Municipal Code is hereby amended to read as follows:

“For the privilege of occupancy in any Hotel, each transient is subject to and shall pay a tax in the sum of twelve (12) percent (%) on the rent charged by the operator. Such tax constitutes a debt owned by the transient to the City which is extinguished only by payment to the operator or to the city. The transient shall pay tax to the operator of the hotel in the sum of twelve (12) percent (%) at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient’s ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax shall be paid directly to the tax administrator.”

SECTION 2. This ordinance shall take effect as provided in Section 9217 of the Elections Code of the State of California.

SECTION 3. The City Clerk shall publish this ordinance according to law.

PASSED, APPROVED, AND ADOPTED this 8th day of November, 2022.