

RESOLUTION NO. 2024-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 5, 2024; DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a General Municipal Election was held and conducted in the City of Lomita, California, on Tuesday, November 5, 2024, as required by law; and

WHEREAS, notice of the election was given in the time, form and manner as provided by law; voting precincts were properly established; election officers were appointed, and in all respects the elections were held and conducted and the votes were cast, received and canvassed and the returns made and declared in the time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, the County Election Department 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 Lomita hereby finds, determines and resolves as follows:

Section 1. That the whole number of ballots cast in the precincts including vote-by-mail ballots and provisional ballots are detailed in the Official Canvass attached as Exhibit A.

Section 2. That the names of the persons voted for in the election for Member of City Council, District 2 were as follows:

Rueben D. Lechuga
Wade Kyle
William D. Uphoff

Section 3. That the names of the persons voted for in the election for Member of City Council, District 4 were as follows:

Barry M. Waite

Section 4. That the number of votes cast in each precinct, and the number of votes cast in the City for each of the persons above-named for the respective offices for which the persons were candidates, and for and against the Measure(s), are set forth in "Exhibit A," which is attached hereto and incorporated herein by this reference.

Section 5. The City Council does declare and determine that as a result of the election:

William D. Uphoff was elected as a Member of the City Council representing District 2 for the full term of four years; and

Barry M. Waite was elected as a Member of the City Council representing District 4 for the full term of four years.

Section 6. The City Clerk shall enter on the records of the City of Lomita, a statement of 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;
- 4) The number of votes cast at each precinct for each person; and
- 5) The total number of votes cast for each person.

Section 7. 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 8. Compliance with California Environmental Quality Act. The City Council finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Resolution is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

Section 9. The City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.

Section 10. Severability. If any section, subsection, subdivision, sentence, or clause or phrase in this Resolution or any part thereof is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

Section 11. Effective Date. This Resolution shall become effective immediately.

PASSED, APPROVED and ADOPTED this 17th day of December 2024.

Bill Uphoff, Mayor

ATTEST:

Kathleen Horn Gregory, MMC, City Clerk

APPROVED AS TO FORM:

Trevor Rusin, City Attorney