



Agenda Item #: _____

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Cohen and Members of the City Council

THROUGH: Geoff Dolan, City Manager

FROM: Liza Tamura, City Clerk
Terri Aliabadi, Senior Deputy City Clerk

DATE: March 17, 2009

SUBJECT: Recite the Facts and Declare the Results of the March 3, 2009 General Municipal Election

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 6181 which recites the facts of the General Municipal Election held in Manhattan Beach on March 3, 2009, declaring the results and such other matters as are provided by law.

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

On February 19, 2009 a Notice of Appointment of the Vote By Mail Ballot Canvassing Board was posted identifying that a canvass is to be completed by the City Clerk's Office and whereby certification of those results shall be made to the City Council.

DISCUSSION:

On March 10, 2009 and March 12, 2009 staff conducted a canvass of the March 3, 2009 General Municipal Election.

Please find attached, for Council approval, a true and correct *Canvass Certificate*.

Attachment: Certificate of Canvass
Resolution No. 6181

CITY CLERK'S CERTIFICATE OF CANVASS

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)
)
CITY OF MANATTAN BEACH)

I, LIZA TAMURA, City Clerk of the City of Manhattan Beach, California, do hereby certify that I have canvassed the returns of the General Municipal Election held on March 3, 2009, and find that the number of votes given at each precinct and the number of votes given in the City to persons voted for, the respective office for which the persons were candidates were as follows:

See attached OFFICIAL RESULTS

Report of Manual Tally

I, Liza Tamura, City Clerk of the City of Manhattan Beach, do hereby certify that a Manual (hand) Tally was conducted in compliance with California Elections Code Section 15360, with the following findings:

The Manual Tally of one precinct showed the count for precinct ballots to be the same. However, the Manual Tally for the Vote-by-Mail ballots initially tabulated on election night (3/3/2009), and the Vote-by-Mail and Provisional ballots (counted by the ballot counter on 3/10/2009), did not match.

I therefore ordered all Vote-by-Mail and Provisional ballots to be re-inspected and re-tabulated with a different ballot counter, which resulted in the revised count shown in my certification.

After the re-inspection and re-tabulation of these ballots, no discrepancies were found between the Manual Tally and the Automated (machine) Tally.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 13th day of March, 2009.

Liza Tamura, City Clerk
City of Manhattan Beach, California

(seal)

RESOLUTION NO. 6181

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON TUESDAY, MARCH 3, 2009, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a General Municipal Election was held and conducted in the City of Manhattan Beach, California, on Tuesday, March 3, 2009, 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 Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, the City Clerk 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 MANHATTAN BEACH, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the whole number of ballots cast in the precincts except Vote By Mail ballots and provisional ballots were 2,784. That the whole number of Vote By Mail and provisional ballots cast in the City was 2,908. That the total number of ballots cast in the City was 5,692.

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

Richard P. Montgomery
Peter Gallagher
Kathleen Paralusz
Wayne Powell
Nick Tell

SECTION 3. That the name of person voted for at the election for City Treasurer is as follows:

Tim Lilligren

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 were as listed in "Exhibit A" attached.

SECTION 4. The City Council does declare and determine that Richard P. Montgomery, Nick Tell and Wayne Powell were elected as Members of the City Council for the full term of four years.

SECTION 5. The City Council does declare and determine that Tim Lilligren was elected as Treasurer for the full term of four years.

SECTION 6. 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 ballots cast in the City; (2) The names of the persons voted for; (3) For what office each person was voted for; and (4) The number of votes given at each precinct to each person.

SECTION 7. 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 8. That this resolution shall take effect immediately. The City Clerk shall make this resolution readily available for public inspection within thirty (30) days of the date this resolution is adopted.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED and ADOPTED this 17th day of March, 2009.

Ayes:
Noes:
Absent:
Abstain:

Mayor, City of Manhattan Beach, California

ATTEST:

City Clerk

CITY OF MANHATTAN BEACH
MUNICIPAL ELECTION
MARCH 3, 2009

Precinct	TYPE OF COUNT	Total Ballots Cast	Registered Voters	Turnout	City Council Candidates (Vote for no more than THREE)					City Treasurer
					Montgomery	Gallagher	Paralusz	Powell	Tell	Lilligren
	TOTAL VOTES CAST	5,692	23,691	24.03%	3,858	814	3,183	3,230	3,370	3,964
	% OF VOTE PER CANDIDATE				26.69%	5.63%	22.02%	22.35%	23.31%	100.00%
1	VBM Election Day	142			87	24	59	90	77	98
	VBM and Provisional Canvass	55			39	7	16	40	33	41
	VBM Election Day + VBM and Provisional Canvass	197		8.86%	126	31	75	130	110	139
	Precinct	192	2,224	8.63%	127	46	90	118	110	124
	PRECINCT 1 TOTAL	389		17.49%	253	77	165	248	220	263
4	VBM Election Day	175			118	32	79	113	82	111
	VBM and Provisional Canvass	70			50	6	37	41	40	49
	VBM Election Day + VBM and Provisional Canvass	245		11.72%	168	38	116	154	122	160
	Precinct	188	2,090	9.00%	128	34	102	109	102	134
	PRECINCT 4 TOTAL	433		20.72%	296	72	218	263	224	294
5	VBM Election Day	254			176	36	133	143	154	172
	VBM and Provisional Canvass	80			58	5	58	38	54	57
	VBM Election Day + VBM and Provisional Canvass	334		14.15%	234	41	191	181	208	229
	Precinct	335	2,361	14.19%	252	51	194	173	219	235
	PRECINCT 5 TOTAL	669		28.34%	486	92	385	354	427	464
9	VBM Election Day	207			145	36	118	100	139	165
	VBM and Provisional Canvass	47			35	9	18	23	33	29
	VBM Election Day + VBM and Provisional Canvass	254		12.62%	180	45	136	123	172	194
	Precinct	222	2,013	11.03%	146	35	123	117	148	148
	PRECINCT 9 TOTAL	476		23.65%	326	80	259	240	320	342
14	VBM Election Day	212			145	24	90	124	119	138
	VBM and Provisional Canvass	57			41	5	29	21	42	32
	VBM Election Day + VBM and Provisional Canvass	269		14.77%	186	29	119	145	161	170
	Precinct	259	1,821	14.22%	173	32	135	151	150	169
	PRECINCT 14 TOTAL	528		29.00%	359	61	254	296	311	339
17	VBM Election Day	222			147	33	123	130	113	162
	VBM and Provisional Canvass	80			60	10	45	39	50	57
	VBM Election Day + VBM and Provisional Canvass	302		13.44%	207	43	168	169	163	219
	Precinct	336	2,247	14.95%	243	43	203	164	209	239
	PRECINCT 17 TOTAL	638		28.39%	450	86	371	333	372	458
21	VBM Election Day	249			174	34	144	142	131	199
	VBM and Provisional Canvass	55			45	7	31	29	34	43
	VBM Election Day + VBM and Provisional Canvass	304		12.65%	219	41	175	171	165	242
	Precinct	297	2,403	12.36%	210	27	177	165	180	193
	PRECINCT 21 TOTAL	601		25.01%	429	68	352	336	345	435
27	VBM Election Day	322			212	44	176	221	189	241
	VBM and Provisional Canvass	73			49	16	43	32	36	51
	VBM Election Day + VBM and Provisional Canvass	395		14.65%	261	60	219	253	225	292
	Precinct	308	2,697	11.42%	192	43	203	188	169	209
	PRECINCT 27 TOTAL	703		26.07%	453	103	422	441	394	501
28	VBM Election Day	252			153	39	149	155	131	186
	VBM and Provisional Canvass	68			42	7	42	35	45	45
	VBM Election Day + VBM and Provisional Canvass	320		9.96%	195	46	191	190	176	231
	Precinct	363	3,214	11.29%	245	57	232	201	230	255
	PRECINCT 28 TOTAL	683		21.25%	440	103	423	391	406	486
34	VBM Election Day	220			146	28	126	135	137	165
	VBM and Provisional Canvass	68			36	12	43	34	34	38
	VBM Election Day + VBM and Provisional Canvass	288		10.99%	182	40	169	169	171	203
	Precinct	284	2,621	10.84%	184	32	165	159	180	179
	PRECINCT 34 TOTAL	572		21.82%	366	72	334	328	351	382
Precinct	SUMMARY	Total Ballots Cast	Registered Voters	Turnout	Montgomery	Gallagher	Paralusz	Powell	Tell	Lilligren
	TOTAL VOTES CAST	5,692	23,691	24.03%	3,858	814	3,183	3,230	3,370	3,964
	TOTAL VOTE-BY-MAIL (VBM)	2,908		12.27%						
	TOTAL PRECINCT TURNOUT	2,784		11.75%						
	% OF VOTE PER CANDIDATE	5,692		24.03%	26.69%	5.63%	22.02%	22.35%	23.31%	100.00%