CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION 2010-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA CERTIFYING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 3, 2009

WHEREAS, a General Municipal Election was held in the City of Carmel-by-the-Sea, County of Monterey, State of California, in accordance with the laws of the State, on Tuesday, the 3rd day of November 2009, for the purpose of submitting Measure "I" to the qualified electors; and

WHEREAS, the returns from the two consolidated voting precincts, duly established for the holding of said election, were canvassed pursuant to Section 15301 of the Elections Code, and said canvass was certified and submitted to the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES RESOLVE AS FOLLOWS:

1.   That the City Clerk is hereby ordered to enter upon the records of this City a statement of the results of said General Municipal Election, which results are hereby declared to be set forth, as attached hereto, to wit:

Yes on Measure "I" received 913 votes, or a majority of those votes cast; with No on Measure "I" votes cast totaling 552.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 5th day of January 2010 by the following roll call vote:

AYES:	COUNCIL MEMBERS:	HAZDOVAC; ROSE; SHARP; TALMAGE & McCLOUD
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE

SIGNED:

_____
SUE McCLOUD, MAYOR

ATTEST:

_____
Heidi Burch, City Clerk

CERTIFICATE OF REGISTRAR OF VOTERS

In the Matter of the CANVASS OF THE VOTE CAST)
at the **City of Carmel-by-the-Sea Election**)
held on November 3, 2009)

      I, LINDA TULETT, Registrar of Voters of the County of Monterey, State of California hereby certify;

      THAT an election was held within the boundaries of the City of Carmel-by-the-Sea on Tuesday, November 3, 2009, for the purpose of submitting Measure "I" to the qualified electors and; I caused to have processed and recorded the votes from the canvass of all ballots cast at said election within the boundaries of the City of Carmel-by-the-Sea.

      I HEREBY FURTHER CERTIFY that the record of votes cast at said election are set forth in Exhibit "A" attached hereto and incorporated herein by reference as though fully set forth at length.

      IN WITNESS WHEREOF, I hereunto affix my hand and seal this 23rd day of November 2009 and file this date with City of Carmel-by-the-Sea.

LINDA TULETT
Registrar of Voters

11/18/09 8:11 PM

November 3,2009

COUNTY OF MONTEREY Statement of Vote
CITY/SCHOOL/SPECIAL DISTRICT ELECTIONS

1 of 1

EXHIBIT A

	Registration	Ballots Cast	Turnout (%)		YES	NO										
NON PARTISAN MEASURE I, CITY OF CARMEL-BY-THE-SEA 140023																
5107 5107	1409	186	13.20		102	84										
5107 - Vote By Mail Votes	1409	481	34.14		305	175										
5108 5108	1384	224	16.18		130	94										
5108 - Vote By Mail Votes	1384	575	41.55		376	199										
Precinct Totals	2793	410	14.68		232	178										
Vote By Mail Votes Totals	2793	1056	37.81		681	374										
Grand Totals	2793	1466	52.49		913	552										
17th CONGRESS	2793	1466	52.49		913	552										
15th SENATORIAL DISTRICT	2793	1466	52.49		913	552										
27th ASSEMBLY DISTRICT	2793	1466	52.49		913	552										
BOARD OF EQUALIZATION DIST	2793	1466	52.49		913	552										
5TH SUPERVISORIAL DISTRICT	2793	1466	52.49		913	552										
CARMEL-BY-THE-SEA	2793	1466	52.49		913	552										

MONTEREY COUNTY ELECTIONS

Linda Tulett
Registrar of Voters

Claudio Valenzuela
Assistant Registrar of Voters

November 3, 2009 City/School/Special District Elections
Report of the Official Canvass and 1% Manual Tally

Official Canvass of the Vote. The official canvass was completed and the election certified on Monday, November 23, 2009. The official canvass consisted of several steps, including an inspection of all materials and supplies returned from each polling place, processing and counting vote by mail ballots and ballots cast at and returned from each precinct, including provisional ballots, a reconciliation of signatures in roster indexes with votes recorded, a reconciliation of ballots counted with the number of votes recorded, a manual tally of the ballots tabulated by the voting systems at 1% of the precincts, and a 100% manual tally of all votes cast on any AVC Edge II (touch-screen) voting machine. The Department notified the public of the schedule of activities of the official canvass and invited the Observer Panel, political party central committees, and the Civil Grand Jury to observe. There was one member of the public present to observe the manual tally of one precinct.

Manual Tally. The 1% manual tally includes ballots cast from randomly selected precincts and includes both paper ballots and accessible touch-screen voting machine ballots as well as vote by mail ballots centrally tabulated at the Monterey County Elections Department. The "one percent manual tally" is defined by Elections Code Section 336.5 as *"the public process of manually tallying votes in 1 percent of the precincts, selected at random by the elections official, and in one precinct for each race not included in the randomly selected precincts. This procedure is conducted during the official canvass to verify the accuracy of the automated count."* Based upon the 2007 Post-Election Audit Standards that have been temporarily incorporated into the California Administrative Code (Regulations), the manual tally and determination of any increased audits for close contests should be based upon the semi-final official canvass, or election night results, as defined in Elections Code Section 353.5. The Regulations were re-adopted for the May 19, 2009 Statewide Special Election and sunset on July 19, 2009.

On Tuesday, November 17, 2009, at 9:00 a.m. the Elections Department conducted a public random selection of precincts for the 1% manual tally. The Department used four 10-sided colored dice that were rolled to randomly generate precinct numbers. On Thursday, November 19, the Department opted to randomly select an additional precinct for the Greenfield Unified School District, long term, as the final results reflected a new winner to the contest and the vote spread was just outside of the parameters for the Post-Election Manual Tally requirements. The following table represents the random draw.

	Consolidated Precincts				Ballot	
	Red	Blue	Black	White		
Roll	Thousands	Hundreds	Tens	Ones	Type	Contests
1	5	1	0	4	36	Pacific Grove - Measure J
2	2	0	1	9	40	No. County Fire
3	4	0	6	4	28	Monterey Peninsula College TA 2
4	4	0	8	5	37	City of Salinas - Measure K
5	2	0	4	1	37	Not needed
6	9	3	1	5	11	Hartnell CC TA 6, Salinas UHSD TA 5, Alisal USD TA 2
7	5	1	1	1	41	Carmel Valley Incorp - Measure G, Council, Measure H
8	1	0	0	7	16	Hartnell CC TA 5 only (skip Measure K)
9	1	0	1	3	24	Santa Rita USD (skip Measure K)
10	2	0	3	0	24	Not needed
11	5	1	0	7	35	City of Carmel-by-the-Sea - Measure I

| | Consolidated Precincts | | | | | Ballot | |
| | Red | Blue | Black | White | | | |
Roll	Thousands	Hundreds	Tens	Ones		Type	Contests
12	5	0	9	2		38	Monterey Peninsula Water
13	4	0	6	0		31	King City Elementary SD
14	3	0	4	9		17	Chualar Union SD (skip Hartnell TA 6)
15	4	0	6	8		38	Not needed
16	2	0	3	5		5 & 9	Monterey County Board of Education TA 7
17	5	1	1	5		26	Carmel Valley Fire Protection District
18	2	0	4	2		24	Not needed
19	3	0	5	2		19	Soledad USD
20	3	0	5	7		30	Greenfield USD Long Term and Short Term
21	1	0	0	6		6	Alisal USD TA 5
22	9	3	3	2		29	West Hills Community College TA 1
23	9	5	5	5		32	Pacific Union School
24	3	0	5	5		30	Greenfield USD Long Term

*The vote by mail ballots for Precinct 2045 were also included in the manual tally. During the manual tally of write-in votes, staff discovered that one write-in ballot reflected the voter connecting the vote target next to the candidate name on the ballot and also writing the candidate name in the write-in space and also connecting the vote target. The machine considered this "Vote for One" contest overvoted, and the candidate contests were not tallied by the machine. The ballot was manually tallied to capture the candidate contest votes. See below.

Increased Sample Size for Close Contests. There were no contests with a margin of victory close enough to require implementation of the Post-Election Manual Tally requirements. However, the Department opted to select an additional precinct for the Greenfield Unified School District long term contest as the final results came close to meeting the Post-Election Manual Tally requirements.

Results of the Manual Tally. The results of the manual tally confirmed the results of the election were reflected accurately. The machine results for each precinct selected balanced with the results of manual tally, excluding the variances found below:

Precinct #	Variance	Reason	Contest Resolution
1013 - VBM	1	Machine did not read a faintly connected arrow.	**Santa Rita Union School District:** Add one vote for candidate Elva Arellano.
1013 – Polls	*0*	*Zero voter turnout*	*Zero voter turnout*
3060 – VBM	1	Machine did not read a faintly connected arrow.	**King City Union School District:** Add one vote for candidate Barba Oetting.
3060 – Polls	0		
*2045 - VBM	1	Machine did not read a faintly connected arrow.	**Salinas Union School District:** Add one vote for candidate Margaret Serna Bonetti.
	State Uniform Vote Counting Standards, 2006	Voter completed vote target next to candidate name and also wrote-in candidate name and completed vote target for write-in area. This was "Vote for One" contest; therefore, ballot tabulator could not count over vote.	**Salinas Union School District:** Add one vote to Evamarie Martinez. **Alisal Union School District, TA 2:** Add one vote Andrei Rayas.

(Original signature on file)

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Linda Tulett, Registrar of Voters