

RESOLUTION NO. 8451

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION HELD ON APRIL 10, 2012, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY THE CITY CHARTER

WHEREAS, a General Municipal Election was held and conducted in the City of Whittier, California, on Tuesday, April 10, 2012, as required by the City Charter;

WHEREAS, notice of the election was given in the time, form and manner as provided by law; candidates were nominated to fill the vacancies as required by law; 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 the time, form and manner as required by the provisions of the City Charter and Elections Code of the State of California for the holding of elections in charter cities; and

WHEREAS, pursuant to Resolution No. 7636 adopted November 25, 2003, the City Clerk 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, THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. That the whole number of ballots cast in the City except vote-by-mail voter ballots and provisional ballots was 3,209, the whole number of vote-by-mail voter ballots and provisional ballots cast in the City was 4,182, making a total of 7,391 ballots cast in the City.

SECTION 2. That the names of persons voted for at the election for Member of the City Council for full four-year terms are as follows:

- Cathy Warner
- Nick Donovan
- Craig Lebow
- Joe Vinatieri
- Owen Newcomer
- Lupe Sahagun Garcia
- Adrian G. Gonzales
- Rex Bartuzik (write-in)

SECTION 3. That the number of votes given at each precinct and the number of votes given in the City for each of the persons above named for the respective offices for which the persons were candidates are as listed in "Exhibit A" attached.


SECTION 4. The City Council does declare and determine that Cathy Warner, Joe Vinatieri, and Owen Newcomer were elected as Members of the City Council of said City for full terms of four years.

SECTION 5. 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; (4) The number of votes given at each precinct to each person; and (5) The total number of votes given to each person.

SECTION 6. 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 7. The City Clerk-Treasurer shall certify to the passage and adoption hereof.

APPROVED AND ADOPTED this 17th day of April 2012.


CATHY WARNER, Mayor

ATTEST:


KATHRYN A. MARSHALL
City Clerk-Treasurer

Attachment A – Certificate of Canvass

| | Precinct 51 | | Precinct 57 | | Precinct 62 | | Precinct 66 | | Precinct 72 | | Precinct 79 | | Precinct 82 | | Precinct 171 | |
|-----------|-------------|------|-------------|------|-------------|------|-------------|------|-------------|------|-------------|------|-------------|------|--------------|------|
| | Poll | Mail | Poll | Mail | Poll | Mail | Poll | Mail | Poll | Mail | Poll | Mail | Poll | Mail | Poll | Mail |
| WARNER | 110 | 108 | 130 | 137 | 51 | 123 | 130 | 196 | 54 | 142 | 72 | 110 | 130 | 148 | 43 | 73 |
| DONOVAN | 93 | 55 | 26 | 59 | 15 | 28 | 69 | 86 | 21 | 31 | 13 | 17 | 21 | 22 | 25 | 38 |
| LEBOW | 80 | 54 | 31 | 61 | 20 | 32 | 72 | 74 | 20 | 51 | 16 | 21 | 28 | 32 | 24 | 24 |
| VINATIERI | 110 | 122 | 128 | 144 | 54 | 105 | 136 | 185 | 54 | 124 | 77 | 95 | 129 | 149 | 34 | 53 |
| NEWCOMER | 126 | 101 | 128 | 126 | 56 | 111 | 127 | 168 | 55 | 131 | 71 | 92 | 128 | 128 | 31 | 62 |
| GARCIA | 99 | 52 | 28 | 61 | 23 | 25 | 62 | 73 | 22 | 40 | 15 | 35 | 22 | 33 | 33 | 46 |
| GONZALES | 13 | 11 | 9 | 15 | 5 | 22 | 14 | 12 | 16 | 20 | 9 | 14 | 5 | 10 | 6 | 39 |
| BARTUZIK | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 |

I have also conducted a manual tally of 1% of the precinct in accordance with California Elections Code Section 15360. The results of the manual tally of Precinct No. 72 are as follows:

Vote-by-Mail

| | Opto-Mark Tally | Manual Tally | + or - | If discrepancy, how resolved |
|-----------|-----------------|--------------|--------|------------------------------|
| WARNER | 131 | 131 | 0 | |
| DONOVAN | 27 | 27 | 0 | |
| LEBOW | 47 | 47 | 0 | |
| VINATIERI | 112 | 112 | 0 | |
| NEWCOMER | 116 | 116 | 0 | |
| GARCIA | 35 | 35 | 0 | |
| GONZALES | 18 | 18 | 0 | |
| BARTUZIK | 0 | 0 | 0 | |

Precinct

| | Opto-Mark Tally | Manual Tally | + or - | If discrepancy, how resolved |
|-----------|-----------------|--------------|--------|---|
| WARNER | 54 | 55 | -1 | One vote covered only |
| DONOVAN | 21 | 21 | 0 | 25% of oval - should have been overmarked |
| LEBOW | 20 | 20 | 0 | |
| VINATIERI | 54 | 54 | 0 | |
| NEWCOMER | 55 | 55 | 0 | |
| GARCIA | 22 | 22 | 0 | |
| GONZALES | 16 | 16 | 0 | |
| BARTUZIK | 0 | 0 | 0 | |


 Kathryn A. Marshall, City Clerk-Treasurer
 Dated: April 13, 2012

CITY OF WHITTIER)
) SS
 STATE OF CALIFORNIA)

I, Kathryn A. Marshall, City Clerk-Treasurer in and for the City of Whittier, California, hereby certify that the foregoing resolution was duly introduced and adopted at an Adjourned Regular Meeting of the City Council of said City held on the 17th day of April 2012, by the following roll call vote:

AYES: J.G. Nordbak J.A. Vinatieri R.L. Henderson
 O. Newcomer C. Warner

NOES: None

ABSENT: None

WITNESS my hand and the official seal of the City of Whittier, California, this
27th day of April 2012.

Kathryn A. Marshall
 KATHRYN A. MARSHALL
 City Clerk-Treasurer

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