



STAFF REPORT

SAUSALITO CITY COUNCIL

AGENDA TITLE:

Adopt resolution ratifying the Canvass of Returns from the Marin County Registrar of Voters Office for the Special Municipal Election of November 3, 2009 and declaring elected the person receiving the largest number of votes for the office.

RECOMMENDED MOTION:

Adopt resolution ratifying the Canvass of Returns from the Marin County Registrar of Voters Office for the Special Municipal Election of November 3, 2009 and declaring elected the person receiving the largest number of votes for the office.

SUMMARY

Effective June 30, 2009, Amy Belser resigned from her office as a Councilmember of the City of Sausalito. At their meeting of July 2, 2009, Council moved to hold a special election to fill the vacancy created by Amy Belser. At the same meeting, Council adopted Resolution No. 5042 calling for a Special Municipal Election.

A Special Municipal Election was then held on November 3, 2009. Voters cast their ballots to elect one of two candidates running to fill the vacant seat. As this election was to fill the unexpired term held by Amy Belser, the term of office is only three years, and due to expire in November 2012.

The Marin County Registrar of Voters Office conducted the election at the City's request and on November 20, 2009 issued a Certificate of Canvass of Vote based on the votes cast at the November 3, 2009 election. The City Council must adopt a resolution ratifying the Canvass of Returns of that election.

BACKGROUND

Two Sausalito residents successfully filed their Nomination Papers in August 2009 to be considered as candidates for the November 3 Special Election. These candidates were: Carolyn Ford and Rene (Buddy) DeBruyn.

With the voter turnout of all precincts and voters at the polls and voters by absentee ballot combined, the average of the Sausalito voter turnout was 46.96%. A total of 2,427 votes were cast, with 1,644 of them submitted as absentee ballots. By virtue of the votes cast, the following candidate was elected to the City Council:

Item #: 6B
Meeting Date: 12-02-2008
Page #: 1

Carolyn Ford 1,377 votes (56.88%)

By adoption of the attached resolution, the City Council will ratify the election results and declare Carolyn Ford as duly elected.

ISSUES

The City Council must adopt the resolution presented for their consideration to ratify the election results so that the newly elected candidate can rightfully begin the service of their terms, which will extend from December 8, 2009 to November 2012.

FISCAL IMPACT

None


STAFF RECOMMENDATIONS

Staff recommends Council adopt the "Resolution of the City Council of the City of Sausalito Confirming the Marin County Registrar of Voters Canvass of Returns of the Special Municipal Election of November 3, 2009 and Declaring Elected the Person Having the Largest Number of Votes for the Office."

ATTACHMENTS

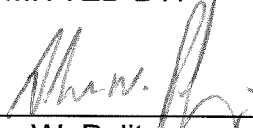
1. Draft Resolution of the City Council of the City of Sausalito Confirming the Marin County Elections Registrar of Voters Canvass of Returns of the Special Municipal Election of November 3, 2009 and Declaring Elected the Person Receiving the Largest Number of Votes for the Office.

PREPARED BY:



Debbie Pagliaro
Assistant to the City Manager

SUBMITTED BY:



Adam W. Politzer
City Manager

Item #: 6B
Meeting Date: 12-08-2009
Page #: 2

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO
RATIFYING THE MARIN COUNTY REGISTRAR OF VOTERS
CANVASS OF RETURNS OF THE SPECIAL MUNICIPAL ELECTION OF
NOVEMBER 3, 2009
AND DECLARING ELECTED THE PERSON RECEIVING
THE LARGEST NUMBER OF VOTES FOR THE OFFICE**

WHEREAS, by Resolution No. 5042 adopted on July 2, 2009, the City Council of the City of Sausalito requested the Board of Supervisors of the County of Marin to render services regarding the Special Municipal Election to be held in the City of Sausalito on Tuesday, November 3, 2009, to fill one unexpired term on the City Council; and

WHEREAS, the County Clerk did, on November 20, 2009, canvass the vote cast at said election and did transmit to the City of Sausalito a certified copy of the statement of votes cast, which certification is now on file in the office of the City Clerk of the City of Sausalito and attached as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sausalito that the canvass of votes by the County Registrar of Voters as shown by Certificate of Canvass of Vote is hereby confirmed and approved:

SECTION 1. The whole number of ballots cast in the City of Sausalito at said election is 2,427, including 1,644 Absentee Ballots.

SECTION 2.

- a. The names of the persons voted for at the election for three Members of the City Council for a term of three years are as follows: Carolyn Ford and Rene (Buddy) DeBruyn
- b. The number of votes cast for each candidate for Member of the City Council for the unexpired term ending November 2012 were as follows:

CAROLYN FORD	1,377
RENE (BUDDY) DeBRUYN	1,034
Write-In Votes	10

SECTION 3. 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 are listed in Exhibit B attached.

Item #: 6B
Meeting Date: 12-08-2009
Page #: 3

SECTION 4. The City Council does declare and determine that:

CAROLYN FORD was elected as a Member of the Sausalito City Council for the unexpired term of three (3) years, ending November 2012.

SECTION 5. The City Clerk shall enter in the records of the City Council of the City of Sausalito a statement of the 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) that the person with the most votes was elected to the position as Members of the Sausalito City Council; 4) the number of votes cast at each precinct for each candidate; and 5) the total number of votes cast for each candidate.

SECTION 6. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the file of original resolutions.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Sausalito on the 8th day of December, 2009, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

MAYOR OF THE CITY OF SAUSALITO

ATTEST:

CITY CLERK

Item #: 6B
Meeting Date: 12-08-2009
Page #: 4

EXHIBIT A

MARIN COUNTY - REGISTRAR OF VOTERS
 UNIFORM DISTRICT ELECTION
 NOVEMBER 3, 2009
 OFFICIAL FINAL STATEMENT OF VOTES CAST
 CITY OF SAUSALITO

Date: 11/20/09
 Time: 11:45:31
 Page: 1 of 2

	TURN OUT		
	Reg. Voters	Cards Cast	% Turnout
Jurisdiction Wide			
0003001			
Polling	973	138	14.18%
VBM	973	313	32.17%
Total	973	451	46.35%
0003002			
Polling	1737	297	17.10%
VBM	1737	562	32.35%
Total	1737	859	49.45%
0003003			
Polling	2458	348	14.16%
VBM	2458	769	31.29%
Total	2458	1117	45.44%
Total			
Polling	5168	783	15.15%
VBM	5168	1644	31.81%
Total	5168	2427	46.96%

Item #: 6B
 Meeting Date: 12-08-2009
 Page #: 5

EXHIBIT B

MARIN COUNTY - REGISTRAR OF VOTERS
UNIFORM DISTRICT ELECTION
NOVEMBER 3, 2009
OFFICIAL FINAL STATEMENT OF VOTES CAST
CITY OF SAUSALITO

Date: 11/20/09
 Time: 11:45:31
 Page: 2 of 2

CITY OF SAUSALITO - Member, City Council

	Reg. Voters	Times Counted	Total Votes	CAROLYN FORD	RENE BUDDY De BRUYN	Write-In Votes
Jurisdiction Wide						
0003001						
Polling	973	138	138	87 63.04%	51 36.96%	0 0.00%
VBM	973	313	313	178 56.87%	134 42.81%	1 0.32%
Total	973	451	451	265 58.76%	185 41.02%	1 0.22%
0003002						
Polling	1737	297	297	166 55.89%	129 43.43%	2 0.67%
VBM	1737	562	560	310 55.36%	249 44.46%	1 0.18%
Total	1737	859	857	476 55.54%	378 44.11%	3 0.35%
0003003						
Polling	2458	348	348	203 58.33%	143 41.09%	2 0.57%
VBM	2458	769	765	433 56.60%	328 42.88%	4 0.52%
Total	2458	1117	1113	636 57.14%	471 42.32%	6 0.54%
Total						
Polling	5168	783	783	456 58.24%	323 41.25%	4 0.51%
VBM	5168	1644	1638	921 56.23%	711 43.41%	6 0.37%
Total	5168	2427	2421	1377 56.88%	1034 42.71%	10 0.41%

Item #: 6B
 Meeting Date: 12-08-2009
 Page #: 6

RECEIVED

NOV 24 2009

COUNTY OF MARIN

CERTIFICATE OF CANVASS OF VOTE

I, ELAINE GINNOLD, Registrar of Voters, County of Marin, State of California, do hereby certify that on November 20, 2009, I canvassed the vote cast at the Uniform District Election held on November 3, 2009, and the results of said canvass are as follows:

(See Attached)

IN WITNESS WHEREOF, I have set my hand and affixed my official seal on the 20th day of November, 2009.

SEAL



ELAINE GINNOLD
Registrar of Voters

Item #: 6B
Meeting Date: 12-08-2009
Page #: 7

