

RESOLUTION 32-2016

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, CANVASSING, DECLARING, AND ADOPTING THE RESULTS OF THE PRIMARY ELECTION HELD ON AUGUST 30, 2016

WHEREAS, on the 30th day of August, 2016, a primary election of the qualified electors of the City of Benson, Arizona, was held for the purpose of electing one (1) mayor for a two-year term and three (3) councilmembers to each serve four-year terms; and

WHEREAS, the election returns, attached hereto as Exhibit "A" and incorporated herein by this reference, have been presented to and have been canvassed by the Mayor and City Council; and

WHEREAS, the election returns as canvassed show that there were 1,032 ballots cast; and

WHEREAS, the election returns as canvassed show the number of votes cast for each candidate is as follows:

<u>FOR MAYOR</u>	<u>VOTES RECEIVED</u>
KING, SR., TONEY D.	655
WRITE IN	187
OVER VOTES	1
UNDER VOTES	189

<u>FOR COUNCILMEMBER</u>	<u>VOTES RECEIVED</u>
BOYLE, PATRICK	598
GARNER, LEVI	632
JABKOWSKI, MICHAEL	458
SCHMIDT, CRYSTAL	620
WRITE IN	19
OVER VOTES	27
UNDER VOTES	742

WHEREAS, pursuant to Arizona law and the Benson City Code, Chapter 2, Article 2-3, Sections 2-3-3 and 2-3-4, at the Primary Election the candidate receiving a majority of all votes cast for the office of Mayor and the candidates receiving a majority of all votes cast for the office of Councilmember shall be declared to be elected to the offices of Mayor and Councilmember; and

WHEREAS, it appears that Toney D. King, Sr. received a number of votes constituting a majority of all the valid votes cast for the office of Mayor and should be deemed elected in accordance with Arizona law; and

WHEREAS, it appears that Levi Garner received a number of votes constituting a majority of all the valid votes cast for a 4-year term Councilmember and should be deemed elected in accordance with Arizona law; Crystal Schmidt received a number of votes constituting a majority of all the valid votes cast for a 4-year term Councilmember and should be deemed elected in accordance with Arizona law; and Patrick Boyle received a number of votes constituting a majority of all the valid votes cast for a 4-year term Councilmember and should be deemed elected in accordance with Arizona law; and

WHEREAS, there is no remaining office of Mayor or Councilmember that was not filled by a number of votes constituting a majority of all the valid votes cast for each office.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Benson, Arizona, as follows:

SECTION 1. That the total number of ballots cast at the primary election was 1,032.

SECTION 2. That Toney D. King, Sr. is declared to be elected to the office of Mayor effective as of the date of the General Election; Patrick Boyle is declared to be elected to the office of Councilmember effective as of the date of the General Election; Levi Garner is declared to be elected to the office of Councilmember effective as of the date of the General Election; and Crystal Schmidt is declared to be elected to the office of Councilmember effective as of the date of the General Election.

SECTION 3. That there is no remaining office of Mayor or Councilmember to be elected, therefore the General Election for the City of Benson will only address Proposition 418, proposing an extension of the Alternative Expenditure Limitation and will be held on November 8, 2016.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, this 12th day of September, 2016.



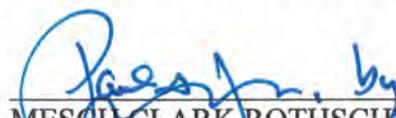
TONEY D. KING, SR., Mayor

ATTEST:



VICKI L. VIVIAN, CMC, City Clerk

APPROVED AS TO FORM:



MESCH-CLARK ROTHSCHILD
By Gary J. Cohen
City's Attorney

EXHIBIT "A"

OFFICIAL RESULTS



Cochise County Elections & Special Districts

Public Programs...Personal Service
www.cochise.az.gov

KATIE A. HOWARD
Director

MARTHA L. RODRIQUEZ
Elections Program Coordinator

ANNÈ E. MACAK
Elections Technician

CERTIFICATION OF RESULTS OF THE CITY OF BENSON PRIMARY ELECTION AUGUST 30, 2016

I, the undersigned, being the Election Officer of Cochise County, do hereby certify that the copy of the Final Unofficial Results of said election held on August 30, 2016 is attached hereto, and is a true and correct copy of the Final Unofficial Results that has been filed in the records of the Cochise County Elections & Special Districts Office. The results will become official when the City of Benson canvasses this election.

BALLOTS PROCESSED 1,032

Mayor, City of Benson

King Sr., Toney D.	655
Write-In Total:	187
<i>W-I: Jeff Cook</i>	138

Council Member, City of Benson

Boyle, Patrick	598
Garner, Levi	632
Jabkowski, Michael	458
Schmidt, Crystal	620
Write-In	19

Katie A. Howard, Director

This instrument was acknowledged before me this 7th day of September 2016 by Martha L. Rodriguez

State of Arizona
County of Cochise

Martha L Rodriguez



