City of Benson
City Council Communication

Regular Meeting **June 9, 2014**

To: Mayor and Council Agenda Item # 6

From: Vicki L. Vivian, CMC, City Clerk

Subject:

Discussion and possible action regarding Resolution 15-2014 of the Mayor and Council of the City of Benson, Arizona, canvassing, declaring and adopting the results of the Special election held on May 20, 2014

Discussion:

Resolution 15-2014 satisfies the requirements to canvass an election as per A.R.S. §16-642 (A) Canvass of election; postponements, which states:

A. The governing body holding an election shall meet and canvass the election not less than six days nor more than twenty days following the election.

Staff Recommendation:

Approval of Resolution 15-2014

RESOLUTION 15-2014

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, CANVASSING, DECLARING AND ADOPTING THE RESULTS OF THE SPECIAL ELECTION HELD ON MAY 20, 2014

WHEREAS, on January 29, 2014, the City Clerk of the City of Benson, Arizona, officially filed Recall Petition 2014-01 and did cause to be submitted to the qualified electors of the City at a special recall election held in and for the City of Benson on the 20th day of May, 2014 for the purpose of electing one (1) Councilmember to serve the remainder of the term of office held by Jeff Cook; and

WHEREAS, pursuant to A.R.S. §19-216, at a recall election, the candidate receiving the highest number of votes cast for the office of Councilmember shall be declared to be elected to the office of Councilmember for the remainder of the term of office; and

WHEREAS, on the 20th day of May, 2014, a special election of the qualified electors of the City of Benson, Arizona was held for the purposes of electing one (1) councilmember; 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 844 ballots cast and were cast as follows:

FOR COUNCILMEMBER	VOTES RECEIVED
CAMPBELL, CAROL	308
COOK, JEFF	535
WRITE IN	1
Provisional Ballots	9
Rejected Ballots	1

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

SECTION 1. That the total number of ballots cast at the special recall election was 844.

SECTION 2. That Jeff Cook is found, determined and declared of record to receive the majority of the total number of valid votes cast and is hereby retained in office.

SECTION 3. That all orders or resolutions in conflict be and the same are, to the extent of such conflict, hereby repealed, and that this resolution be in full force and effect immediately upon its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, this 9th day of June, 2014.

_____
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

CERTIFICATION OF CANVASS OF
CITY OF BENSON
RECALL ELECTION
MAY 20, 2014

I, the undersigned, being the Election Officer of Cochise County, do hereby certify, that the copy of the Official Canvass of said election held on May 20, 2014 is attached hereto, and is a true and correct copy of the Official Canvass that has been filed in the records of the Cochise County Elections/Special Districts Office.

Voter Registration	Ballots Cast
2744	844

Respectfully submitted,

Juanita M. Murray
Director, Elections/Special Districts

This instrument was acknowledged before me this 26th day of May, 2014 by Juanita M. Murray.

Martha L. Reynolds
Notary Public Martha L. Domann

My commission will expire:
OCT. 14, 2014

OFFICIAL SEAL
MARTHA L. DOMANN
NOTARY PUBLIC - State of Arizona
COCHISE COUNTY
My Comm. Expires Oct. 14, 2014

0001 CITY OF BENSON

	TOTAL VOTES	%	PRECINCT	PROVISIONALS	EARLYS
REGISTERED VOTERS - TOTAL	2,744				
BALLOTS CAST - TOTAL.	844		152	8	684
VOTER TURNOUT - TOTAL		30.76			

CITY OF BENSON RECALL
Vote fot not more than 1

CAMPBELL, CAROL V.	308	36.49	36	3	269
COOK, JEFF	535	63.39	116	5	414
WRITE-IN.	1	.12	0	0	1
Total	844		152	8	684
Over Votes	0		0	0	0
Under Votes	0		0	0	0

	TOTAL VOTES	%	PRECINCT	PROVISIONALS	EARLYS
PRECINCTS COUNTED (OF 1)	1	100.00			
REGISTERED VOTERS - TOTAL	2,744				
BALLOTS CAST - TOTAL.	844		152	8	684
VOTER TURNOUT - TOTAL		30.76			

CITY OF BENSON RECALL
Vote fot not more than 1
(WITH 1 OF 1 PRECINCTS COUNTED)

COOK, JEFF	535	63.39	116	5	414
CAMPBELL, CAROL V.	308	36.49	36	3	269
WRITE-IN.	1	.12	0	0	1
Total	844		152	8	684
Over Votes	0		0	0	0
Under Votes	0		0	0	0

OFFICIAL RESULTS

RUN DATE:05/26/14 10:11 AM

CITY OF BENSON
MAY 20, 2014

PREC/PROV/EARLYS

REPORT-EL86 PAGE 001

	VOTES	PERCENT
01 = BALLOTS CAST	844	

CITY OF BENSON RECALL
Vote fot not more than 1

	VOTES	PERCENT
02 = CAMPBELL, CAROL V.	308	36.49
03 = COOK, JEFF	535	63.39
04 = WRITE-IN	1	.12
05 = OVER VOTES	0	
06 = UNDER VOTES	0	

	01	02	03	04	05	06
0001 CITY OF BENSON	844	308	535	1	0	0

Number/Name		# Of Provisional Ballots	# Rejected	Verified for Tally
	CITY OF BENSON	9	1	8
TOTAL		9	1	8

Not Registered 1

COCHISE COUNTY

MAY 20, 2014
CITY OF BENSON RECALL ELECTION

EARLY BALLOT REPORT

Number/Name		# Of Early Ballots	# Rejected	Verified for Tally
	CITY OF BENSON	685	1	684
TOTAL		**685**	**1**	**684**

blank ballot 650 does'nt count

1

COCHISE COUNTY
CONSOLIDATED ELECTION
MARCH 11, 2014

BALLOT REPORT	PRECINCTS BALLOTS							EARLY BALLOTS									PROVISIONAL BALLOTS					
POLLING LOCATION	PAYROLL VOUCHER	PRECINCT BALLOT REPORT	TOTAL BALLOTS	BALLOTS ISSUED TO PRECINCT	SPOILED BALLOTS	UNUSED BALLOTS	REGULAR BALLOTS COUNTED	TOTAL BALOTS ISSUED TO COUNTY RECORDER	BALLOTS DISRIBUTED FOR EARLY VOTING	EARLY BALLOTS RETURNED	SPOILED	REJECTED BALLOTS BY RECORDER	UNUSED BALLOTS RETURNED TO BOARD OF SUPERVIORS	BALLOTS TURNED OVER TO EARLY BOARD FROM COUNTY RECORDER	BALLOTS REJECTED BY EARLY BOARD AS INCOMPLETE OR INSUFFICIENT	TOTAL EARLY BALLOTS COUNTED	PROVISIONAL BALLOTS TO BE COUNTED (CAST)	PROVISIONAL BALLOTS REJECTED	PROVISIONAL BALLOTS COUNTED		TOTAL PRECINCT BALLOTS CAST	TOTAL ALL BALLOTS CAST
CITY OF BENSON	X	X	3235	1800	0	1639	152	1435	1427	748	0	63	8	685	1	684	9	1	8		160	844
			0			0																
			0			0																
TOTALS			3235	1800	0	1639	152	1435	1427	748	0	63	8	685	1	684	9	1	8		160	844
test ballots used			15																			
Total ballots ordered			3250																			