

# Agenda Report

**TO:** CITY COUNCIL

**DATE:** MAY 4, 2009

**FROM:** CITY CLERK

**RE:** CANVASS OF THE APRIL 21, 2009 GENERAL MUNICIPAL ELECTION

## **RECOMMENDATION:**

It is recommended that the City Council:

- (1) Accept the Certificate of Canvass.
- (2) Adopt a resolution declaring that Terry Tornek is elected to the office of member of the City Council, District 7.

## **BACKGROUND:**

The City of Pasadena held its Primary Nominating Election on Tuesday, March 10, 2009, for members of the City Council, Districts 3, 5, and 7. Pasadena City Charter, Section 1204, provides that, "Any person who, at the primary election, shall receive a majority of the total vote cast for candidates for said office shall be elected to such office."

At the March 10, 2009 Primary Nominating Election, Chris Holden, City Council District 3 candidate, and Victor M. Gordo, City Council District 5 candidate, each received a majority of the votes cast and were re-elected for their respective offices.

In the Council District 7 race, of five candidates running for this office, no one received a majority of the total votes cast. Candidates Terry Tornek and Margaret York received the highest number of votes cast for District 7. In accordance with the Pasadena City Charter, Section 1204, the two candidates with the highest number of votes cast for the respective office had their names placed on the ballot for the General Municipal Election held on April 21, 2009.

The final tally of the votes cast at the April 21, 2009 General Municipal Election is as follows:

Terry Tornek	1,115 - 52.6%	District 7
Margaret York	1,002 - 47.3%	District 7

Terry Tornek, City Council District 7 candidate, received a majority of the votes cast and is elected as member of the City Council, District 7.

**FISCAL IMPACT:**

Since no run-off election was necessary for the Pasadena Unified School District Board of Education, the City is responsible for the full costs associated with conducting the April 21, 2009 election for City Council District 7. Sufficient funds are available in the City Clerk's FY 2008-2009 Election Budget.

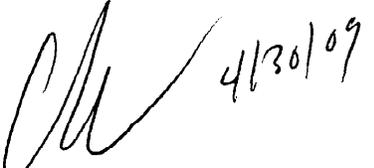
Respectfully submitted,




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Mark Jomsky, CMC  
City Clerk

Reviewed by:




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Nicholas G. Rodriguez  
Assistant City Attorney

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**RESOLUTION NO.**

**A RESOLUTION OF THE CITY OF PASADENA DECLARING THE RESULTS  
OF THE CITY'S GENERAL MUNICIPAL ELECTION  
HELD ON TUESDAY, APRIL 21, 2009**

WHEREAS, a General Municipal Election was held and conducted in Pasadena City Council District 7, on Tuesday, April 21, 2009, as required by Sections 1204 and 1205 of the Pasadena City Charter; and

WHEREAS, the votes at said election have been canvassed by the City Clerk and a copy of said canvass is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, said City Clerk has certified the results of said canvass to the City Council of the City of Pasadena.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena that:

1. The following be declared to be the results of said General Municipal Election for the office of member of the City Council, District 7:

**DISTRICT 7**

Terry Tornek	1,115 votes	(52.6%)
Margaret York	1,002 votes	(47.3%)

2. Terry Tornek, having received a majority of the total votes cast for candidate for the office of member of the City Council from District 7, from which the candidate sought nomination, hereby is declared to be elected as a member of the City Council from District 7 for a full term of four years.

Adopted at the special meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_,

2009, by the following vote:

AYES:

NOES:

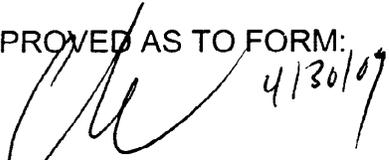
ABSENT:

ABSTAIN:

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Mark Jomsky, CMC  
City Clerk

APPROVED AS TO FORM:



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Nicholas G. Rodriguez  
Assistant City Attorney

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EXHIBIT A

STATE OF CALIFORNIA     )  
   ) ss  
 COUNTY OF LOS ANGELES )

I, Mark Jomsky, City Clerk of the City of Pasadena, California, do hereby certify that the attached is a true and correct Canvass of the Votes Cast at the General Municipal Election for City Council District 7 held in the City of Pasadena on April 21, 2009.

I FURTHER CERTIFY that the total ballots cast for the City Council district race in the General Municipal Election are as follows:

REGISTERED VOTERS IN DISTRICT 7	PRECINCT BALLOTS CAST	VOTE BY MAIL BALLOTS CAST	TOTAL BALLOTS CAST
10,721	726	1,397	2,123 (19.8%)

**FOR MEMBER OF THE CITY COUNCIL - ONE DISTRICT ONLY** (including Vote by Mail Votes):

**FOR DISTRICT 7**

Terry Tornek	1,115 votes	(52.6%)
Margaret York	<u>1,002</u> votes	(47.3%)
<b>Total Votes Cast:</b>	<b>2,117</b>	
Blank voted*	3	
Over voted**	<u>3</u>	
Total Ballots Tabulated	2,123	

**Total Ballots Cast (District 7):**                     **2,123**

IN WITNESS THEREOF, I have hereunto set my hand and affixed the seal of the City of Pasadena this 30<sup>th</sup> day of April, 2009.

  
 \_\_\_\_\_  
 Mark Jomsky, CMC  
 City Clerk



\*Blank voted means a voter elected not to cast a vote for that particular race.  
 \*\*Over voted means a voter cast more votes than allowed for a particular race (i.e., voted for more than one candidate in a race).

**CITY OF PASADENA  
GENERAL ELECTION - APRIL 21, 2009  
SUMMARY REPORT - COUNCIL DISTRICT 7**

	REGISTERED VOTERS	PRECINCT BALLOTS CAST	VOTE BY MAIL BALLOTS CAST	TOTAL BALLOTS CAST	VOTER TURNOUT
DISTRICT 7	10,721	726	1,397	2,123	19.8%
<b>TOTAL</b>	<b>10,721</b>	<b>726</b>	<b>1,397</b>	<b>2,123</b>	<b>19.8%</b>

"Vote By Mail Ballots Cast" includes Provisional Ballots  
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**CANVASS OF VOTES CAST  
CITY OF PASADENA - COUNCIL DISTRICT 7  
GENERAL ELECTION  
APRIL 21, 2009**

PRECINCT	REGISTERED VOTERS	COUNCIL DISTRICT	PRECINCT BALLOTS CAST	VOTE BY MAIL BALLOTS CAST	TOTAL BALLOTS CAST	FOR MEMBER OF THE CITY COUNCIL, DISTRICT 7	
						Tornek	York
5150019	1691	7	147	309	456	276	179
5150074	1462	7	79	124	203	77	122
5150110	1864	7	211	330	541	290	250
5150112	1543	7	70	182	252	138	114
5150120	818	7	52	119	171	84	87
5150186	1595	7	116	90	206	109	97
5150209	1748	7	51	243	294	141	153
TOTALS	10721		726	1397	2123	1115	1002

Voter Turnout: 19.8%

"Vote By Mail Ballots Cast" includes Provisional Ballots

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