

RESOLUTION NO 2010-96

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, DECLARING AND ADOPTING THE RESULTS OF THE REGULAR GENERAL ELECTION HELD ON NOVEMBER 2, 2010; AND ORDERING THE RECORDING OF SUCH RESOLUTION AND CERTIFICATE.

WHEREAS, the City of Peoria, Maricopa County, Arizona, by its duly appointed and acting City Clerk did issue a call and notice for a general election on the 30th day of April, 2010 and the 7th day of May, 2010; and did cause to be submitted to the qualified electors of the City at a Regular General Election held in and for the City of Peoria on the 2nd day of November, 2010 for the election of Councilmember for the Acacia District; and

WHEREAS, the City Council did cause notice of the Regular General Election to be given by the City Clerk, publishing notice thereof in the Peoria Times newspaper as provided by law, such newspaper published in and having general circulation within said City, that said notice as so published did specify the place whereat such election was to be held, and the office to be voted upon, copy of said notice with the affidavit of publication attached hereto – Attachment “A” – Affidavit of Publication and Notice, being now on file and a part of the official records of the City Council of the City of Peoria; and

WHEREAS, the election returns are presented to and hereby canvassed by the City Council.

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

SECTION 1. That the total number of ballots cast and total voter turnout at said Regular General Election, as shown by the final results as issued by the Maricopa County Recorder, is set forth on Exhibit “A” - Summary Report, attached and incorporated to this resolution.

SECTION 2. That the total number of votes cast for each candidate at each precinct at said Regular General Election, as shown by the final results as issued by the Maricopa County Recorder, is set forth on Exhibit "B" – Maricopa County Precinct Canvass, attached and incorporated to this resolution.

SECTION 3. That the total number of provisional ballots, the total number of provisional ballots tabulated, and the total number of provisional ballots found to be invalid and not counted is set forth on Exhibit "C" – Provisional Ballots HAVA Requirements, attached and incorporated to this resolution.

SECTION 4. That the total number of rejected ballots by precinct is set forth on Exhibit "D" – Rejected Ballots by Precinct, attached and incorporated to this resolution.

SECTION 5. That the total number of votes cast at said Regular General Election for the candidates of Councilmember were as follows:

<u>District</u>	<u>Name</u>	<u>Vote Total</u>
Acacia	Dragon, Jason D.	1,025
	Rivero, Tony	1,679

SECTION 6. That it is hereby found, determined and declared of record, that the following candidate did, pursuant to Peoria City Code (1992 Edition) Chapter 8, Section 8.2(c), receive the highest number of valid votes cast in their respective district and is hereby issued a certificate of election:

Councilmember, Acacia District

Tony Rivero

SECTION 7: That all orders or resolutions in conflict be and the same hereby 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 Peoria, Arizona this 18th day of November, 2010.



Bob Barrett, Mayor

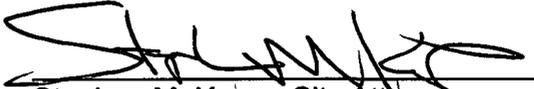
ATTEST:



Rhonda Geriminsky, Acting City Clerk



APPROVED AS TO FORM:



Stephen M. Kemp, City Attorney

Published in the Peoria Times Publication Dates: November 26 and
December 3, 2010

Effective Date: NOVEMBER 18, 2010

**“ATTACHMENT A” AND
EXHIBITS “A-D” ARE ON FILE IN THE
CLERK’S OFFICE**

**CITY CLERK’S OFFICE
8401 W. Monroe Street
Peoria, AZ 85345**

Attachment "A"

AFFIDAVIT OF PUBLICATION

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

I, Carolyn Castillo of PEORIA TIMES

A newspaper of general circulation published and printed in the city of Glendale, County of Maricopa, State of Arizona, do solemnly swear that a copy of the notice, in the matter of
Public Notice
Call and Notice of Election
English/Spanish
City of Peoria

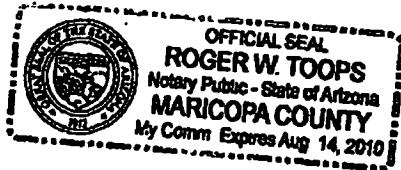
As per clipping attached, was published weekly in the regular and entire edition of the said newspaper, and not in any supplement hereof, for a period of 2 consecutive week(s), as follows, to-wit:
04/30/10
05/07/10

(s) Carolyn Castillo

Subscribed and sworn to before me, this 7th day of May (year) 2010.

(s) [Signature]
Notary Public

My commission expires:



RECEIVED
CITY CLERK'S OFFICE
2010 MAY -11 AM 11: 28

PUBLIC NOTICE



CALL AND NOTICE OF ELECTION
PUBLIC NOTICE OF CITY OF PEORIA, ARIZONA
AUGUST 24, 2010 PRIMARY ELECTION
NOVEMBER 2, 2010 GENERAL ELECTION

Notice is hereby given that the City of Peoria, Arizona will hold a Colorado Primary Election on August 24, 2010 and if necessary a General Election on November 2, 2010.

Resolutions referred by the City Council regarding charter amendments pertaining to personnel, appointments of department directors, ordinances, meeting style, and copies of city code and

A resolution referred by the City Council pertaining to the 2010 General Plan Amendment

Election information, copies of the referred ordinance and referred resolutions and Candidates Petitions are available during normal business hours Monday through Friday at the

Office of the City Clerk
8401 W. Maroon Street, First Floor, Room 150
Peoria, Arizona 85345
623-772-7340

April 28, 2010 First day to file nomination petitions and paperwork to run for Mayor and Councilmember in the Acacia, Palo Verde and Pine Districts

May 25, 2010 Last day to file nomination petitions and paperwork to run for Mayor and Councilmember in the Acacia, Palo Verde and Pine Districts

June 15, 2010 Last day to file arguments pro and con for the ballot measures. Arguments must contain an original signature of the petitioner certifying the argument and must contain 300 words or less.

An electronic scanned copy of the argument must also be filed. The City Clerk shall have sole discretion for compiling the Spanish translation of each argument. The filing fee is \$200.00 and is payable to the Peoria City Clerk's Office. Arguments must be filed with the City Clerk's Office by 5:00 p.m.

August 24, 2010 Primary Election
November 2, 2010 General Election

Mayor Republican Candidate July 28, 2010
City Clerk, City of Peoria

AFFIDAVIT OF PUBLICATION

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

I, Carolyn Castillo of PEORIA TIMES

A newspaper of general circulation published and printed in the city of Glendale, County of Maricopa, State of Arizona, do solemnly swear that a copy of the notice, in the matter of PUBLIC NOTICE
Notice of Election English
City of Peoria

As per clipping attached, was published weekly in the regular and entire edition of the said newspaper, and not in any supplement hereof, for a period of 2 consecutive week(s), as follows, to-wit:

07/23/10
07/30/10

(s) *Carolyn Castillo*

Subscribed and sworn to before me, this 30th day of July (year) 2010.

(s) *[Signature]*
Notary Public

My commission expires:



RECEIVED
CITY CLERK'S OFFICE
2010 JUL -2 PM 3:03



**NOTICE OF ELECTION
PUBLIC NOTICE OF CITY OF PEORIA, ARIZONA**

**AUGUST 24, 2010 PRIMARY ELECTION
NOVEMBER 2, 2010 GENERAL ELECTION**

Notice is hereby given that the City of Peoria, Arizona will hold a Citywide Primary Election on August 24, 2010 and if necessary, a General Election on November 2, 2010.

Offices and Propositions to be on the August 24, 2010 Ballot:

- a) The offices of Mayor and Councilmember in the Acacia, Palo Verde and Pine Districts.
- b) An ordinance referred by the City Council pertaining to a franchise agreement with Arizona-American Water Company.
- c) Resolutions referred by the City Council regarding charter amendments pertaining to journals, appointments of department directors, ordinances: enacting style, and copies of city code, and
- d) A resolution referred by the City Council pertaining to the 2010 General Plan Amendment.

Election information, copies of the referred ordinance and referred resolutions are available Monday through Thursday, 7:00 a.m. to 6:00 p.m. at the
Office of the City Clerk
8401 W. Monroe Street First Floor, Room 150
Peoria, Arizona 85345
623-773-7340

Location of the Polls:
Please visit the Maricopa County Elections Office Website for a listing of polling locations
<http://recorder.maricopa.gov/bo/maricopa/elections/index.aspx>

Hours of the Polls:
Polls will be open from 6:00 a.m. to 7:00 p.m. on Election Day.

	PRIMARY ELECTION	GENERAL ELECTION
 Voter Registration Deadline	July 24, 2010	October 4, 2010
 First Day to Vote an Early Ballot	July 27, 2010	October 7, 2010
 Last Day to Request an Early Ballot by Mail	August 13, 2010	October 22, 2010
 Last Day to Vote an Early Ballot at On-site Locations	August 23, 2010	October 29, 2010
 Last Day of Emergency Voting	August 23, 2010	November 1, 2010

Mary Jo Weddell, MMC
City Clerk, City of Peoria
Publish Peoria Times
July 22 and 29, 2010
Publish Peoria Times
July 23 and 30, 2010



**AVISO DE UNA ELECCIÓN
AVISO PÚBLICO DE LA CIUDAD DE PEORIA, ARIZONA
ELECCIÓN PRIMARIA 24 DE AGOSTO DE 2010
ELECCIÓN GENERAL 2 DE NOVIEMBRE DE 2010**

Por la presente se da aviso que la Ciudad de Peoria, Arizona celebrará una Elección Primaria por toda la Ciudad el 24 de agosto de 2010, y si resultara una Elección General el 2 de noviembre de 2010.

Campos y Proposiciones que se presentarán en la Boleta del 24 de agosto de 2010:
La boleta del 24 de agosto de 2010 va a contener lo siguiente para consideración de los votantes capacitados:

- a) Los cargos de Alcalde y Miembro del Consejo de los Distritos Acacia, Palo Verde y Pine.
- b) Una ordenanza referida por el Concejo Municipal en relación con un acuerdo de franquicia con la Compañía de Agua de Arizona-American.
- c) Resoluciones referidas por el Concejo Municipal tocante enmiendas a la constitución en relación con designación, nombramiento de directores de departamentos, ordenanzas: promulgando estilo, y copias del código municipal, y
- d) Una resolución referida por el Concejo Municipal en relación con la Enmienda del Plan General de 2010.

Información electoral, copias de la ordenanza referida y de las resoluciones referidas están disponibles 7:00 a.m. durante 6:00 p.m. de lunes a jueves en la
Oficina de la Secretaria Municipal
8401 W. Monroe Street Primer Piso Sala 150
Peoria Arizona 85345
623-773-7340

La Ubicación de los Sondeos:
Para una lista de ubicaciones de votación favor de visitar el sitio de la Oficina de Elecciones del Condado Maricopa <http://recorder.maricopa.gov/bo/maricopa/elections/index.aspx>

Horario de los Sondeos:
Los sondeos estarán abiertos de 6:00 de la mañana a 7:00 de la tarde el Día de las elecciones.

	ELECCIÓN PRIMARIA	ELECCIÓN GENERAL
La última Fecha para inscribirse para Votar	26 de julio de 2010	4 de octubre de 2010
Primer Día para Votar una Boleta de Antes de la Elección	27 de julio de 2010	7 de octubre de 2010
La Última Fecha para Pedir que se le envíe una Boleta de Antes de la Elección por Correo	13 de agosto de 2010	22 de octubre de 2010
La Última Fecha para Votar una Boleta de Antes de la Elección en Centros Locales en Persona	23 de agosto de 2010	29 de octubre de 2010
La Última Fecha para Votación de Emergencia	23 de agosto de 2010	1 de noviembre de 2010

Mary Jo Weddell, MMC
Secretaria Municipal Ciudad de Peoria
Publish Peoria Times
July 23 and 30, 2010

AFFIDAVIT OF PUBLICATION

Attachment "A"

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

I, Carolyn Castillo of
PEORIA TIMES

A newspaper of general circulation published and printed in the city of Glendale, County of Maricopa, State of Arizona, do solemnly swear that a copy of the notice, in the matter of
PUBLIC NOTICE
Notice of Election-English
City of Peoria

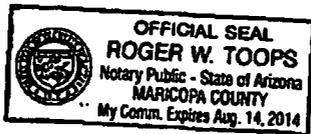
As per clipping attached, was published weekly in the regular and entire edition of the said newspaper, and not in any supplement hereof, for a period of 2 consecutive week(s), as follows, to-wit:
10/15/10
10/22/10

(s) *Carolyn Castillo*

Subscribed and sworn to before me, this 22nd day of October (year) 2010.

(s) *[Signature]*
Notary Public

My commission expires:



RECEIVED
CITY CLERK'S OFFICE
2010 OCT 20 AM 10: 04

AFFIDAVIT OF PUBLICATION

Attachment "A"

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

I, Carolyn Castillo of
PEORIA TIMES

A newspaper of general circulation published and printed in the city of Glendale, County of Maricopa, State of Arizona, do solemnly swear that a copy of the notice, in the matter of NOTICE OF ELECTION-SPANISH City of Peoria

As per clipping attached, was published weekly in the regular and entire edition of the said newspaper, and not in any supplement hereof, for a period of 2 consecutive week(s), as follows, to-wit:
10/15/10
10/22/10

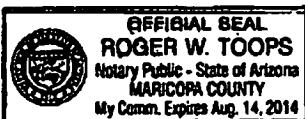
RECEIVED
CITY CLERK'S OFFICE
2010 OCT 20 AM 10:03

(s) *Carolyn Castillo*

Subscribed and sworn to before me, this 22nd day of October (year) 2010.

(s) *Roger W. Toops*
Notary Public

My commission expires:



PUBLIC NOTICE



PUBLIC NOTICE



**NOTICE OF ELECTION
PUBLIC NOTICE OF CITY OF PEORIA, ARIZONA
NOVEMBER 2, 2010 GENERAL ELECTION**

Notice is hereby given that the City of Peoria, Arizona will hold a Citywide General Election on November 2, 2010.

Office to be on the November 2, 2010 Ballot

The November 2, 2010 ballot will contain the office of Councilmember in the Acacia District for consideration by eligible voters.

Election information is available Monday through Thursday 7:00 a.m. to 6:00 p.m. at the

Office of the City Clerk
8401 W Monroe Street, First Floor Room 150
Peoria, Arizona 85345
623-773-7340

Location of the PoCs

Please visit the Maricopa County Elections Office Website for a listing of polling locations
<http://tracorder.maricopa.gov/bo/elections/peoria/index.aspx>

Hours of the PoCs

PoCs will be open from 6:00 a.m. to 7:00 p.m. on Election Day.

Voter Registration Deadline

First Day to Vote an Early Ballot

Last Day to Request an Early Ballot by Mail

Last Day to Vote an Early Ballot at On-site Locations

Last Day of Emergency Voting

GENERAL ELECTION

October 4, 2010

October 7, 2010

October 22, 2010

October 29, 2010

November 1, 2010

Rhonda Simmons
Acting City Clerk, City of Peoria
Peoria, Arizona
October 15 and 22, 2010

PUBLIC NOTICE



PUBLIC NOTICE



**AVISO DE UNA ELECCIÓN
AVISO PÚBLICO DE LA CIUDAD DE PEORIA, ARIZONA
ELECCIÓN GENERAL 2 DE NOVIEMBRE DE 2010**

Por la presente se da aviso que la Ciudad de Peoria, Arizona, celebrará una Elección General el 2 de noviembre de 2010.

CARGO QUE SE PRESENTARÁ EN LA BOLETA DEL 2 DE NOVIEMBRE DE 2010

La boleta del 2 de noviembre de 2010 va a contener el cargo de Miembro del Consejo del Distrito Acacia para consideración de los votantes capacitados.

Información electoral está disponible 7:00 a.m. durante 6:00 p.m. de lunes a jueves en la

Oficina de la Secretaria Municipal
8401 W Monroe Street, Primer Piso Sala 150
Peoria, Arizona 85345
623-773-7340

La Ubicación de los Sondeos

Para una lista de ubicaciones de votación, favor de visitar el sitio de la Oficina de Elecciones del Condado Maricopa <http://tracorder.maricopa.gov/bo/elections/peoria/index.aspx>

Horario de los Sondeos

Los sondeos estarán abiertos de 6:00 de la mañana a 7:00 de la tarde el Día de las elecciones.

La última fecha para inscribirse para votar

Primer Día para votar una Boleta de Antes de la Elección

La Última Fecha para Pide que se le envíe una Boleta de Antes de la Elección por Correo

La Última Fecha para votar una Boleta de Antes de la Elección en Centros Locales en Persona

La Última Fecha para votación de emergencia

Rhonda Simmons
Actuando de la Secretaria Municipal, Ciudad de Peoria
Peoria, Arizona
October 15 and 22, 2010

ELECCIÓN GENERAL

4 de octubre de 2010

7 de octubre de 2010

22 de octubre de 2010

29 de octubre de 2010

1 de noviembre de 2010

Attachment "A"

GENERAL ELECTION

November 2, 2010

Summary Report

Maricopa County

EXHIBIT A

FINAL OFFICIAL RESULTS

CITY OF PEORIA COUNCILMEMBER - ACACIA DISTRICT	(4)	4/4	100.00%
Under Votes: 481			
Over Votes: 1			
- DRAGON, JASON D.		1,025	37.68%
- RIVERO, TONY		1,679	61.73%
Write-In Candidate		16	0.59%
	Total ...	2,720	100.00%

**GENERAL ELECTION
11/2/2010
Precinct Canvass
Maricopa County**

EXHIBIT B

1 CITY OF PEORIA COUNCILMEMBER - ACACIA DISTRICT

	Registered	Ballots Cast	Turnout (%)	1 DRAGON, JASON D.	1 RIVERO, TONY	1 Write-In Candidate	1 Over Votes	1 Under Votes							
0703 OSUNA PARK	1924	808	42.00	237	450	5		116							
0704 SUNDANCE	1397	651	46.60	236	292	2		121							
0960 VOGEL	2325	954	41.03	326	484	6		138							
1090 PEORIA HEIGHTS	1949	789	40.48	226	453	3	1	106							
	7595	3202	42.16	1025	1679	16	1	481							

MARICOPA COUNTY
RECORDER'S INFORMATION SYSTEMS CENTER
PROVISIONAL BALLOTS HAVA REQUIREMENTS

Election: 1167 MARICOPA COUNTY
PEORIA 5 - ACACIA

EXHIBIT C

ELECTION	1167	MARICOPA COUNTY
PRECINCT	0699	
BALLOTS COUNTED	0	
BALLOTS NOT COUNTED	4	
TOTAL BALLOTS	4	

- 1 B10 YOU ARE NOT REGISTERED TO VOTE
- 3 B14 YOU WENT TO THE WRONG POLLING PLACE FOR THIS ELECTION.

ELECTION	1167	MARICOPA COUNTY
PRECINCT	0700	
BALLOTS COUNTED	1	
BALLOTS NOT COUNTED	2	
TOTAL BALLOTS	3	

- 1 A1 NEW RESIDENT BALLOT
- 2 B14 YOU WENT TO THE WRONG POLLING PLACE FOR THIS ELECTION.

ELECTION	1167	MARICOPA COUNTY
PRECINCT	0703	
BALLOTS COUNTED	39	
BALLOTS NOT COUNTED	7	
TOTAL BALLOTS	46	

- 1 A1 NEW RESIDENT BALLOT
- 34 A2 EARLY BALLOT REQUESTED AND NOT RETURNED
- 1 A4 HARASSMENT CODED VOTER
- 3 A7 ID ADDRESS DOESN'T MATCH SIGNATURE ROSTER
- 1 B10 YOU ARE NOT REGISTERED TO VOTE
- 1 B11 INCOMPLETE INFORMATION GIVEN ON YOUR PROVISIONAL BALLOT FORM.
- 3 B12 YOU WERE NOT ELIGIBLE TO VOTE IN THIS ELECTION
- 2 B13 YOUR EARLY BALLOT WAS SENT, RETURNED AND COUNTED

MARICOPA COUNTY
RECORDER'S INFORMATION SYSTEMS CENTER
PROVISIONAL BALLOTS HAVA REQUIREMENTS

Election: 1167 MARICOPA COUNTY
PEORIA 5 - ACACIA

EXHIBIT C

ELECTION	1167	MARICOPA COUNTY
PRECINCT	0704	
BALLOTS COUNTED	28	
BALLOTS NOT COUNTED:	<u>8</u>	
TOTAL BALLOTS:	36	

- 1 A1 NEW RESIDENT BALLOT
- 22 A2 EARLY BALLOT REQUESTED AND NOT RETURNED
- 1 A5 REGISTRATION RECEIVED TOO LATE TO BE PRINTED ON SIGNATURE ROSTER
- 4 A7 ID ADDRESS DOESN'T MATCH SIGNATURE ROSTER
- 2 B10 YOU ARE NOT REGISTERED TO VOTE
- 3 B11 INCOMPLETE INFORMATION GIVEN ON YOUR PROVISIONAL BALLOT FORM.
- 1 B13 YOUR EARLY BALLOT WAS SENT, RETURNED AND COUNTED
- 2 B14 YOU WENT TO THE WRONG POLLING PLACE FOR THIS ELECTION.

ELECTION	1167	MARICOPA COUNTY
PRECINCT	0960	
BALLOTS COUNTED:	36	
BALLOTS NOT COUNTED:	<u>6</u>	
TOTAL BALLOTS:	42	

- 2 A1 NEW RESIDENT BALLOT
- 29 A2 EARLY BALLOT REQUESTED AND NOT RETURNED
- 3 A5 REGISTRATION RECEIVED TOO LATE TO BE PRINTED ON SIGNATURE ROSTER
- 2 A7 ID ADDRESS DOESN'T MATCH SIGNATURE ROSTER
- 2 B10 YOU ARE NOT REGISTERED TO VOTE
- 2 B12 YOU WERE NOT ELIGIBLE TO VOTE IN THIS ELECTION.
- 1 B13 YOUR EARLY BALLOT WAS SENT, RETURNED AND COUNTED
- 1 B14 YOU WENT TO THE WRONG POLLING PLACE FOR THIS ELECTION.

MARICOPA COUNTY
RECORDER'S INFORMATION SYSTEMS CENTER
PROVISIONAL BALLOTS HAVA REQUIREMENTS

Election: 1167 MARICOPA COUNTY

PEORIA 5 - ACACIA

EXHIBIT C

ELECTION	1167	MARICOPA COUNTY
PRECINCT	1090	
BALLOTS COUNTED	44	
BALLOTS NOT COUNTED	<u>5</u>	
TOTAL BALLOTS:	49	

- 6 A1 NEW RESIDENT BALLOT
- 28 A2 EARLY BALLOT REQUESTED AND NOT RETURNED
- 4 A5 REGISTRATION RECEIVED TOO LATE TO BE PRINTED ON SIGNATURE ROSTER
- 1 A6 NAME CHANGE
- 5 A7 ID ADDRESS DOESN'T MATCH SIGNATURE ROSTER
- 4 B10 YOU ARE NOT REGISTERED TO VOTE
- 1 B14 YOU WENT TO THE WRONG POLLING PLACE FOR THIS ELECTION.

MARICOPA COUNTY
RECORDER'S INFORMATION SYSTEMS CENTER
PROVISIONAL BALLOTS HAVA REQUIREMENTS

Election: 1167 MARICOPA COUNTY
PEORIA 5 - ACACIA

EXHIBIT C

SUMMARY REPORT TOTALS

BALLOTS COUNTED:	148
BALLOTS NOT COUNTED:	32
TOTAL BALLOTS:	180

MARICOPA COUNTY
RECORDER'S INFORMATION SYSTEMS CENTER
REJECTED BALLOTS BY PRECINCT / CPC

Election Title: MARICOPA COUNTY
Election Number: 1167 Election Date: 11/02/2010
PEORIA 5 - ACACIA

EXHIBIT D

<u>Precinct/CPC Number</u>	<u>Precinct/CPC Name</u>	<u>Reason</u>	<u>Number Rejected</u>
			0
0703	OSUNA PARK	BAD SIGNATURE	1
		RETURNED LATE	6
		NO SIGNATURE	7
0704	SUNDANCE	RETURNED LATE	2
		NO SIGNATURE	5
0960	VOGEL	BAD SIGNATURE	1
		RETURNED LATE	3
		NO SIGNATURE	7
1090	PEORIA HEIGHTS	BAD SIGNATURE	2
		NO SIGNATURE	1
	Bad Signature Total:		4
	Returned Late Total:		11
	No Signature Total:		20
	Total Rejected:		35