

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF RIVIERA BEACH CANVASSING BOARD, PALM BEACH COUNTY, FLORIDA DECLARING THE RESULTS OF THE RECOUNT FOR THE MARCH 23<sup>RD</sup> MUNICIPAL RUN-OFF IN CITY COUNCIL DISTRICT 3 SPECIAL ELECTION; NAMING THE RECIPIENT IN THE CITY COUNCIL DISTRICT 3 SEAT; DEFINING THE TERM IN OFFICE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, on the 9<sup>th</sup> day of March, 2010, a Municipal General Election was held in the City of Riviera Beach, Palm Beach County, Florida, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing qualified candidates as provided for by City Charter in City Council District Two (2); and the Special Election in City Council District Three (3); and

**WHEREAS**, the March 9<sup>th</sup> unofficial Election results revealed a successor in the City Council District 2 seat and no successor in the City Council District 3 seat. March, 23, 2010, continued in a Runoff in the City Council District 3, Special Election between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing a qualified candidate as provided for by law wherein there was no successor during the municipal general election; and

**WHEREAS**, at the March 23<sup>rd</sup> Municipal Run-off Elections, a successor was declared by votes of the majority of voters voting at the run-off election.

**WHEREAS**, on the 25<sup>th</sup> day of March at 10:00 a.m. a recount of the votes cast at the polling locations, early voting, and the absentee ballots for the March 23<sup>rd</sup> Election commenced; and a summary of the finding is attached and a part of this resolution as official results.

**NOW THEREFORE, BE IT RESOLVED**, upon final recount of total votes cast to include canvassing of Absentee Ballots by appointed Canvassing Board, the 2010 Riviera Beach Election is final.

**Section 1:** As a result of the official certified statement of recount of the votes cast by the Palm Beach County's Supervisor of Elections, I hereby certify the results as final to the Riviera Beach's Canvassing Board as follows:

Tonya Davis Johnson	1433
Cedric A. Thomas	1444

**Section 2:** That the City Clerk be and she is hereby directed to deliver the Certificate of Elections and administer the Oath of Office in accordance with the City

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Charter and the laws of the state of Florida.

PASSED AND APPROVED THIS 7<sup>TH</sup> DAY OF APRIL, 2010.

APPROVED: CITY OF RIVIERA BEACH CANVASSING BOARD

\_\_\_\_\_  
BILLIE E. BROOKS  
COUNCILPERSON

ATTEST:

\_\_\_\_\_  
CARRIE E. WARD,  
MASTER MUNICIPAL CLERK  
CITY CLERK

\_\_\_\_\_  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

C. WARD: \_\_\_\_\_  
B. BROOKS: \_\_\_\_\_  
S. LOWE: \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

\_\_\_\_\_  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: \_\_\_\_\_

OFFICIAL RECOUNT RESULTS  
Cumulative Totals

Palm Beach County

REGISTRATION & TURNOUT	
Palm Beach County	
Completed Precincts	0 of 45
Total Registration	55,216
Precinct Ballots Cast	2,175 3.94%
Precinct ADA Ballots Cast	0 0.00%
Absentee Ballots Cast	701 1.27%
Early Voting Ballots Cast	0 0.00%
Early Voting ADA Ballots Cast	0 0.00%
Provisional Ballots Cast	2 0.00%
Total Ballots Cast	2,878 5.21%

Council Dist 3 - RIVIERA BEACH	
Completed Precincts	0 of 16
Under Votes:	0
Over Votes:	1
Tonya Davis Johnson	1,433 49.81%
Cedrick A. Thomas	1,444 50.19%

Council Well 2 WELLINGTON	
Completed Precincts	0 of 29
Under Votes:	0
Over Votes:	0
Anne Gerwig	0 0.00%
Ernie Zimmerman	0 0.00%

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
I, SUSAN BUCHER, SUPERVISOR OF ELECTIONS,  
HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY  
OF THE RECORDS ON FILE IN THIS OFFICE. 26<sup>th</sup> DAY OF  
WITNESS MY HAND AND SEAL, THIS 26<sup>th</sup> DAY OF  
MARCH, 2010.

SUSAN BUCHER  
SUPERVISOR OF ELECTIONS  
PALM BEACH COUNTY, FLORIDA  
BY: William Z Kelly  
Chief Deputy

**MUNCIPAL\_RUNOFF\_2010**  
**3/23/2010**  
**Precinct Canvass By District**  
**Palm Beach County**

**RIVIERA BEACH**

**1 Council Dist 3 - RIVIERA BEACH**

		Registered	Ballots Cast	Turnout (%)	1 Tonya Davis Johnson	1 Cedrick A. Thomas								
1172	TC-Absentee	1641	16	0.98	8	8								
1172	TC-Early Voting	1641	0	0.00										
1172	TC-Early Voting ADA	1641	0	0.00										
1172	TC-Precinct	1641	31	1.89	19	12								
1172	TC-Precinct ADA	1641	0	0.00										
1172	TC-Provisional	1641	0	0.00										
1172	Total	1641	47	2.88	27	20								
1174	TC-Absentee	334	5	1.50	5									
1174	TC-Early Voting	334	0	0.00										
1174	TC-Early Voting ADA	334	0	0.00										
1174	TC-Precinct	334	6	1.80	3	3								
1174	TC-Precinct ADA	334	0	0.00										
1174	TC-Provisional	334	0	0.00										
1174	Total	334	11	3.29	8	3								
1192	TC-Absentee	1430	36	2.52	4	32								
1192	TC-Early Voting	1430	0	0.00										
1192	TC-Early Voting ADA	1430	0	0.00										
1192	TC-Precinct	1430	352	24.62	43	309								
1192	TC-Precinct ADA	1430	0	0.00										
1192	TC-Provisional	1430	1	0.07	1									
1192	Total	1430	389	27.20	48	341								
1202	TC-Absentee	1741	49	2.81	5	44								
1202	TC-Early Voting	1741	0	0.00										
1202	TC-Early Voting ADA	1741	0	0.00										
1202	TC-Precinct	1741	433	24.87	18	415								
1202	TC-Precinct ADA	1741	0	0.00										
1202	TC-Provisional	1741	1	0.06		1								
1202	Total	1741	483	27.74	23	460								
1208	TC-Absentee	0	0	0.00										
1208	TC-Early Voting	0	0	0.00										
1208	TC-Early Voting ADA	0	0	0.00										
1208	TC-Precinct	0	0	0.00										
1208	TC-Precinct ADA	0	0	0.00										
1208	TC-Provisional	0	0	0.00										
1208	Total	0	0	0.00										

1 Council Dist 3 - RIVIERA BEACH

		Registered	Ballots Cast	Turnout (%)	1 Tonya Davis Johnson	1 Cedrick A. Thomas							
7008	TC-Absentee	1523	14	0.92	11	3							
7008	TC-Early Voting	1523	0	0.00									
7008	TC-Early Voting ADA	1523	0	0.00									
7008	TC-Precinct	1523	71	4.66	49	22							
7008	TC-Precinct ADA	1523	0	0.00									
7008	TC-Provisional	1523	0	0.00									
7008	Total	1523	85	5.58	60	25							
7012	TC-Absentee	88	4	4.55	3	1							
7012	TC-Early Voting	88	0	0.00									
7012	TC-Early Voting ADA	88	0	0.00									
7012	TC-Precinct	88	5	5.68	3	2							
7012	TC-Precinct ADA	88	0	0.00									
7012	TC-Provisional	88	0	0.00									
7012	Total	88	9	10.23	6	3							
7018	TC-Absentee	2	0	0.00									
7018	TC-Early Voting	2	0	0.00									
7018	TC-Early Voting ADA	2	0	0.00									
7018	TC-Precinct	2	0	0.00									
7018	TC-Precinct ADA	2	0	0.00									
7018	TC-Provisional	2	0	0.00									
7018	Total	2	0	0.00									
7020	TC-Absentee	1798	86	4.78	63	23							
7020	TC-Early Voting	1798	0	0.00									
7020	TC-Early Voting ADA	1798	0	0.00									
7020	TC-Precinct	1798	200	11.12	145	55							
7020	TC-Precinct ADA	1798	0	0.00									
7020	TC-Provisional	1798	0	0.00									
7020	Total	1798	286	15.91	208	78							
7021	TC-Absentee	2180	80	3.67	56	23							
7021	TC-Early Voting	2180	0	0.00									
7021	TC-Early Voting ADA	2180	0	0.00									
7021	TC-Precinct	2180	124	5.69	91	33							
7021	TC-Precinct ADA	2180	0	0.00									
7021	TC-Provisional	2180	0	0.00									
7021	Total	2180	204	9.36	147	56							
7024	TC-Absentee	2091	85	4.07	58	29							
7024	TC-Early Voting	2091	0	0.00									
7024	TC-Early Voting ADA	2091	0	0.00									
7024	TC-Precinct	2091	205	9.80	131	74							
7024	TC-Precinct ADA	2091	0	0.00									
7024	TC-Provisional	2091	0	0.00									
7024	Total	2091	290	13.87	187	103							

1 Council Dist 3 - RIVIERA BEACH

		Registered	Ballots Cast	Turnout (%)	Tonya Davis Johnson	Cedrick A. Thomas								
7026	TC-Absentee	480	9	1.88	2	7								
7026	TC-Early Voting	480	0	0.00										
7026	TC-Early Voting ADA	480	0	0.00										
7026	TC-Precinct	480	36	7.50	15	21								
7026	TC-Precinct ADA	480	0	0.00										
7026	TC-Provisional	480	0	0.00										
7026	Total	480	45	9.38	17	28								
7028	TC-Absentee	1915	65	3.39	46	19								
7028	TC-Early Voting	1915	0	0.00										
7028	TC-Early Voting ADA	1915	0	0.00										
7028	TC-Precinct	1915	192	10.03	121	71								
7028	TC-Precinct ADA	1915	0	0.00										
7028	TC-Provisional	1915	0	0.00										
7028	Total	1915	257	13.42	167	90								
7030	TC-Absentee	1713	77	4.50	61	16								
7030	TC-Early Voting	1713	0	0.00										
7030	TC-Early Voting ADA	1713	0	0.00										
7030	TC-Precinct	1713	148	8.64	115	33								
7030	TC-Precinct ADA	1713	0	0.00										
7030	TC-Provisional	1713	0	0.00										
7030	Total	1713	225	13.13	176	49								
7031	TC-Absentee	1365	60	4.40	42	18								
7031	TC-Early Voting	1365	0	0.00										
7031	TC-Early Voting ADA	1365	0	0.00										
7031	TC-Precinct	1365	163	11.94	83	80								
7031	TC-Precinct ADA	1365	0	0.00										
7031	TC-Provisional	1365	0	0.00										
7031	Total	1365	223	16.34	125	98								
7032	TC-Absentee	2094	115	5.49	82	33								
7032	TC-Early Voting	2094	0	0.00										
7032	TC-Early Voting ADA	2094	0	0.00										
7032	TC-Precinct	2094	209	9.98	152	57								
7032	TC-Precinct ADA	2094	0	0.00										
7032	TC-Provisional	2094	0	0.00										
7032	Total	2094	324	15.47	234	90								
RIVIERA BEACH	TC-Absentee	20395	701	3.44	444	256								
RIVIERA BEACH	TC-Early Voting	20395	0	0.00										
RIVIERA BEACH	TC-Early Voting ADA	20395	0	0.00										
RIVIERA BEACH	TC-Precinct	20395	2175	10.66	988	1187								
RIVIERA BEACH	TC-Precinct ADA	20395	0	0.00										
RIVIERA BEACH	TC-Provisional	20395	2	0.01	1	1								

1 Council Dist 3 - RIVIERA BEACH

		Registered	Ballots Cast	Turnout (%)	1 Tonya Davis Johnson	1 Cedrick A. Thomas								
RIVIERA BEACH	Total	20395	2878	14.11	1433	1444								



## **Riviera Beach Municipal Run-Off Election 03-23-10**

### **Machine Recount 03-25-10 Minutes**

- Location: SOE Service Center, 7835 Central Industrial Drive in Riviera Beach
- Public Notice posted 03-24-10 at SOE main and satellite offices and Riviera Beach City Hall (see attachments)
- Canvassing Board: Supervisor of Elections, Susan Bucher; Riviera Beach City Clerk, Carrie Ward
- Tabulation Team: Jeff Darter and Jody Bradley
- Sorting Team: Marion Sallenbach and Linda Johnson
- Candidate Representatives observing recount proceedings: James Hank Harper, Jr. for Tonya Davis Johnson; Richard Giorgio for Cedrick A. Thomas

10:00 am: Commencement of Recount Proceedings, opening statements by City Clerk Carrie Ward, overview of rules and statutes governing recount (see attachments for 1S-2.031), explanation of testing of tabulation equipment and comparison of seal numbers on ballot storage boxes

10:05 am: Test of Tabulation Equipment

10:08 am: Commencement of Machine Recount: Provisional Ballots, then Ballots cast in the Precincts (Total of 16 precincts in Riviera Beach), and last Absentee Ballots, separated by precinct

10:34 am: One Ballot was found to be improperly marked and was sent to the Canvassing Board. The Board determined voter intent to be a vote for Johnson. The Ballot was duplicated and returned to be tabulated.

11:48 am: Completion of Recount Tabulation

11:50 am: Unofficial results of the Riviera Beach Municipal Run-Off Election were announced by Riviera Beach City Clerk, Carrie Ward, with Cedrick A. Thomas as the winner by 11 votes (see attachments). Recount proceedings were closed.

Attachments: Public Notice, 1S-2.031, Unofficial Results

**POSTED: Wednesday, March 24, 2010**

**THE CITY OF RIVIERA BEACH CANVASSING BOARD WILL COMMENCE THEIR DUTIES TO CONDUCT A MACHINE RECOUNT OF THE MARCH 23, 2010 MUNICIPAL RUN-OFF ELECTION, COUNCIL DISTRICT 3 RACE, AT 10:00 A.M. ON THURSDAY, MARCH 25, 2010 AT THE:**

**SUPERVISOR OF ELECTIONS SERVICE CENTER**

**7835 CENTRAL INDUSTRIAL DRIVE**

**RIVIERA BEACH, FLORIDA**

**PLEASE BE ADVISED THAT YOU ARE ENTERING A BUILDING WHICH IS EQUIPPED WITH SECURITY CAMERAS WHICH WILL RECORD YOUR ACTIVITIES WHILE VISITING. ENTRY INTO THIS BUILDING CONSTITUTES YOUR AGREEMENT TO BE SO RECORDED.**

REGISTRATION & TURNOUT			
Miami Beach County			
Completed Precincts	0 of 45		
Total Registration	55,216		
Precinct Ballots Cast	2,175	3.94%	
Precinct ADA Ballots Cast	0	0.00%	
Absentee Ballots Cast	701	1.27%	
Early Voting Ballots Cast	0	0.00%	
Early Voting ADA Ballots Cast	0	0.00%	
Provisional Ballots Cast	2	0.00%	
Total Ballots Cast	2,878	5.21%	

Council Dist 3 - RIVIERA BEACH			
Completed Precincts	0 of 16		
Under Votes:	0		
Over Votes:	1		
Monya Davis Johnson	1,433	49.81%	
Edrick A. Thomas	1,444	50.19%	

Council Well 2 WELLINGTON			
Completed Precincts	0 of 29		
Under Votes:	0		
Over Votes:	0		
Shirley Gerwig	0	0.00%	
Shirley Zimmerman	0	0.00%	