

BOUNTIFUL CITY COUNCIL MEETING

Tuesday, November 18, 2014

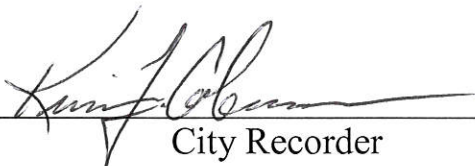
5:00 p.m.

NOTICE IS HEREBY GIVEN that the City Council of Bountiful, Utah will hold a special Council meeting at City Hall, 790 South 100 East, Bountiful, Utah, at the time and on the date given above. The public is invited to the meeting. Persons who are disabled as defined by the Americans With Disabilities Act may request an accommodation by contacting the Bountiful City Manager at 801.298.6140. Notification at least 24 hours prior to the meeting would be appreciated.

If you are not on the agenda, the Council will not be able to discuss your item of business until another meeting. For most items it is desirable for the Council to be informed of background information prior to consideration at a Council meeting. If you wish to have an item placed on the agenda, contact the Bountiful City Manager at 801.298.6140.

AGENDA

1. Welcome, Pledge of Allegiance and Thought/Prayer
2. Canvass votes for the 2014 Election – Mr. Russell Mahan
3. Adjourn



City Recorder

City Council Staff Report



Subject: Canvassing the RAP Tax Vote
Author: City Attorney Russell Mahan
Date: 18 November 2014


Background

In any election the last step is to canvass the votes and declare the result. Since this is the first election since some of you came onto the City Council, here is an explanation of it.

Analysis

In practice, the actual work of canvassing the votes will be done by Davis County election officials. You will recall that the City contracted with the County to conduct the election for us. The City Council meeting will consist of simply receiving the official voting numbers prepared by the Davis County election officials and making a motion to accept them. It will be a very short meeting.

So that you understand the legal basis of this exercise, I will quote a couple of Utah Code provisions. “The mayor and municipal legislative body are the board of municipal canvassers for the municipality. The board...shall meet to canvass the returns...no sooner than seven days after the election and no later than 14 days...” (20A-4-301(2))

“The board of canvassers shall canvass the election by publicly opening the returns and determining from these the votes...for and against each ballot proposition...” (20A-4-303(1)) The specific work of doing this is done by Davis County election officials. When we did it ourselves, this was done by the City Recorder and two helpers. They simply opened the ballots and re-counted the election judge tally sheets to make sure they were right. The tally sheets had markings like this: . These tick marks are recounted to make sure they add up to the number stated. In other words, they recount the count, not the original ballots. Mistakes were usually in multiples of five. (As a matter of interest: In 1995 a one hundred vote miscount was found in the canvass and reversed a City Council election winner and loser. A full recount of the ballots was then done. The reversal was upheld by the recount.)

“After the canvass of election returns, the governing body shall record in its minutes: (i) an official finding as to the total number of votes cast, the number of affirmative votes, the number of negative votes, the number of challenged voters, the number of challenged

voters that were issued a provisional ballot, and the number of provisional ballots that were counted; (ii) an official finding that the...proposition was approved or rejected.”

Department Review This staff report was prepared by the City Attorney and reviewed by the City Manager.

Significant Impacts

None.

Recommendation

It is recommended that the City Council approve the voting numbers from the County.

Official Results Davis County, Utah General Election Held on November 4, 2014		Canvass						Bountiful City Proposition 6				Turnout
		Registered Voters	Ballots Cast	Turnout	Registered Voters	Ballots Cast	Turnout	Registered Voters	Ballots Cast	YES	NO	
Bountiful 1	Polling	699	48	6.87%	699	48		699	48	34	13	
	By Mail	699	335	47.93%	699	335		699	335	202	109	
	Total	699	383	54.79%	699	383		699	383	236	122	
Bountiful 2	Polling	644	59	9.16%	644	59		644	59	34	24	
	By Mail	644	279	43.32%	644	279		644	279	146	109	
	Total	644	338	52.48%	644	338		644	338	180	133	
Bountiful 3	Polling	881	68	7.72%	881	68		881	68	47	20	
	By Mail	881	433	49.15%	881	433		881	433	282	121	
	Total	881	501	56.87%	881	501		881	501	329	141	
Bountiful 4	Polling	687	51	7.42%	687	51		687	51	35	15	
	By Mail	687	363	52.84%	687	363		687	363	219	114	
	Total	687	414	60.26%	687	414		687	414	254	129	
Bountiful 5	Polling	920	71	7.72%	920	71		920	71	45	24	
	By Mail	920	423	45.98%	920	423		920	423	271	127	
	Total	920	494	53.70%	920	494		920	494	316	151	
Bountiful 6	Polling	749	78	10.41%	749	78		749	78	55	23	
	By Mail	749	293	39.12%	749	293		749	293	166	102	
	Total	749	371	49.53%	749	371		749	371	221	125	
Bountiful 7	Polling	608	45	7.40%	608	45		608	45	31	13	
	By Mail	608	199	32.73%	608	199		608	199	112	70	
	Total	608	244	40.13%	608	244		608	244	143	83	
Bountiful 8	Polling	861	68	7.90%	861	68		861	68	48	20	
	By Mail	861	363	42.16%	861	363		861	363	249	91	
	Total	861	431	50.06%	861	431		861	431	297	111	
Bountiful 9	Polling	821	78	9.50%	821	78		821	78	45	31	
	By Mail	821	443	53.96%	821	443		821	443	299	114	
	Total	821	521	63.46%	821	521		821	521	344	145	
Bountiful 10	Polling	797	68	8.53%	797	68		797	68	45	23	
	By Mail	797	417	52.32%	797	417		797	417	228	144	
	Total	797	485	60.85%	797	485		797	485	273	167	
Bountiful 11	Polling	798	66	8.27%	798	66		798	66	43	23	
	By Mail	798	458	57.39%	798	458		798	458	283	141	
	Total	798	524	65.66%	798	524		798	524	326	164	
Bountiful 12	Polling	860	63	7.33%	860	63		860	63	45	17	
	By Mail	860	489	56.86%	860	489		860	489	322	130	
	Total	860	552	64.19%	860	552		860	552	367	147	
Bountiful 13	Polling	537	51	9.50%	537	51		537	51	32	19	
	By Mail	537	240	44.69%	537	240		537	240	147	71	
	Total	537	291	54.19%	537	291		537	291	179	90	
Bountiful 14	Polling	474	35	7.38%	474	35		474	35	21	13	
	By Mail	474	217	45.78%	474	217		474	217	139	62	
	Total	474	252	53.16%	474	252		474	252	160	75	
Bountiful 15	Polling	456	46	10.09%	456	46		456	46	28	17	
	By Mail	456	210	46.05%	456	210		456	210	132	55	
	Total	456	256	56.14%	456	256		456	256	160	72	
Bountiful 16	Polling	742	56	7.55%	742	56		742	56	35	21	
	By Mail	742	411	55.39%	742	411		742	411	235	142	
	Total	742	467	62.94%	742	467		742	467	270	163	
Bountiful 17	Polling	765	55	7.19%	765	55		765	55	38	17	
	By Mail	765	385	50.33%	765	385		765	385	244	106	
	Total	765	440	57.52%	765	440		765	440	282	123	

Official Results Davis County, Utah General Election Held on November 4, 2014		Canvass						Bountiful City Proposition 6				
		Registered Voters	Ballots Cast	Turnout	Registered Voters	Ballots Cast	Turnout	Registered Voters	Ballots Cast	YES	NO	Turnout
Bountiful 18	Polling	745	56	7.52%	745	56		745	56	33	23	
	By Mail	745	368	49.40%	745	368		745	368	232	111	
	Total	745	424	56.91%	745	424		745	424	265	134	
Bountiful 19	Polling	822	51	6.20%	822	51		822	51	27	24	
	By Mail	822	456	55.47%	822	456		822	456	283	142	
	Total	822	507	61.68%	822	507		822	507	310	166	
Bountiful 20	Polling	606	26	4.29%	606	26		606	26	16	10	
	By Mail	606	318	52.48%	606	318		606	318	182	112	
	Total	606	344	56.77%	606	344		606	344	198	122	
Bountiful 21	Polling	757	81	10.70%	757	81		757	81	57	23	
	By Mail	757	347	45.84%	757	347		757	347	194	131	
	Total	757	428	56.54%	757	428		757	428	251	154	
Bountiful 22	Polling	763	64	8.39%	763	64		763	64	46	18	
	By Mail	763	323	42.33%	763	323		763	323	190	115	
	Total	763	387	50.72%	763	387		763	387	236	133	
Bountiful 23	Polling	907	62	6.84%	907	62		907	62	37	23	
	By Mail	907	419	46.20%	907	419		907	419	229	151	
	Total	907	481	53.03%	907	481		907	481	266	174	
Bountiful 24	Polling	230	20	8.70%	230	20		230	20	13	7	
	By Mail	230	107	46.52%	230	107		230	107	67	31	
	Total	230	127	55.22%	230	127		230	127	80	38	
Bountiful 25	Polling	860	62	7.21%	860	62		859	62	33	28	
	By Mail	860	387	45.00%	860	387		859	387	197	158	
	Total	860	449	52.21%	860	449		860	449	230	186	
Bountiful 26	Polling	756	46	6.08%	756	46		756	46	28	17	
	By Mail	756	385	50.93%	756	385		756	385	209	130	
	Total	756	431	57.01%	756	431		756	431	237	147	
Bountiful 27	Polling	543	32	5.89%	543	32		543	32	8	22	
	By Mail	543	256	47.15%	543	256		543	256	141	96	
	Total	543	288	53.04%	543	288		543	288	149	118	
Bountiful 28	Polling	707	48	6.79%	707	48		707	48	31	17	
	By Mail	707	354	50.07%	707	354		707	354	183	131	
	Total	707	402	56.86%	707	402		707	402	214	148	
Bountiful 29	Polling	595	55	9.24%	595	55		595	55	39	16	
	By Mail	595	268	45.04%	595	268		595	268	159	84	
	Total	595	323	54.29%	595	323		595	323	198	100	
Bountiful 30	Polling	1,026	51	4.97%	1,026	51		1,026	51	27	24	
	By Mail	1,026	443	43.18%	1,026	443		1,026	443	213	182	
	Total	1,026	494	48.15%	1,026	494		1,026	494	240	206	
Bountiful 31	Polling	513	41	7.99%	513	41		513	41	16	24	
	By Mail	513	239	46.59%	513	239		513	239	152	68	
	Total	513	280	54.58%	513	280		513	280	168	92	
								* RAP Votes				
TOTAL	Polling	1,701			1,701	14%	1,701			1,072	609	1,681
	By Mail	10,628			10,628	86%	10,628			6,307	3,450	9,757
	Total	22,129	12,329	55.71%	22,129	12,329	100%	22,129	12,329	7,379	4,059	11,438
								64.51%		35.49%		100.00%
								Yes		No		
* While 12,329 ballots were cast, only 11,438 voted on the RAP Tax issue.												

General Election held on
November 4, 2014 Summary
of By-Mail and Provisional
Ballots Not Counted

	Total ballots not counted	Already Voted	No Proof of Identiy	No Proof of Residency	Empty Evnvelope	No Signature	Signature did not match	From Past Election	Signed by someone other than the voter	Not Timely
Bountiful Absentee	17				1	9	3	0	0	4
Bountiful Provisional	3	1	0	2						
Centerville Absentee	6				0	1	2	0	0	3
Centerville Provisional	3	1	0	2						
Clearfield Absentee	5	1			0	2	2	0	0	0
Clearfield Provisional	3	0	0	3						
Clinton Absentee	11				0	4	3	0	1	3
Clinton Provisional	1	0	1	0						
Farmington Absentee	8					6	1	1	0	0
Farmington Provisional	4	0	0	4						
Fruit Heights Absentee	5				0	3	1	0	0	1
Fruit Heights Provisional	0	0	0	0						
Kaysville Absentee	19				0	7	5	1	2	4
Kaysville Provisional	0	0	0	0						
Layton Absentee	20	0	0	0	1	10	6	0	1	2
Layton Provisional	8	1	0	7						

2014 GENERAL ELECTION AUDIT REPORT

On October 17, 2006, Gary R. Herbert, Lt. Governor of the State of Utah adopted an Election Policy creating minimum standards and basic procedures for county clerks to follow when conducting elections using Diebold AccuVote TSx or AccuVote OS voting machines. Part of that policy establishes a statewide 1% audit following each election. As defined in the Election Policy an "audit means a comparison of machine counted totals votes recorded on a voting machines with the hand counted totals of votes recorded on the corresponding permanent paper record." The day after the election, the Lt. Governor randomly selected the voting machines to be audited and notified the County Clerk/Auditor.

Davis County provided a public notice of the audit and conducted it according to the Election Policy guidelines beginning on November 7, 2014 at 10:00 a.m. and concluded on November 10th. The following is a list of the machines selected for auditing.

<u>Polling Location</u>	<u>Machine Serial #</u>	<u>Legislative District</u>
Syracuse Community Center	256574	13
Syracuse Community Center	236176	14
Kaysville City Hall	215034	15
Clearfield Library	243397	16
Layton High School	248599	17
Farmington Community Center	259721	18
Bountiful Library	254356	19
Bountiful Library	242738	20

Election poll workers and employees from the Clerk/Auditor's Office were recruited to conduct the audit tabulation; working in a team of three. The following is a list of the auditors.

Lesla Page, Kimberly Lemay, Amanda Mount, Brian McKenzie, Marilyn Judson, Doug Stone, Dax Teuscher, Sid Beckstead, Clara Markowski, Robyn White, Louis Brent Thomas, Sandra Manwaring, Maridene Wiber, Karen Hart, Jennifer Toone, Barbara Farnes, Shannon Hadley, Tamara Adair, Maureen Rodabough, Melinda Brophy, Klyn Haskell, Makailee Schiess, Peggie Brough

The teams examined the tamper evidence seal on the paper ballot canisters and verified they had not been tampered with or opened after they were affixed by the poll workers at the polls on Election Day. The canisters were opened and the ballot tapes were manually tabulated and the results were compared with the totals report tapes printed from the machine memory cards by the poll workers on election night and the electronic tabulation reports.

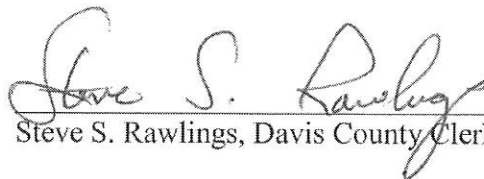
Results:

The manual tabulations precisely matched the machine tabulations for all eight machines.

Dated this 11th day of November, 2014.

(Seal)




Steve S. Rawlings, Davis County Clerk/Auditor

JOURNAL TAPE SUMMARY REPORT

Please complete this form and submit it to the lieutenant governor's office with your canvassers' report

Jurisdiction: Davis County

Election date: November 4, 2014

Number of voting machines used: 85

Number of journal tape canisters used: 159

Were tamper evident tape seals affixed to all journal tape canisters? Yes No (two canisters were missing their seals)

Did all voting machine serial numbers match when the canisters were installed and removed? Yes No
If no, attach copies of the journal tape logs for all the applicable canisters.

Did any tape seals on the journal tape canisters show evidence of tampering? Yes No
If yes, attach copies of the journal tape logs for the applicable canisters.



Brian McKenzie
Election Officer

November 11, 2014
Date

STATEWIDE AUDIT LOG SUMMARY REPORT

Please complete this form and submit it to the lieutenant governor's office with your canvassers' report

Jurisdiction: Davis County

Election date: November 4, 2014

Total number of machines audited: 8

Total number of audited machines that were also used during Early Voting: 0

Did any tape seals on the journal tape canisters show evidence of tampering? Yes No

If yes, attach a copy of the audit log for all the applicable canisters

Did the hand-counted vote totals match the machine-counted totals for all ballot propositions and partisan offices? Yes No

If no, attach copies of the audit log for all the applicable voting machines



Brian McKenzie
Election Officer

November 11, 2014
Date