

SUMMARY: 2010 General City Election / canvass of returns / abstract of votes / certification of election.

RESOLUTION NUMBER 2010-28

WHEREAS, pursuant to NRS 293C.140 the General City Election for the City of Winnemucca was held on November 2, 2010 for the office of Council Seat 4; and

WHEREAS, after the November 2, 2010 General City Election the election returns were filed with the City Clerk and thereafter, pursuant to NRS 293C.387, on November 9, 2010 at a scheduled City Council meeting, the City Clerk did present the returns from all the precincts and districts in the City to the City Council, the governing body of the City, and the City Council did meet with the Mayor to canvass the returns on or before the sixth working day following the election; and

WHEREAS, in completing the canvass of the returns, the City Council and Mayor did: (i) note separately any clerical errors discovered; and, (ii) take account of the changes resulting from the discovery, so that the results declared represent the true vote cast; and

WHEREAS, the returns from all precincts and districts within the City have been received by the City Council and Mayor and have been canvassed, and the Council and Mayor having discovered no clerical errors and, therefore, no changes resulting therefrom, do hereby find that the results declared represent the actual and true vote cast; now, therefore,

THE CITY COUNCIL OF THE CITY OF WINNEMUCCA DO RESOLVE:

1. Canvass. Upon review and canvass of the November 2, 2010 General City Election returns, the attached and incorporated by reference Statement of Vote, being a summary of the votes cast by precinct attached to the Abstract of the Votes, is hereby found to be the actual and true count of the votes received for each candidate listed thereon.

2. Abstract. The Certification of Abstract prepared by the City Clerk shall be entered upon the records of the City and the City Clerk shall: (i) certify the abstract; (ii) make a copy of the certified abstract; (iii) make a mechanized report of the abstract in compliance with regulations adopted by the Secretary of State; (iv) transmit a copy of the certified abstract and the mechanized report of the abstract to the Secretary of State within seven (7) working days after the election, that is, on or before November 12, 2010; and, (v) transmit on paper or by electronic means to each public library in the City, or post on a website maintained by the City or the City Clerk on the Internet or its successor, if any, a copy of the certified abstract within thirty (30) days after the election.

3. Certification. The City Clerk is hereby directed to issue under his hand and official seal pursuant to NRS 293C.387 to each person so elected a certificate of election and to deliver the certificate to the person elected upon application at the office of the City Clerk.

4. Qualifications. Each officer elected to the governing body of the City qualifies and enters upon the discharge of duties on the first regular meeting of the City Council next

succeeding that in which the canvass of returns was made.

5. **Elected Officer.** Each candidate denoted in the Statement of Vote attached to the Abstract of the Votes attached hereto and incorporated by reference who received the higher amount of votes for the office is declared elected to that office, as follows:


a. **Jim L. Billingsley Elected - Council Seat 4.** Jim L. Billingsley is declared elected to the office of Council Seat 4 of the City of Winnemucca pursuant to the canvass of the November 2, 2010 General City Election returns to enter upon the discharge of duties for such office on November 16, 2010.

PASSED AND ADOPTED: November 9, 2010

VOTE OF CITY COUNCIL:

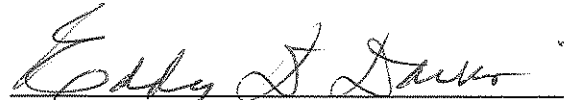
Ayes:	Councilmen: <u>Stone, Cain, Sheen, Billingsley, Brooks</u>
Nays:	Councilmen: _____
Absent:	Councilmen: _____
Not Voting:	Councilmen: _____

APPROVED:



Di An Putnam
Mayor

ATTEST:



Eddy Davis
City Clerk