APPENDIX "S"

BALLOT ISSUES ON HOUSING & VOTE
Voters Pamphlet

IMPARTIAL ANALYSES BY CITY ATTORNEY, AND ARGUMENTS FOR AND AGAINST CITY MEASURES
SPECIAL MUNICIPAL ELECTION
CITY OF HERMOSA BEACH
CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION
TUESDAY, NOVEMBER 4, 1980

The following arguments for and against the city measures have been filed with the City Clerk pursuant to Article 4, Chapter 3, Division 5 (Sections 5010 to 5016, inclusive) of the Elections Code of the State of California. Arguments in support or opposition of the proposed laws are the opinions of the authors.

Under requirements of the 1975 amendments to the Federal Voting Rights Act, the City has arranged to provide translation of these ballot materials into the Spanish language. A translation of these ballot materials may be obtained in person at the City Clerk’s office in the City Hall or, if requested by letter or telephone, a translation will be promptly mailed.

Baja los requisitos de los enmiendamientos de 1975 al Acto Federal de Derechos de Votación, la Ciudad ha hecho arreglos para proporcionar traducción del texto de la balota al idioma Español. Una traducción del texto de la balota se puede obtener en persona en la oficina del Secretario Municipal situada en la Alcaldía, o si es solicitada por carta o por teléfono, una traducción se enviará por correo prontamente.

CHARLOTTE MALONE, City Clerk
City Hall, Hermosa Beach Civic Center
Hermosa Beach, California 90254
Phone: (213) 376-6984
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<td>Public Assistance (Federal, State or County) for Affordable Housing AA</td>
<td>“Shall the City of Hermosa Beach develop, construct or acquire affordable housing financed in any manner by any unit of Federal, State or County Government?”</td>
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**CITY ATTORNEY’S IMPARTIAL ANALYSIS OF PROPOSITIONS AA, BB, CC, AND DD**

The City Council has placed four advisory housing propositions on the ballot. As advisory measures they will serve as expressions of opinion of the electorate, but will not bind the city to a particular course of action.

Each of the four propositions asks for an expression of opinion on various types of government financed "affordable" housing. Presumably, such housing would be affordable either because the structures would be less expensive, or because the occupants would be subsidized, or both.

Proposition AA asks whether Federal, State or County finances should be used to develop, construct, or acquire such housing. Proposition BB asks whether community resources only should be used to preserve, protect, and where feasible, develop such housing for senior citizens. Proposition CC asks whether community resources only should be used to preserve, protect, and, where feasible, develop such housing for families and the handicapped. Proposition DD asks whether Federal, State, or County finances should be used to develop, construct, or acquire such housing for seniors and the handicapped.

None of the proposed ballot propositions is required by Article 34 of the California Constitution because no specific low rent housing project is being proposed by any of these propositions.

While all four are advisory, the electorate should be aware that a number of local agencies have been sued by the United States in actions brought under the Fair Housing Provisions of the Civil Rights Act of 1968 and other federal civil rights laws where the actions of the local agency, including, sometimes, public votes on housing proposals, have had the effect of perpetuating racially discriminatory housing patterns.

The electorate should also be aware that the Housing Element of the city’s general plan contains policies designed to provide housing for all economic segments of the community as required by the State of California.
ARGUMENT IN FAVOR OF
PROPOSITION AA

ARGUMENT

Senior citizens and young families must not be forced out of our community by the present adverse economic situation.

A yes vote on this ballot proposition will allow the City Council to use federal and/or state financial assistance to meet our housing needs. This assistance is nothing more than the return of our tax dollars to benefit our community. The city will be hard pressed to meet these needs using only local tax dollars. No new general taxes will be required.

BACKGROUND

Federal and state agencies have published guidelines asking Hermosa Beach to make a reasonable effort to provide, where feasible, affordable housing for citizens of low and moderate incomes. Such efforts will involve the private sector and may include new or existing construction in one or more locations.

To retain this unique character of Hermosa Beach it is critical that we have available for all segments of the community a variety of housing choices.

GEORGE SCHMELTZER
Councilman

DONALD SMITH

LANCE WIDMAN
Councilman

REV. RICHARD J. S. PARKER

ARGUMENT AGAINST PROPOSITION AA

A NO vote on this measure would advise your City Council that you would NOT LIKE to see the city of Hermosa Beach become involved in low cost housing financed by any unit of Federal, State or County government.

Generally, state or county financed housing brings unwarranted, unjustified intrusion into local government. These types of fundings invariably have strings attached. Your hard earned tax dollars should not be used for these purposes by any entity of government. Nor is there anything in the Constitution that states government is in the business of providing housing with public funds.

EDIE MacFADEN
Councilwoman
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<td>&quot;Shall the City of Hermosa Beach preserve, protect, and where feasible, develop with community resources only, affordable housing for its senior citizens?&quot;</td>
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ARGUMENT IN FAVOR OF PROPOSITION BB

ARGUMENT

Soaring inflation is forcing many of our community's elderly residents of long standing to leave Hermosa Beach. After a lifetime of productive effort the elderly should not be forced to seek housing far away from their home community and friends.

The city has existing legislation and the resources to attack this problem. These resources are sufficient to provide a modest number of housing units for our elderly.

This is an appropriate use of local resources and has the advantage of being entirely under local control.

A yes vote on this ballot proposition will indicate to the City Council your desire to provide a limited number of housing units for our elderly residents, using local resources exclusively. No new general taxes will be required.

BACKGROUND

Federal and state agencies have published guidelines asking Hermosa Beach to make a reasonable effort to provide, where feasible, affordable housing for citizens of low and moderate incomes. Such efforts will involve the private sector and may include new or existing construction in one or more locations.

To retain the unique character of Hermosa Beach it is critical that we have available for all segments of the community a variety of housing choices.

GEORGE SCHMELTZER
Councilman

DONALD SMITH
Councilman

AL VALDES

LANCE WIDMAN
Councilman

REV. RICHARD I. S. PARKER

ARGUMENT AGAINST PROPOSITION BB

A NO vote on this measure will indicate to your City Council that a clarification of the terms “Community Resources” is in order before any type of development occurs.

The city of Hermosa Beach, as a government entity, does not have the kind of resources that are necessary. The city would find itself in a position to seek financing from State or Federal government, with subsequent loss of local control. The best alternative is to encourage the private sector which has the capability to meet the needs of our senior citizens. Furthermore, obtaining dollars by taxing senior citizens who CAN afford to live in Hermosa Beach, for the benefit of those who cannot, places an unfair burden on them. It should be noted that most seniors residing in Hermosa Beach would not qualify for low cost housing or subsidized housing because of their assets.

EDIE MacFADEN
Councilwoman
ARGUMENT IN FAVOR OF
PROPOSITION CC

ARGUMENT

Inflation has pushed the cost of housing out of the reach of young families. Under the present economic conditions, communities must do all in their power to assist our young families to find adequate housing and remain in our community.

Local resources alone cannot entirely solve this problem, but a yes vote on this ballot proposition will indicate to the City Council our desire to make a modest effort toward meeting the needs of families in our community.

This measure would involve local resources only and be entirely under local control. No new general taxes will be required.

BACKGROUND

Federal and state agencies have published guidelines asking Hermosa Beach to make a reasonable effort to provide, where feasible, affordable housing for citizens of low and moderate incomes. Such efforts will involve the private sector and may include new or existing construction in one or more locations.

To retain the unique character of Hermosa Beach it is critical that we have available for all segments of the community a variety of housing choices.

GEORGE SCHMELTZER
Councilman

DONALD SMITH

LANCE WIDMAN
Councilman

REV. RICHARD I. S. PARKER
ARGUMENT AGAINST PROPOSITION CC

A NO vote on this measure would indicate once again that you, the voter, desire clarification of the terms "Community Resources".

It should NOT be the community's responsibility to be forced to pay for affordable housing for families. A NO vote keeps families who, through their own efforts, have found affordable housing in Hermosa Beach, from subsidizing families who have NOT been able to find housing in an area that is 92 to 98% DEVELOPED.

It is true that the city of Hermosa Beach should preserve and protect housing, but should do so by maintaining present zoning so people can continue to live in their present dwellings. Let your common sense be heard, vote NO on this Low-Cost Housing measure.

EDIE MacFADEN
Councilwoman

ADVISORY VOTE ONLY.

Public Assistance (Federal, State or County) for Senior and Handicapped Affordable Housing

DD "Shall the City of Hermosa Beach develop, construct, or acquire affordable housing for seniors and the handicapped financed in any manner by any unit of Federal, State or County Government?"
ARGUMENT IN FAVOR OF PROPOSITION DD

ARGUMENT
Soaring inflation is forcing many of our community's elderly residents of long standing to leave Hermosa Beach. After a lifetime of productive effort they should not be forced to seek housing far away from their home community and friends.

A yes vote on this ballot proposition will allow the City Council to use federal and/or state financial assistance to meet the housing needs of our elderly. This assistance is nothing more than the return of our tax dollars to our community. No new general taxes will be required.

BACKGROUND
Federal and state agencies have published guidelines asking Hermosa Beach to make a reasonable effort to provide, where feasible, affordable housing for citizens of low and moderate income. Such efforts will involve the private sector and may include new or existing construction in one or more locations.

To retain the unique character of Hermosa Beach it is critical that we have available for all segments of the community a variety of housing choices.

GEORGE SCHMELTZER
Councilman

DONALD SMITH

LANCE WIDMAN
Councilman

REV. RICHARD J. S. PARKER

ARGUMENT AGAINST PROPOSITION DD

A NO vote on this measure will let your City Council know that you do NOT wish the city to become involved in Federal, State or County monies that would provide affordable housing for Senior Citizens and the Handicapped.

The primary consideration in this ballot measure is the fact that there is NO GUARANTEE that our own resident Seniors or Handicapped persons will have the benefit of such housing. Whenever this type of funding is used for any development, the notification procedure for occupying such public housing is done on a county wide level. Therefore, our Senior and Handicapped would not have exclusive consideration, and most likely, because of their assets, would be excluded.

EDIE MacFADEN
Councilwoman
ADVISORY VOTE ONLY.

Density — Consistency of Zoning Code and General Plan

"To aid the City of Hermosa Beach to achieve greater consistency regarding density between the General Plan and the Zoning Code as is mandated by California State law, it is hereby established that wherever there is a conflict in the number of dwelling units per acre allowed between the General Plan and the Zoning Code, the one allowing less dwelling units per acre should prevail and the one reflecting the higher density numbers should be amended to conform to the lower density figure".

YES

NO

CITY ATTORNEY'S IMPARTIAL ANALYSIS
OF PROPOSITION EE

The City Council placed this density proposition on the ballot. As an advisory measure it will serve as an expression of opinion of the electorate, but will not bind the city to a particular course of action.

State planning law requires that a city's zoning ordinance be consistent with its general plan. The zoning and general plan need not be identical, but the zoning must complement and support the purposes of the general plan.

In some locations in the city the zoning ordinance allows more dwelling units per acre than the general plan. In some locations the general plan allows more dwelling units than the zoning ordinance.

The proposition asks whether or not the city should work toward consistency by amending the zoning ordinance or the general plan so that only the lesser number of dwelling units would be allowed in all cases. Any amendment to either the zoning ordinance or general plan would require public notice and hearing before the Planning Commission and City Council.
ARGUMENT IN FAVOR OF PROPOSITION EE

Hermosa Beach is one of the most densely populated cities in California, over 20,000 people in only 1.3 square miles. We simply cannot afford to shoehorn in more development, congestion and related problems.

A vote for Proposition EE will help keep Hermosa the way it is. It will help maintain the stability and unique qualities of our residential neighborhoods. It will help to preserve and enhance our property values. We can and we must control our growth or we will be swallowed up by high density development.

The local General Plan and Zoning Code are two tools used to insure quality development and rational, well planned growth in Hermosa. They help to limit the number of dwelling units allowed per acre of land, provide necessary on-site parking, and maintain needed open space.

The City is required to use both of these tools. The law requires that they be consistent with each other. Any inconsistencies between the two must be resolved at the local level.

Proposition EE is our chance to do so!

A limited number of these conflicts between the General Plan and Zoning Code currently exist in Hermosa. Proposition EE provides that, where these conflicts do exist, whichever allows the LOWER density of development should guide the City in its land use decisions. Any changes affecting specific properties would still require full PUBLIC NOTICE and HEARINGS to PROTECT our PROPERTY and due process RIGHTS.

Proposition EE is a chance for the people of Hermosa to send the message to present and future City Councils that over 20,000 people in only 1.3 square miles is more than enough! This is our chance to reaffirm our demand for limited QUALITY growth, not haphazard quantity growth.

Vote YES for Proposition EE! VOTE for QUALITY of life for all Hermosans!

LANCE WIDMAN
Councilman

MARY TYSON
Councilwoman

GEORGE SCHMELTZER
Councilman

ARGUMENT AGAINST PROPOSITION EE

We believe that the opinion of the people is crucial regarding this proposal, but the people should know the FACTS:

This measure is the result of NON-planning. The City has not spent the years provided by the Legislature in bringing the General Plan and the Zoning Plan into close conformity. To abruptly choose lower density for each lot where conflict occurs would create many injustices. The most obvious are listed below:

1. ALL lots between 14th Street & 19th Street from Hermosa Ave. to Manhattan Ave. would be DOWN-ZONED to R-2 usage.

2. Starting at 19th Street, ALL R-3 lots fronting on Hermosa Ave. North of 19th Street would also be DOWN-ZONED.

3. Areas East of Pacific Coast Highway & South of Aviation that are now zoned R-2 would be DOWN-ZONED to R-1.

4. Some areas presently under the General Plan as open space, actually include R-1 and R-2 zoning. Usage of these properties in the future would be confined to recreation and leisure proposes only, with a MAXIMUM lot coverage of 10 percent.

5. 59 lots in the Guadalupe Church area alone, are affected by this open space zoning. Some privately owned lots in the area of Fourth Street and Ardmore, as well as some lots in the neighborhood of North and South Schools would be adversely affected.

6. The City would find itself in the position of defending itself legally in the event of suits since this kind of zoning action may be considered a "taking" of property.

The Planning Department and City Hall have not been definite enough in the past as to where the Open Spaces are in the General Plan. Be an INFORMED voter and find out the FACTS before you vote on such a key issue, one that may affect YOUR property.

EDIE MacFADEN
Councilwoman
Amendment to Civil Service Ordinance

"Shall the City of Hermosa Beach amend Section 2-24 of the Municipal Code, as Article III, "Civil Service", by adding subsection "(j)" which would read: "(j)". "All regular full time department heads" and would have the effect of excluding from the Civil Service Regulations, all regular full time department heads of the City?"

YES

NO

CITY ATTORNEY'S IMPARTIAL ANALYSIS
OF PROPOSITION FF

By initiative ordinance adopted June 7, 1960, the City established its current Civil Service system. The ordinance may not be rescinded or amended except by a vote of the electorate.

The City Council has placed on the ballot an amendment which would remove "all regular full time department heads" from the Civil Service ordinance.

The ordinance has as its purpose the establishment of a merit system for selection and promotion of employees, and for employee security. Under Section 2-24 of the existing ordinance all employees are included in the system except:

"(a) Elective officers.
(b) Members of appointive boards, commissions and committees.
(c) Persons engaged under contract to supply expert, professional or technical services for a definite period of time.
(d) Volunteer personnel, such as volunteer fireman or civil disaster workers who receive no regular compensation from the city.
(e) Volunteer or special fire or police or civil disaster personnel paid on an hourly or per diem basis.
(f) City manager.
(g) City attorney.
(h) Casual, seasonal, part-time, hourly or per diem employees in any office or department of the city.
(i) Emergency employees in any office or department of the city. All such positions shall be for the duration of the emergency and shall terminate immediately thereafter."

If the amendment is adopted, regular full time department heads would be exempted. The system of selection and promotion of department heads would be determined by the City Council.
ARGUMENT IN FAVOR OF PROPOSITION FF

If you want a balanced and professional management approach in your city that is responsive to the times and makes department heads accountable to your City Council and current needs, then vote YES to the amendment to the Civil Service Ordinance (N.S.211).

At the Federal level, the President’s cabinet is appointed by the President which makes those officers responsive and accountable to the Administration. An example would be Secretary of State. If the officer’s job performance is unsatisfactory, the President can remove the officer without going through the old fashioned cumbersome Civil Service system.

Civil Service gives the employee far too much protection and not enough for the city. Today virtually every public employee is represented by a major labor union. This amendment allows for a balanced approach by removing top level management department heads from Civil Service and leaving non-management employees in Civil Service.

The management system of administration is currently being used by every major corporation and most Public Agencies in the United States. Now is the time for the City of Hermosa Beach to modernize its system.

GEORGE G. BARKS
Mayor

ARGUMENT AGAINST PROPOSITION FF

Vote NO on Removal of Department Heads from Civil Service.

Keep the Citizens' Voted People's Initiative NS-211 which, if adhered to properly and legally,

1. Assures tested, verifiable, qualified, accredited, competent administrators in Hermosa Beach.

2. Provides a check and balance to City Government from City Manager through Department Heads to Personnel.

3. Provides for a more understandable and reasonable budget by Department Heads by allowing a free flow of ideas and suggestions from Personnel to Department Heads to City Manager to City Council.

4. Decreases the City's Liability Insurance by providing Accredited Supervision. (If the Safety Departments — Police, Fire, City Engineer — act without accredited supervision, the City is responsible and liable if there is loss of life or excess loss of property).

5. Prevents the possibility of an appointed City Manager assuming dictatorial powers. (Under the present Management Program, Department Heads have had to waive all their Civil Service rights and responsibilities to come under direct control of the City Manager.)

SUMMATION: The Civil Service Ordinance insures a professional middle-management team for the City that is not only competent and qualified, but also free from the whims of the City Council and free from the fear of reprisal. It provides for continuity and stability within City Government and results in a high morale of all employees and citizens.

Vote NO to reaffirm the People's Right to a responsive City Government.

MRS. WILMA A. BURT MRS. MARGARET E. VanEATON
HOLLIE B. MURRAY MARY M. FERNANDEZ
A. G. ISGREEN
RESOLUTION NO. 80-4414

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD IN SAID CITY ON NOVEMBER 4, 1980, DECLARING THE RESULT THEREOF AND SUCH OTHER MATTERS AS ARE PROVIDED BY LAW.

WHEREAS, a special municipal election was held and conducted in the City of Hermosa Beach, California, on Tuesday, November 4, 1980, as required by law; and

WHEREAS, notice of said election was duly and regularly given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects said election was held and conducted and the votes cast thereat, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in cities; and

WHEREAS, pursuant to Resolution No. 80-4395 adopted August 12, 1980, the Registrar of the County of Los Angeles canvassed the returns of said election and has certified the results to this City Council, said results are received, attached and made a part hereof as "Exhibit A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1: That there were 23 voting precincts established for the purpose of holding said election consisting of the regular election precincts in said City as established for the holding of state and county elections.

SECTION 2: That at said special municipal election, the following measures were submitted to the electors of said City, to wit:

ADVISORY VOTE ONLY

Public Assistance (Federal, State or County) for Affordable Housing

AA "Shall the City of Hermosa Beach develop, construct or acquire affordable housing financed in any manner by any unit of Federal, State or County Government?"

//////////
ADVISORY VOTE ONLY

Public Assistance (Community Resources Only) for Senior Citizens' Affordable Housing

"Shall the City of Hermosa Beach preserve, protect, and where feasible, develop with community resources only, affordable housing for its senior citizens?"

ADVISORY VOTE ONLY

Public Assistance (Community Resources Only) for Family and Handicapped Affordable Housing

"Shall the City of Hermosa Beach preserve, protect, and where feasible, develop, with community resources only, affordable family and handicapped housing?"

ADVISORY VOTE ONLY

Public Assistance (Federal, State or County) for Senior and Handicapped Affordable Housing

"Shall the City of Hermosa Beach develop, construct, or acquire affordable housing for seniors and the handicapped financed in any manner by any unit of Federal, State or County Government?"

ADVISORY VOTE ONLY

Density - Consistency of Zoning Code and General Plan

"To aid the City of Hermosa Beach to achieve greater consistency regarding density between the General Plan and the Zoning Code, as is mandated by California State law, it is hereby established that wherever there is a conflict in the number of dwelling units per acre allowed between the General Plan and the Zoning Code, the one allowing less dwelling units per acre should prevail and the one reflecting the higher density numbers should be amended to conform to the lower density figure."

Amendment to Civil Service Ordinance

"Shall the City of Hermosa Beach amend Section 2-24 of the Municipal Code, as Article III, "Civil Service", by adding subsection "(j)" which would read: "(j)". "All regular full time department heads" and would have the effect of excluding from the Civil Service Regulations, all regular full time department heads of the City?"

SECTION 3: That the whole number of votes cast in said City (except absent voter ballots) was 8,180.

That the whole number of absent voter ballots cast in said City was 543, making a total of 8,723 votes cast in said City.
SECTION 4: That the number of votes given at each precinct and the number of votes given in the City for and against each of such measures were as listed in "Exhibit A" attached.

SECTION 5: The City Council does declare and determine that as a result of said election, a majority of the qualified voters voting on said measures did determine as follows:

AA - Public Assistance (Federal, State or County) for Affordable Housing
That said advisory measure was not carried

BB - Public Assistance (Community Resources Only) for Senior Citizens' Affordable Housing
That said advisory measure was carried

CC - Public Assistance (Community Resources Only) for Family and Handicapped Affordable Housing
That said advisory measure was not carried

DD - Public Assistance (Federal, State or County) for Senior and Handicapped Affordable Housing
That said advisory measure was not carried

EE - Density - Consistency of Zoning Code and General Plan
That said advisory measure was carried

FF - Amendment to Civil Service Ordinance
That said measure was not carried

SECTION 6: That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of said City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed and adopted.

///////////
PASSED, APPROVED and ADOPTED by the City Council of the City of Hermosa Beach at a regular meeting thereof held on the 9th day of December, 1980.

[Signature]

PRESIDENT of the City Council, and
MAYOR of the City of Hermosa Beach

ATTEST:

[Signature]
CITY CLERK

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY
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"EXHIBIT A"