

# County of Santa Clara

## Registrar of Voters

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RECEIVED  
San Jose City Clerk  
2014 SEP 19 PM 2:37



September 16, 2014

Ms. Toni J. Taber, CMC  
City Clerk  
City of San Jose  
200 E Santa Clara St  
San Jose, CA 95113

RE: An Initiative Ordinance Amending Title 6 and Title 20 of the San Jose Municipal Code to Include Medical Marijuana Collectives as an Allowed Land Use in Agricultural, Commercial Pedestrian, Commercial Neighborhood, Industrial Park, Light Industrial and Heavy Industrial Zoning District, and to Establish a Registration Process and Zoning Code Verification Certificate Process.

Dear Ms. Taber:

The initiative petition submitted to our office on August 19, 2014 contained 41,144 signatures. Based on the registered voters in the City of San Jose as of the April 1, 2014 report of registration to the Secretary of State (Elections Code Section 2187) the petition needs 20,372 valid signatures to pass.

Per Elections Code Section 9115, subsection (a), provides for the manner of verifying petitions:

Within 30 days from the date of filing of the petition, excluding Saturdays, Sundays, and holidays, if, from the examination of petitions pursuant to Elections Code Section 9114 shows that more than 500 signatures have been signed on the petition, the elections official may use a random sampling technique for verification of signatures. The random sample of signatures to be verified shall be drawn so that every signature files with the elections official shall be given an equal opportunity to be included in the sample. The random sampling shall include an examination of at least 500, or 3 percent of the signatures, whichever is greater.

Per your letter, the petition must qualify pursuant to San Jose City Charter section 1603, Five Percent (5%) is required to certify the petition for a total of 20,372 signatures.

That after the proponent filed this petition, pursuant to my direction, Maggy Smith, Election Division Coordinator, Voter Registration Division, verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purportive dates of such signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition: a random sampling of 5% of signatures submitted, of which 2,057 signatures were valid. The petition has a projected number of 25,360 valid signatures. Per Elections Code Section 9115, subdivision (b), the statistical sampling is over 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient.

If you have any questions concerning this matter, please feel free to contact Maggy Smith at (408) 282-3051.

Sincerely,

Shannon Bushey  
Registrar of Voters  
County of Santa Clara

Attachments: Clerk's Certificate to Initiative Petition  
Petition Result Breakdown Report  
Statistics Summary Report  
Statistics Detail Report

ms:JobD20 City of SJ MM



### CLERK'S CERTIFICATE TO INITIATIVE PETITION

I, SHANNON BUSHEY, Interim Registrar of Voters of the **County of Santa Clara**, State of California, hereby certify:

That the "**AN INITIATIVE ORDINANCE AMENDING TITLE 6 AND TITLE 20 OF THE SAN JOSE MUNICIPAL CODE TO INCLUDE MEDICAL MARIJUANA COLLECTIVES AS AN ALLOWED LAND USE IN AGRICULTURAL, COMMERCIAL PEDESTRIAN, COMMERCIAL NEIGHBORHOOD, INDUSTRIAL PARK, LIGHT INDUSTRIAL AND HEAVY INDUSTRIAL ZONING DISTRICT, AND TO ESTABLISH A REGISTRATION PROCESS AND ZONING CODE VERIFICATION CERTIFICATE PROCESS**" Initiative measure has been filed with this office on August 19, 2014.

That said petition consists of 1,448 sections;

That each section contains signatures purporting to be the signatures of qualified electors of this county;

That attached to this petition at the time it was filed was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition;

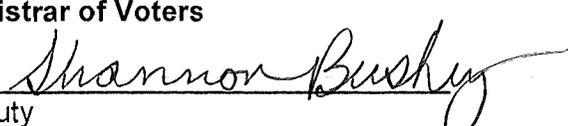
That the affiant stated his or her own qualification, that he or she had solicited the signatures upon that section, that all of the signatures were made in his or her presence, and that to the best of his or her knowledge and belief each signature to that section was the genuine signature of the person whose name it purports to be;

That after the proponent filed this petition I verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purportive dates of such of signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

- |    |  |               |
|----|--|---------------|
| 1. | Number of unverified signatures filed by proponent (raw count) | <u>41,144</u> |
| 2. | Number of signatures verified                                  | <u>2,057</u>  |
| a. | Number of signatures found SUFFICIENT                          | <u>1,325</u>  |
| b. | Number of signatures found NOT SUFFICIENT                      | <u>732</u>    |
| 1. | NOT SUFFICIENT because DUPLICATE                               | <u>3</u>      |

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 19<sup>th</sup> day of September, 2014.

**Shannon Bushey**  
Registrar of Voters

By:   
Deputy

(SEAL)

Petition Abbr: JobD20 City of SJ MM Collectives

Petition Name: City of SJ Init Ord Amending Title 5 & 20 of the SJ Muni Code - Incl MM Collectives As An Allowed Land Use In

Status: **In Process** ▼

District: City of San Jose ▼

Details	Statistics Summary	Statistics Detail	Management	Time Management
<b>Values</b>				
Raw	41144	Sigs Found Valid in Sample:		1325
Sample	2057	Sigs Withdrawn:	0	
Num of Sigs	2057	Dup Sigs Found:	3	
Num Not Checked:	0	Other Invalid:	729	
		Sigs Found Not Valid in Sample:		732
<b>Calculations</b>				
Percent Of Valid = Number Found Valid/Number in Sample				64.4%
Uncorrected Total Valid = Raw Count * Percent of Valid				26500
Duplicate Signature Factor = Raw Count/Sample Size				20
Dup Sig Weight = Dup Sig Factor * (Dup Sig Factor - 1)				380
Dup Sig Adjustment = Dup Sig Weight * Number of Dup Sigs				1140
Total Valid Based on the Sample =				
Uncorrected Total Valid - Dup Sig Adjustment				25360
<b>Results</b>				
Total Valid Based on the Sample				25360
Required Valid				20372
Minimum Required (95%)				19353.4
Minimum Valid Required to Pass based on Sample (110%)				22409.2



# Petition Result Breakdown

JobD20 City of SJ MM Collectives

City of SJ Init Ord Amending Title 5 & 20 of the SJ Muni Code - Incl MM Collectives As An Allowed Lan

Signatures Required	20372		
Raw Count	41,144		
Sample Size	2,057	Percent of	Percent of
Sigs Checked	2,057	Sigs Checked	Sample Size
Sigs Not Checked	0		0.0 %
Sigs Valid	1,325	64.4 %	64.4 %
Sigs Invalid	732	35.6 %	35.6 %
Duplicated	3	0.0 %	0.1 %
Non-duplicate Invalids	729	35.0 %	35.4 %

RESULT ABBR	RESULT DESCRIPTION		
Approved	Approved	1,325	64.4 %
NotReg	Not Registered	517	25.1 %
OutOfDist	Out of District	23	1.1 %
Duplicate	Signed more than once	3	0.1 %
RegLate	Registered Late	19	0.9 %
RegDiffAdd	Registered at a Different Address	150	7.3 %
CantIdntfy	Cannot Identify	17	0.8 %
NoResAdd	No Residence Address Given	1	0.0 %
SigNoMatch	Signatures Don't Match	2	0.1 %