



## Item No. 12 Town of Atherton

### **CITY COUNCIL STAFF REPORT – CONSENT AGENDA**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**THROUGH:** GEORGE RODERICKS, CITY MANAGER

**FROM:** JUDI HERREN, ACTING CITY CLERK

**DATE:** JULY 19, 2017

**SUBJECT:** ADOPTION OF A RESOLUTION DECLARING THE RESULTS OF THE ALL MAIL BALLOT SPECIAL MUNICIPAL DISTRICT ELECTION FOR MEASURE “A” ADOPTED BY THE VOTERS ON JUNE 6, 2017

#### **RECOMMENDATION**

Adopt Resolution 17-XX declaring the results of Measure “A” adopted by the voters on June 6, 2017.

#### **BACKGROUND**

An all-mail ballot special election was held in the Town of Atherton on Tuesday, June 6, 2017. The conduct of the election was duly delegated to the Chief Elections Officer of the County of San Mateo. A notice of the election was given in the time, form and manner as provided by law; voting precincts were properly established; election officers were appointed and in all respects the election was held and conducted and the votes were cast, received, and canvassed and the returns made and declared in the time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities.

#### **ANALYSIS**

Section 10265 of the California Elections Code requires that upon certification of the results of an election by the County Election Department, the City Council shall meet to declare the results of the election. This action may be taken at the next regular council meeting or at a special meeting called for that purpose. The Council is required to adopt a resolution in accordance with Sections 10265 of the Elections Code, and the City Clerk is required to enter into the minutes a statement of the results.

## **PUBLIC NOTICE**

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the committee and commission vacancies was also disseminated via the Town's electronic News Flash and Atherton Online between March and June. There are approximately 1,300 subscribers to the Town's electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.

## **ATTACHMENTS**

- Resolution
  - Certification of Results

## RESOLUTION 17-XX

### A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON DECLARING THE RESULTS OF MEASURE “A” VOTED ON AT THE ALL MAIL BALLOT SPECIAL MUNICIPAL ELECTION ON TUESDAY, JUNE 6, 2017

**WHEREAS**, an All Mail Ballot Special Election was held in the Town of Atherton on Tuesday, June 6, 2017; and

**WHEREAS**, the conduct of said election was duly delegated to the Chief Elections Officer of the County of San Mateo; and

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

**WHEREAS**, the Chief Elections Officer has now certified the results of said election, and said results are truly reflected in the Certificate of Chief Elections Officer dated July 3, 2017, a full, true and correct copy of which is attached hereto as Attachment “A” and by this reference incorporated herein.

**NOW, THEREFORE**, the City Council of the Town of Atherton, California, does hereby resolve, declare, determine and order as follows:

Section 1. The measure voted upon at the election was as follows:

#### **1. Measure A**

“Should the Town of Atherton supplement private donations with available non-dedicated General Funds to meet the funding shortfall, where one exists, for construction of the new Town Center?”

Section 2.

The number of YES votes for Measure A was 1,182. The number of NO votes for Measure A was 743.

The number of votes cast at each precinct and the number of votes cast in the Town for and against Measure A are listed in Attachment “A”.

Section 3.

The City Council does declare and determine that as a result of the election, Measure A received the necessary 50 percent plus one (1) “yes” votes of the ballots cast in the election which was required for passage, and thus the measure carried and shall be deemed adopted and ratified, and shall be effective ten (10) days from adoption of this Resolution.

Measure A: Passed

Section 5. The City Clerk shall enter on the records of the City Council of the Town a statement of the result of the election showing: (1) the total number of ballots cast in the Town; (2) the measures voted upon; (3) the number of votes given at each precinct for and against each measure; and (4) the total number of votes for and against each measure.

\* \* \* \* \*

*I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 19<sup>th</sup> day of July, 2017, by the following vote:*

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

\_\_\_\_\_  
Michael Lempres, Mayor  
Town of Atherton

ATTEST:

\_\_\_\_\_  
Judi Herren, Acting City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
William B. Conners  
City Attorney



# Mark Church

Chief Elections Officer & Assessor-County Clerk-Recorder

40 Tower Road  
San Mateo, CA 94402  
**phone** 650.312.5222 **fax** 650.312.5348  
**email** registrar@smcare.org  
**web** www.shapethefuture.org

July 3, 2017

Theresa DellaSanta  
City Clerk  
Town of Atherton  
91 Ashfield Drive  
Atherton, CA 94027

**Subject:** Certificate of the Chief Elections Officer for the Town of Atherton Special Election held on Tuesday, June 6, 2017

Dear City Clerk DellaSanta:

I am writing to let you know that we have completed the Official Canvass of the Vote and I have certified the election results.

Attached hereto is the official Chief Elections Officer's Certification of the June 6, 2017 Town of Atherton Special Election.

It has been a pleasure to work with you in conducting this election and I look forward to serving you again in future elections.

Sincerely,

A handwritten signature in blue ink that reads "Mark Church".

Mark Church

Enclosures

**CERTIFICATE OF THE CHIEF ELECTIONS OFFICER**

In the Matter of the CANVASS OF VOTES CAST )  
at the TOWN OF ATHERTON SPECIAL ELECTION )  
held on June 6, 2017 )

**I, MARK CHURCH**, Chief Elections Officer of the County of San Mateo,  
State of California hereby certify;

**THAT** an election was held within the boundaries of the TOWN OF  
ATHERTON on Tuesday, June 6, 2017, for the purpose of submitting Measure  
A to the qualified electors; and I caused to have processed and recorded the  
votes from the canvass of all ballots cast at said election within the boundaries of  
the TOWN OF ATHERTON.

**I HEREBY FURTHER CERTIFY** that the record of votes cast at said  
election is set forth in Exhibit "A" attached hereto and incorporated herein by  
reference as though fully set forth at length.

**IN WITNESS WHEREOF**, I hereunto affix my hand and seal this 3<sup>RD</sup> day  
of July 2017, and file this date with the City Clerk of the TOWN OF ATHERTON.



**MARK CHURCH**  
Chief Elections Officer &  
Assessor-County Clerk-Recorder

# Exhibit A

| 1                          | TOWN OF ATHERTON MEASURE A (ADVISORY VOTE ONLY) (MAJORITY APPROVAL REQUIRED) |              |             |  |                         |     |  |  |  |  |  |  |  |  |  |
|----------------------------|--|--------------|-------------|--|-------------------------|-----|--|--|--|--|--|--|--|--|--|
|                            | Registration   | Ballots Cast | Turnout (%) |  | TOWN OF ATHERTON<br>YES | NO  |  |  |  |  |  |  |  |  |  |
| 3001                       | 1,583  | 651          | 41.1        |  | 391                     | 259 |  |  |  |  |  |  |  |  |  |
| 3004                       | 209  | 87           | 41.6        |  | 53                      | 33  |  |  |  |  |  |  |  |  |  |
| 3005                       | 887  | 369          | 41.6        |  | 229                     | 140 |  |  |  |  |  |  |  |  |  |
| 3006                       | 1,048  | 392          | 37.4        |  | 216                     | 175 |  |  |  |  |  |  |  |  |  |
| 3008                       | 854  | 280          | 32.8        |  | 196                     | 83  |  |  |  |  |  |  |  |  |  |
| 3009                       | 168  | 80           | 47.6        |  | 55                      | 25  |  |  |  |  |  |  |  |  |  |
| 3010                       | 155  | 70           | 45.2        |  | 42                      | 28  |  |  |  |  |  |  |  |  |  |
| <b>Early Voting Totals</b> | 4,904  | 0            | 0.0         |  | 0                       | 0   |  |  |  |  |  |  |  |  |  |
| <b>Absentee Totals</b>     | 4,904  | 1,929        | 39.3        |  | 1182                    | 743 |  |  |  |  |  |  |  |  |  |
| <b>Election Day Totals</b> | 4,904  | 0            | 0.0         |  | 0                       | 0   |  |  |  |  |  |  |  |  |  |
| <b>Grand Totals</b>        | 4,904  | 1,929        | 39.3        |  | 1182                    | 743 |  |  |  |  |  |  |  |  |  |

| Early Voting Totals<br>1         | TOWN OF ATHERTON MEASURE A (ADVISORY VOTE ONLY) (MAJORITY APPROVAL REQUIRED) |              |             |  |                  |     |    |  |  |  |  |  |  |  |  |
|----------------------------------|--|--------------|-------------|--|------------------|-----|----|--|--|--|--|--|--|--|--|
|                                  | Registration   | Ballots Cast | Turnout (%) |  | TOWN OF ATHERTON | YES | NO |  |  |  |  |  |  |  |  |
| 18TH CONGRESSIONAL DISTRICT      | 4,904  | 0            | 0.0         |  | 0                | 0   |    |  |  |  |  |  |  |  |  |
| 24TH ASSEMBLY DISTRICT           | 4,904  | 0            | 0.0         |  | 0                | 0   |    |  |  |  |  |  |  |  |  |
| 3RD SUPERVISORIAL DISTRICT       | 4,904  | 0            | 0.0         |  | 0                | 0   |    |  |  |  |  |  |  |  |  |
| 13TH SENATORIAL DISTRICT         | 4,904  | 0            | 0.0         |  | 0                | 0   |    |  |  |  |  |  |  |  |  |
| BOARD OF EQUALIZATION - DISTRICT | 4,904  | 0            | 0.0         |  | 0                | 0   |    |  |  |  |  |  |  |  |  |
| COUNTY OF SAN MATEO              | 4,904  | 0            | 0.0         |  | 0                | 0   |    |  |  |  |  |  |  |  |  |
| TOWN OF ATHERTON                 | 4,904  | 0            | 0.0         |  | 0                | 0   |    |  |  |  |  |  |  |  |  |
| <b>Early Voting Totals</b>       | 4,904  | 0            | 0.0         |  | 0                | 0   |    |  |  |  |  |  |  |  |  |

| Absentee Totals<br>1             | TOWN OF ATHERTON MEASURE A (ADVISORY VOTE ONLY) (MAJORITY APPROVAL REQUIRED) |              |             |  |                         |     |  |  |  |  |  |  |  |  |  |
|----------------------------------|--|--------------|-------------|--|-------------------------|-----|--|--|--|--|--|--|--|--|--|
|                                  | Registration   | Ballots Cast | Turnout (%) |  | TOWN OF ATHERTON<br>YES | NO  |  |  |  |  |  |  |  |  |  |
| 18TH CONGRESSIONAL DISTRICT      | 4,904  | 1,929        | 39.3        |  | 1182                    | 743 |  |  |  |  |  |  |  |  |  |
| 24TH ASSEMBLY DISTRICT           | 4,904  | 1,929        | 39.3        |  | 1182                    | 743 |  |  |  |  |  |  |  |  |  |
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| TOWN OF ATHERTON                 | 4,904  | 1,929        | 39.3        |  | 1182                    | 743 |  |  |  |  |  |  |  |  |  |
| <b>Absentee Totals</b>           | 4,904  | 1,929        | 39.3        |  | 1182                    | 743 |  |  |  |  |  |  |  |  |  |

| Grand Totals<br>1                | TOWN OF ATHERTON MEASURE A (ADVISORY VOTE ONLY) (MAJORITY APPROVAL REQUIRED) |              |             |  |                         |     |  |  |  |  |  |  |  |  |  |
|----------------------------------|--|--------------|-------------|--|-------------------------|-----|--|--|--|--|--|--|--|--|--|
|                                  | Registration   | Ballots Cast | Turnout (%) |  | TOWN OF ATHERTON<br>YES | NO  |  |  |  |  |  |  |  |  |  |
| 18TH CONGRESSIONAL DISTRICT      | 4,904  | 1,929        | 39.3        |  | 1182                    | 743 |  |  |  |  |  |  |  |  |  |
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| TOWN OF ATHERTON                 | 4,904  | 1,929        | 39.3        |  | 1182                    | 743 |  |  |  |  |  |  |  |  |  |
| <b>Early Voting Totals</b>       | 4,904  | 0            | 0.0         |  | 0                       | 0   |  |  |  |  |  |  |  |  |  |
| <b>Absentee Totals</b>           | 4,904  | 1,929        | 39.3        |  | 1182                    | 743 |  |  |  |  |  |  |  |  |  |
| <b>Election Day Totals</b>       | 4,904  | 0            | 0.0         |  | 0                       | 0   |  |  |  |  |  |  |  |  |  |
| <b>Grand Totals</b>              | 4,904  | 1,929        | 39.3        |  | 1182                    | 743 |  |  |  |  |  |  |  |  |  |