



TOWN OF APPLE VALLEY

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council **Date:** December 10, 2013

From: La Vonda M-Pearson, Town Clerk **Item No:** 17
Town Clerk's Office

Subject: RESULTS OF CANVASS OF ELECTION RETURNS OF THE TOWN OF APPLE VALLEY SPECIAL MUNICIPAL ELECTION HELD NOVEMBER 19, 2013 FOR MEASURE D, AND ADOPT RESOLUTION NO. 2013-42 RECITING THE FACT OF THE ELECTION AND SUCH OTHER MATTERS PROVIDED BY LAW

T.M. Approval: _____

Budgeted Item: Yes No N/A

RECOMMENDED ACTION:

Adopt Resolution No. 2013-42 reciting the fact of the election and such other matters provided by law for Measure D.

SUMMARY:

With the consolidation of the Town of Apple Valley, Special Municipal Election, the Town of Apple Valley Town Council authorized the San Bernardino County, Election Office of the Registrar of Voters, to canvass the returns of the election for Measure D as originally adopted in Resolution No. 2013-33 on August 13, 2013.

The Elections Office of the County Registrar of Voters has certified the results of the election for Measure D. Measure D passed by a vote of 58.59% in favor to 41.41% against. The detailed results are attached and made a part hereof as Exhibit "A" to subject Resolution No. 2013-42.

At this point, the Council's last act with respect to the Measure D election is to acknowledge and certify the results of the election by adoption of attached Resolution No. 2013-42. Under Election Code Section 9217, Measure D will become effective 10 days after Council adoption of this Resolution.

RESOLUTION NO. 2013-42

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD ON NOVEMBER 19, 2013 DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

WHEREAS, a Special Municipal Election was held and conducted in the Town of Apple Valley, California, on Tuesday, November 19, 2013, as required by law; and

WHEREAS, notice of the election was 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 the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Election Code of the State of California for the holding of elections in general law cities; and

WHEREAS, pursuant to Resolution No. 2013-33 adopted August 13, 2013, the County Elections Department canvassed the returns of the election and has certified the results to this Town Council, the results are received, attached and made a part hereof as "Exhibit A".

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the whole number of ballots cast in the Town except vote by mail ballots was 2,659. That the whole number of vote by mail ballots cast in the Town was 7,987. That a total number of 10,646 ballots were cast in the Town;

SECTION 2. That the Special Municipal Election was held for the purpose of submitting the following Measure, Measure D, to the qualified voters of the Town of Apple Valley:

MEASURE D

"Shall a General Plan Amendment be adopted, and shall Chapter 9.40 be repealed and Chapter 9.41 be added to the Town Development Code to enact the "Dale Evans Parkway Commercial Specific Plan" in order to allow a proposed commercial development in the Town of Apple Valley located on approximately 30 acres of undeveloped property north of Happy Trails Highway (SR-18), at the southeasterly corner of the intersection of Dale Evans Parkway and Thunderbird Road?"

SECTION 3. That the number of votes given at each precinct and the number of votes given in the Town, for and against the measure, is attached as Exhibit A.

SECTION 4. The Town Council does declare and determine that: As a result of the election, a majority of the voters voting on Measure D did cast a vote in support of the Measure, that Measure D was approved, by the voters and shall be deemed adopted and ratified..

SECTION 5. The Town Clerk shall enter into the records of the Town Council a statement of the results of the election, showing: (1) The whole number of votes cast in the Town; (2) The Measure voted upon (Measure D); (3) The number of votes given at each precinct for and against Measure D; and (4) The total number of votes given for and against Measure D.

SECTION 6. That the Town Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED and **ADOPTED** by the Town Council of the Town of Apple Valley this 10th day of December, 2013.

Mayor

ATTEST:

Town Clerk

(SEAL)



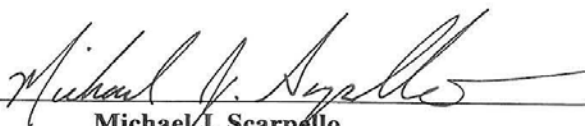
Michael J. Scarpello
Registrar of Voters

**STATEMENT OF CERTIFICATION OF ELECTION RESULTS
TOWN OF APPLE VALLEY SPECIAL ELECTION (MEASURE D)**

STATE OF CALIFORNIA)
)
) SS,
COUNTY OF SAN BERNARDINO)

I, Michael J. Scarpello, San Bernardino County Registrar of Voters, do hereby certify that, pursuant to the provisions of the California Elections Code §15300 et seq., I did canvass the returns of the votes cast in the Town of Apple Valley Special Election (Measure D) held on November 19, 2013 in San Bernardino County, and that the *Certified Election Results* to which this Statement is attached, shows the total number of votes cast in San Bernardino County, and that the totals as shown are full, true and correct.

Witness my hand and official seal this 13th day of November.



Michael J. Scarpello
Registrar of Voters



BOARD OF SUPERVISORS
ROBERT A. LOVINGOOD - First District • JANICE RUTHERFORD - Second District • JAMES RAMOS - Third District • GARY C. OVITT - Fourth District • JOSIE GONZALES - Fifth District
GREGORY C. DEVEREAUX - Chief Executive Officer

EXHIBIT A

SAN BERNARDINO COUNTY Statement of Vote
SPECIAL MUNICIPAL ELECTION

MEASURE D - TOWN OF APPLE VALLEY														
140002	Registration	Ballots Cast	Turnout (%)	YES	NO									
APP0001 1	1	0	0.00	0	0									
APP0001 - Vote by Mail	1	2	200.00			*****	Insufficient Turnout to Protect Voter Privacy					*****		
APP0296 296	38	0	0.00	0	0									
APP0296 - Vote by Mail	38	17	44.74	7	10									
APP0297 297	0	0	0.00	0	0									
APP0297 - Vote by Mail	0	0	0.00	0	0									
APP0298 298	496	60	12.10	38	22									
APP0298 - Vote by Mail	496	145	29.23	109	36									
APP0299 299	586	70	11.95	52	18									
APP0299 - Vote by Mail	586	137	23.38	102	35									
APP0300 300	0	0	0.00	0	0									
APP0300 - Vote by Mail	0	0	0.00	0	0									
APP0301 301	1681	135	8.03	71	64									
APP0301 - Vote by Mail	1681	391	23.26	207	184									
APP0302 302	1444	143	9.90	77	66									
APP0302 - Vote by Mail	1444	397	27.49	233	163									
APP0303 303	1828	131	7.17	69	62									
APP0303 - Vote by Mail	1828	273	14.93	189	84									
APP0304 304	1748	225	12.87	101	124									
APP0304 - Vote by Mail	1748	409	23.40	242	166									
APP0305 305	1624	139	8.56	85	54									
APP0305 - Vote by Mail	1624	331	20.38	210	121									
APP0306 306	1713	143	8.35	86	57									
APP0306 - Vote by Mail	1713	288	16.81	188	90									
APP0307 307	1170	86	7.35	32	54									
APP0307 - Vote by Mail	1170	285	24.36	164	121									
APP0308 308	1274	99	7.77	41	58									
APP0308 - Vote by Mail	1274	288	22.61	189	99									
APP0309 309	1839	149	8.10	70	78									
APP0309 - Vote by Mail	1839	520	28.28	309	211									
APP0310 310	1173	108	9.21	37	71									
APP0310 - Vote by Mail	1173	238	20.29	147	90									
APP0311 311	1935	149	7.70	55	94									
APP0311 - Vote by Mail	1935	511	26.41	314	196									
APP0312 312	1534	129	8.41	46	83									
APP0312 - Vote by Mail	1534	311	20.27	159	152									
APP0313 313	1612	105	6.51	51	54									
APP0313 - Vote by Mail	1612	447	27.73	250	197									
APP0314 314	1267	89	7.02	48	41									
APP0314 - Vote by Mail	1267	265	20.92	145	120									
APP0315 315	1218	91	7.47	40	50									
APP0315 - Vote by Mail	1218	232	19.05	125	107									
APP0316 316	1523	49	3.22	18	31									
APP0316 - Vote by Mail	1523	205	13.46	126	78									
APP0317 317	1297	61	4.70	32	29									
APP0317 - Vote by Mail	1297	190	14.65	117	73									
APP0318 318	1314	59	4.49	36	23									
APP0318 - Vote by Mail	1314	227	17.28	163	64									
APP0319 319	1119	84	7.51	45	39									
APP0319 - Vote by Mail	1119	157	14.03	109	47									
APP0320 320	2549	146	5.73	84	62									
APP0320 - Vote by Mail	2549	1051	41.23	713	335									
APP0321 321	473	21	4.44	4	17									
APP0321 - Vote by Mail	473	92	19.45	52	40									
APP0322 322	1413	78	5.52	35	43									
APP0322 - Vote by Mail	1413	234	16.56	137	97									
APP0323 323	1046	46	4.40	20	26									
APP0323 - Vote by Mail	1046	149	14.24	89	59									
APP0324 324	0	0	0.00	0	0									
APP0324 - Vote by Mail	0	0	0.00	0	0									
APP0326 326	0	0	0.00	0	0									

SAN BERNARDINO COUNTY Statement of Vote
SPECIAL MUNICIPAL ELECTION

140002	MEASURE D - TOWN OF APPLE VALLEY														
	Registration	Ballots Cast	Turnout (%)		YES	NO									
APP0326 - Vote by Mail	0	0	0.00		0	0									
APP0327 327	0	0	0.00		0	0									
APP0327 - Vote by Mail	0	0	0.00		0	0									
APP0328 328	0	0	0.00		0	0									
APP0328 - Vote by Mail	0	0	0.00		0	0									
APP0398 398	0	0	0.00		0	0									
APP0398 - Vote by Mail	0	0	0.00		0	0									
APP1609 1609	1235	64	5.18		34	30									
APP1609 - Vote by Mail	1235	195	15.79		117	77									
Precinct Totals	36150	2659	7.36		1307	1350									
Vote by Mail Totals	36150	7987	22.09		4923	3053									
Grand Totals	36150	10646	29.45		6230	4403									
CALIFORNIA	36150	10646	29.45		6230	4403									
San Bernardino County	36150	10646	29.45		6230	4403									
State Bd of Equal 1	36150	10646	29.45		6230	4403									
Congressional District 8	36150	10646	29.45		6230	4403									
Senatorial District 16	1	2	200.00				*****	Insufficient Turnout to Protect Voter Privacy				*****			
Senatorial District 21	36149	10644	29.44		6229	4402									
Assembly District 33	36150	10646	29.45		6230	4403									
Supervisorial District 1	36150	10646	29.45		6230	4403									
Town of Apple Valley	36150	10646	29.45		6230	4403									