



# TOWN OF APPLE VALLEY

## TOWN COUNCIL STAFF REPORT

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To: Honorable Mayor and Town Council Date: December 13, 2016

From: La Vonda M-Pearson, Town Clerk Item No: 2  
Town Clerk's Office

Subject: RESULTS OF CANVASS OF ELECTION RETURNS OF THE TOWN OF APPLE VALLEY GENERAL MUNICIPAL ELECTION HELD NOVEMBER 8, 2016 AND ADOPT RESOLUTION NO. 2016-38 RECITING THE FACT OF THE ELECTION AND SUCH OTHER MATTERS PROVIDED BY LAW

T.M. Approval:  Budgeted Item:  Yes  No  N/A

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### RECOMMENDED ACTION:

Adopt Resolution No. 2016-38 reciting the fact of the election and such other matters provided by law.

### SUMMARY:

With the consolidation of the Town of Apple Valley, General Municipal Election, the Town of Apple Valley Town Council authorized the San Bernardino County, Registrar of Voters, to canvass the returns of the election as adopted in Resolution No. 2016-10 adopted on June 14, 2016.

The Elections Office of the County Registrar of Voters has certified the results to this Town Council Election on November 8, 2016. The results are complete and will be attached and made a part hereof as Exhibit "A" to subject Resolution No. 2016-38 upon receipt by the Elections Office.

**RESOLUTION NO. 2016-38**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2016 DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW**

**WHEREAS**, a General Municipal Election was held and conducted in the Town of Apple Valley, California, on Tuesday, November 8, 2016, 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. 2016-10 adopted June 14, 2016, the County Elections Department canvassed the returns of the election and has certified the results to this Town Council, the results are complete and will be made a part hereof as "Exhibit A" when provided by the Elections Office.

**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 \_\_\_\_\_. That the whole number of vote by mail ballots cast in the Town was \_\_\_\_\_. That a total number of \_\_\_\_\_ballots were cast in the Town; and

**SECTION 2.** That the General Municipal Election was held for the purpose of electing two (2) members to the Town Council for the full term of four (4) years, and for the purpose of submitting two (2) Measures; Measure V and Measure W, to the qualified voters of the Town of Apple Valley:

**MEASURE V**

Shall an ordinance be adopted authorizing the Town of Apple Valley to finance the acquisition of the Liberty Utilities water system and to acquire, improve, or finance other projects, by issuing public debt in excess of \$5,000,000, if the Town obtains voter approval or the Town Council holds a public hearing, certifies that the revenues from the project will cover debt payments, prohibits the use of taxpayer revenues to repay the debt, and conducts an annual independent audit?

**MEASURE W**

Shall an ordinance be adopted requiring voter approval before the Town of Apple Valley can issue public debt of more than \$10,000,000 to pay for acquiring, improving, or financing a project, such as the acquisition of the Town’s water system, which is currently owned by a private company, when the debt is to be repaid by fees collected by the Town and not from the Town’s taxpayer revenues?

**SECTION 3.** That the number of votes given at each precinct and the number of votes given in the Town for each candidate are 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 electing two (2) members of the Town Council for the full term of four (4) years did vote to elect as follows:

Art Bishop  
Larry Cusack

**SECTION 5.** The Town Council does declare and determine that: As a result of the election, a majority of the voters voting on Measure V did cast a vote in support of the Measure and that Measure V was approved by a majority of the voters. The Town Council further declares and determines that: As a result of the election, a majority of the voters voting on Measure W did cast a vote in support of the Measure and that Measure W was approved by a majority of the voters. Receiving the highest voter percentage of 67.65%, Measure V was the successful measure passed by voters.

**SECTION 6.** That the Town Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the Town Clerk and authenticated; that the Town Clerk or designee shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file it in the office of the Town Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

**SECTION 7.** 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 13<sup>th</sup> day of December, 2016.

\_\_\_\_\_  
MAYOR

**ATTEST:**

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TOWN CLERK

