

RESOLUTION NO. 2546 - 2012

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY CALLING A SPECIAL DISTRICT ELECTION OF THE WAYSIDE II ROAD MAINTENANCE DISTRICT TO BE CONSOLIDATED WITH THE STATEWIDE PRESIDENTIAL PRIMARY ELECTION OF JUNE 5, 2012 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID DISTRICT A PROPOSITION FOR THE INCREASE OF A SPECIAL TAX FOR ROAD MAINTENANCE

WHEREAS, the Wayside II Road Maintenance District ("District") requested that the Town of Portola Valley ("Town") conduct a special district election to increase the annual special tax per parcel from Six Hundred Twenty-Five Dollars (\$625) to Nine Hundred Fifty Dollars (\$950) to fund road maintenance and repair in the District; and

WHEREAS, California Government Code Section 53722 and California Streets & Highways Code Section 5832.8 require that such a proposition be submitted to the voters of the District and provide that it shall take effect upon the approval of two-thirds of the voters voting upon such proposition; and

WHEREAS, pursuant to Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, a local election may be either completely or partially consolidated with a statewide election; and

WHEREAS, the Town will be conducting a special district election of the District to be consolidated with the statewide presidential primary election of June 5, 2012 for the purpose of submitting to the electors of the District a proposition to increase the annual special tax per parcel from Six Hundred Twenty-Five Dollars (\$625) to Nine Hundred Fifty Dollars (\$950) to fund road maintenance and repair in the District.

NOW, THEREFORE, the Town Council of the Town of Portola Valley does **RESOLVE** as follows:

1. A special district election is hereby ordered to be held in the Town of Portola Valley, State of California, on Tuesday, June 5, 2012, for the purpose of submitting to the qualified voters of the Wayside II Road Maintenance District the following ballot measure, sponsored by the Town Council pursuant to Section 9222 of the Elections Code:

FILED IN THE OFFICE OF THE
CHIEF ELECTIONS OFFICER
OF SAN MATEO COUNTY, CALIF.

MAR 0 9 2012

MARK CHURCH, Chief Elections Officer

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Ballot Measure Question

Shall the Town Council of the Town of Portola Valley sitting as the governing board of the Wayside II Road Maintenance District adopt an ordinance increasing the annual special tax per parcel from \$625 to \$950 to provide revenue to maintain and repair the roads in the District?	YES
	NO

9
10
7
13
10

419
words

- The full text of the ordinance to be adopted if the ballot measure set forth in Section 1 above is approved by voters is attached hereto and shall appear in the Voter Information Pamphlet.
- Pursuant to Elections Code Section 10400, the special district election is hereby ordered consolidated with the election conducted by the County of San Mateo, which will be held on Tuesday, June 5, 2012. The elections hereby consolidated shall be held in all respects as if there were only one election, and only one form of ballot shall be used.
- Pursuant to Elections Code Section 10403, the Town Council hereby requests the Board of Supervisors of the County of San Mateo to make available the services of the Registrar of Voters for the purpose of providing the usual services necessary to conduct a consolidated municipal election, including the provision of elections supplies and voters= pamphlets. The Town Council recognizes that additional costs may be incurred by the County by reason of these services and agrees to reimburse the County for these costs.
- The election on this measure shall be held, voting precincts designated, ballots printed, polls opened and closed, ballots counted and returned, returns canvassed, the returns made, and a result ascertained and determined, and all other proceedings conducted in connection with the election, under the regulations of the Registrar of Voters of the County of San Mateo, in accordance with the provisions of the law governing municipal elections in general law cities.
- Ballots for said election shall be provided in the form and to the number provided by law. On said ballots, in addition to any other printed matter which may be required by law, two voting spaces shall be set off to the right of the ballot measure, in the manner provided by law, one having the word "YES" printed before it and the other having the word "NO" printed before it.
- Direct arguments for and against the measure shall not exceed 300 words, shall be filed with the Town Clerk no later than 5:00 p.m. on Friday, March 16, 2012, and shall otherwise be in accordance with Section 9280 et. seq. of the Elections Code.

9. The Town Attorney shall be directed to provide an impartial analysis of this measure in accordance with Elections Code Section 9280 and to submit that to the Town Clerk for transmittal to the Registrar of Voters no later than 5:00 p.m. on Monday, March 26, 2012.

10. Rebuttal arguments are permitted in accordance with Sections 9220 and 9285 of the Elections Code. Rebuttal arguments shall not exceed 250 words and shall be filed with the Town Clerk no later than 5:00 p.m. on Monday, March 26, 2012.

11. The Town Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies and equipment that may be necessary in order to properly and lawfully conduct the election. Specifically, at least one week prior to the election, the Town Clerk shall cause copies of a Notice of General Municipal Election to be posted in three (3) public places in the Town of Portola Valley and shall cause a copy of the Notice to be published once in the Almanac, a newspaper of general circulation.

12. If, at the election, at least two-thirds of the voters voting on the on the measure vote in favor of the measure, then the measure shall be deemed to have been accepted and approved by the voters upon the date that the vote is declared by the Town Council and shall go into effect ten (10) days after that date, pursuant to Section 9217 of the Elections Code.

PASSED AND ADOPTED this 22nd day of February, 2012.

By: 

Mayor

ATTEST:



Town Clerk