



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND ROAD
ROLLING HILLS, CA 90274
(310) 377-1521
FAX (310) 377-7288

Agenda Item No: 8-A
Mtg. Date: 11-27-17

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: YVETTE HALL, INTERIM CITY CLERK/EXECUTIVE ASSISTANT *YH*

THRU: RAYMOND R. CRUZ, CITY MANAGER *me*

SUBJECT: NOVEMBER 7, 2017 SPECIAL MUNICIPAL ELECTION RESULTS.

DATE: NOVEMBER 27, 2017

EXHIBITS:

- 1) Resolution No. 1219
- 2) Ordinance No. XXX (Measure C)

RECOMMENDATION

It is recommended that the City Council adopt Resolution No. 1219 reciting the facts of the special municipal election held on November 7, 2017, and declaring the result and such other matters as provided by law.

BACKGROUND

On November 7, 2017 a Special Municipal Election was conducted in the City of Rolling Hills to consider Measure C, asking whether to repeal Measure B (a ballot initiative approved in March 2013 that changed the City's view preservation law). In accordance with Resolution No. 1210, the Special Municipal Election was consolidated with the School District and Library District Elections that were conducted on the same day by the Los Angeles County Registrar-Recorder/County Clerk's ("LACRR/CC") Office. The ballots were counted and the results canvassed and certified by the LACRR/CC. A copy of the certified election results are attached to this report (see Attachment A of Exhibit 1).

The attached resolution must be adopted by the City Council to officially declare the results of the election. A Certificate of the Canvass of the Election Returns was provided by the LACRR/CC. The election results for Measure C are as follows:

Measure C – Repeal Measure B

The following question (which was designated as Measure C) was submitted to Rolling Hills’ registered voters at the November 7, 2017 Special Municipal Election:

“Shall an ordinance be adopted repealing the March 2013 amendments made to the City’s View Preservation Ordinance by Measure B?”	YES
	NO

<u>Answer</u>	<u>Votes Received</u>	<u>Vote Percentage</u>
Yes	441	59.35%
No	302	40.65%

Since a majority of the voters passed Measure C, Ordinance No. XXX entitled “An Ordinance of the City of Rolling Hills Repealing Measure B by Amending Subsection (E) of Section 17.26.050 and Repealing Section 17.26.090 of the Rolling Hills Municipal Code” (Exhibit 2) shall go into effect.

NOTIFICATION

The authors of the arguments for and against the measure were informed of this matter on the City Council agenda.

YH

11-27-14 Election Resolution Staff Report.docx

RESOLUTION NO. 1219

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD ON NOVEMBER 7, 2017, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

WHEREAS, a Special Municipal Election was held and conducted in the City of Rolling Hills, California, on Tuesday, November 7, 2017, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that a voting precinct was 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 Elections Code of the State of California for the holding of elections in General Law cities; and

WHEREAS, pursuant to Resolution No. 1210, the Los Angeles County Registrar-Recorder/County Clerk canvassed the returns of the election and has certified the results to this City Council, which are attached hereto and made a part herein as "Attachment A."

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the ballot measure submitted to the voters is as follows:

"Shall an ordinance be adopted repealing the March 2013 amendments made to the City's View Preservation Ordinance by Measure B?"	YES
	NO

SECTION 2. That as a result of the election, a majority of voters voting on Measure C relating to the repeal of Measure B did vote in favor of it, and that the measure was carried, and shall be deemed adopted and ratified.

SECTION 3. The City Clerk shall enter on the records of the City of Rolling Hills a statement of the result of the election, showing: (1) The whole number of ballots cast in the City; (2) The measure voted upon; (3) The number of votes given at each precinct for and against the measure; and (4) The total number of votes given for and against the measure.

SECTION 4. The City Clerk of the City of Rolling Hills shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City.

PASSED, APPROVED AND ADOPTED ON this 27th day of November 2017.

JAMES BLACK, M.D.
MAYOR

ATTEST:

YVETTE HALL
CITY CLERK

The foregoing Resolution No. 1219 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD ON NOVEMBER 7, 2017, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

Was approved and adopted at a regular meeting of the City Council on the 27th day of November 2017, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

YVETTE HALL
CITY CLERK

Los Angeles County
Registrar-Recorder/County Clerk

Certificate of the Canvass of the Election Returns

I, DEAN C. LOGAN, Registrar-Recorder/County Clerk of the County of Los Angeles, of the State of California, DO HEREBY CERTIFY that pursuant to the provisions of Section 15300 et seq. of the California Elections Code, I did canvass the returns of the votes cast for each elective office and/or measure(s) for

Rolling Hills City

at the Local and Municipal Consolidated Elections, held on the 7th day of November 2017.

I FURTHER CERTIFY that the Statement of Votes Cast, to which this certificate is attached, shows the total number of ballots cast in said jurisdiction, and that the whole number of votes cast for each candidate and/or measure(s) in said jurisdiction in each of the respective precincts therein, and the totals of the respective columns and the totals as shown for each candidate and/or measure(s) are full, true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 20th day of November 2017.



Dean Logan

DEAN C. LOGAN
 Registrar-Recorder/County Clerk
 County of Los Angeles

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROLLING HILLS REPEALING
MEASURE B BY AMENDING SUBSECTION (E) OF SECTION
17.26.050 AND REPEALING SECTION 17.26.090 OF THE ROLLING
HILLS MUNICIPAL CODE

The People of the City of Rolling Hills do ordain as follows:

Section 1. Subsection (E) of Section 17.26.050 of the Rolling Hills Municipal Code is hereby amended to read as follows :

17.26.050 – Hearing procedure and findings.

- E. Action. If the Committee makes finding subsection (D)(3) of this section, it shall order such restorative action as is necessary to abate the view impairment and to restore the complainant’s view, including, but not limited to, removal, pruning, topping, thinning or similar alteration of the vegetation. The Committee may impose conditions as are necessary to prevent future view impairments. In no event shall restorative action be required if such action would adversely affect the environment or would unreasonably detract from the privacy or enjoyment of the property on which the objectionable vegetation is located.

Section 2. Section 17.26.090 (“Preservation of views defined”) is hereby repealed in its entirety.

Section 3. The City Clerk shall certify to the passage of this ordinance and shall cause the same to be published as required by law.

PASSED, APPROVED AND ADOPTED by vote of the electorate this 27th day of November, 2017.

JAMES BLACK, M.D.
MAYOR

ATTEST:

YVETTE HALL
CITY CLERK