



## Item No. 20 Town of Atherton

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

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: GEORGE RODERICKS, CITY MANAGER  
THERESA DELLASANTA, CITY CLERK**

**DATE: MARCH 15, 2017**

**SUBJECT: REVIEW AND APPROVE BALLOT ARGUMENT IN FAVOR OF  
MEASURE SUBMITTED TO QUALIFIED ELECTORS AT THE  
JUNE 6, 2017 ELECTION AND DIRECT STAFF WITH RESPECT  
TO REBUTTAL ARGUMENTS**

#### **RECOMMENDATION**

Approve language submitted by Ad Hoc Subcommittee members Wiest and DeGolia for the Argument in Favor of Measure to be submitted to qualified electors at the June 6, 2017 election. Sign the Ballot Argument Submission Form provided by the City Clerk; and direct staff with respect to rebuttal arguments.

#### **BACKGROUND**

At the February 15 City Council Meeting, the Council approved a resolution ordering the submission to qualified electors of the Town of Atherton a measure relating to the Civic Center Project funding at an all-mail ballot special Municipal Election to be held on Tuesday, June 6, 2017.

The Mayor assigned an Ad Hoc Subcommittee of Council Member DeGolia and Vice Mayor Wiest to work with staff to return language for Argument in Favor for consideration and adoption at this meeting.

#### **ANALYSIS**

The Ad-Hoc Subcommittee of Vice Mayor Wiest and Council Member DeGolia have drafted the following Argument in Favor.

*Argument in Favor of Measure* \_\_\_\_

*“Atherton’s main facilities have been in need of replacement for years. Over the past twenty years, Town staff, several City Councils and [four] different resident committees have recommended replacing these facilities, which include seven “temporary” trailers in deplorable condition.*

*However, due the Town's financial position, maintenance and essential repairs have been the chosen course of action. These facilities are essential for the daily operation of the Town, including Administration, Police, Building and Planning, Public Works and Library services. These facilities were built decades ago when our needs and requirements were very different from today. The Council believes it is imperative that these facilities be replaced to improve the Town's ability to deliver essential services to our residents and to hire and retain top quality staff.*

*The new Town Center has involved thousands of volunteer and professional hours in the design, including input from Council members, staff, committee volunteers, hundreds of residents, and hired professionals. Now that the design is complete and a construction cost estimate has been obtained, the Council has developed a realistic funding plan without creating any new tax burden on its residents. Previously, Measure L supported paying for these facilities "primarily using private funds". Today, with the design complete, the Council has determined that it is necessary to supplement private donations with non-dedicated general funds. Furthermore, the Town is in a more stable financial position and the Council believes it would be prudent to use non-dedicated General Funds to meet any funding shortfall for the construction of the Town Center.*

*A "Yes" vote means that you support supplementing private donations with non-dedicated General Funds to build the new Town Center. Additional information concerning the Town's forecasted financial outlook, and proposed design plans are available at [www.ci.atherton.ca.us](http://www.ci.atherton.ca.us) (Civic Center Project). Also, to tour the existing facilities call (650.752.0500)."*

The above at the exact limit of 300 words.

### *Rebuttal Process*

If the Town receives an argument against the measure, then the rebuttal process would begin. Pursuant to Election Code 9285, when an argument in favor and an argument against a measure have been submitted, the elections official will notify the authors of those arguments in order for them to prepare and submit rebuttal arguments. Rebuttal arguments may not exceed 250 words. The rebuttal arguments shall be filed with the City Clerk not more than 10 days after the final date for filing primary arguments. **The final filing date for filing rebuttal argument is set for 12:00 p.m. on Monday, March 27, 2017.**

The Mayor could appoint an Ad Hoc Subcommittee to prepare the rebuttal argument, should it become necessary. However, it would be appropriate for the full City Council to discuss whether it prefers to allow the Subcommittee to submit the finalized rebuttal argument to the City Clerk or whether it prefers to call a special meeting prior to the rebuttal deadline to approve the argument as a whole. Calling a special meeting of the Council to approve the argument would allow all five council members to sign the rebuttal argument. If Council chooses not to call a special meeting and simply assigns the Subcommittee to prepare and submit the rebuttal argument then the signatures would be limited to the two Council Members assigned to the subcommittee.

The authors of the primary arguments may also choose to authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument.

### **POLICY FOCUS**

Staff is seeking feedback and clarification on the language of the argument in favor to be submitted to qualified electors of the Town of Atherton and direction with respect to how rebuttal arguments should be handled.

### **FISCAL IMPACT**

The cost of a mail-in ballot is approximately \$27,262. It is included in the budget.

### **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 project is also disseminated via the Town's electronic News Flash and Atherton Online. There are approximately 1,600 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**

Primary Argument Submission Form



## Ballot Measure Primary Argument Submission Form

A ballot argument shall not be accepted unless accompanied by this completed form, which shall contain the printed name(s) and signature(s) of the person(s) submitting it or, if submitted on behalf of a bona fide association of citizens/organization, the name of the association/organization and the printed name and signature of at least one of its principal officers. If the measure is presented to voters pursuant to an initiative petition in a special district election, please contact the Elections Office for special instructions.

Word count limit for Primary Arguments = 300

Ballot Measure \_\_\_\_\_ for the \_\_\_\_\_ to be held on \_\_\_\_\_.

Primary Argument in Favor of       Primary Argument Against

**This argument is submitted by: (check all that apply)**

<input type="checkbox"/>	<p><b>The Governing Body of the County of San Mateo, a School District, or a Special District</b></p> <p>If this argument is filed by the governing body of the County of San Mateo, a school district or a special district, fill in the name of the governing body on the line below and complete both sides of this form.</p>	
	Governing Body: _____	
	Contact Person's Printed Name:	Contact Person's Signature:
	Title: _____	
	Phone: _____	Email: _____
<input type="checkbox"/>	<p><b>Member(s) of the Governing Body of the County of San Mateo, a School District, or a Special District</b></p> <p>If this argument is filed by any member(s) of the governing body, fill in the information below and complete both sides of this form. By statute, members of school district governing boards need board authorization to file an argument.</p>	
	Member(s) of the Governing Body:	Name of Governing Body:
	Contact Person's Printed Name:	Contact Person's Signature:
	Title: _____	
	Phone: _____	Email: _____
<input type="checkbox"/>	<p><b>Bona Fide Association of Citizens/Organization</b></p> <p>If this argument is filed by a bona fide association of citizens/organization, the signers of the argument must be affiliated with the association/organization, be authorized to sign the argument on its behalf, provide the printed name and signature of at least one principal officer of the organization, and complete both sides of this form.</p>	
	Name of Association/Organization: _____	
	Principal Officer's Printed Name and Title:	Principal Officer's Signature:
	Contact Person's Printed Name:	Email:
	Phone: _____	Fax: _____
<input type="checkbox"/>	<p><b>Individual(s) eligible to vote on the measure</b></p> <p>Individual signers must be eligible to vote on the measure.</p>	
	Contact Person:	Phone:
	Mailing Address: _____	
	Fax: _____	Email: _____

**Please complete the reverse side of this form.**

# Primary Argument Signers Form

Each signer must designate in which capacity they are signing. Check the one box that applies.

No more than five signatures shall appear with any argument. If more than five signatures are submitted, the first five listed shall be printed.

Names and titles listed will be printed in the order that they are listed below.

If the signers are part of a bona fide association/organization, there is no requirement that they be eligible to vote on the measure. However, for each such signing individual(s), the title under the signer's name shall list the name of that bona fide association/organization and may include their position within that association/organization.

By signing below, the undersigned state that they have read the argument and believe it not to be false or misleading.

Governing Body of San Mateo County, a School District, or a Special District	Member(s) of the Governing Body of San Mateo County, a School District, or a Special District	Bona Fide Association of Citizens/Organization	Individual(s) eligible to vote on the measure
--	---	--	---

1.	Name:	Title:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Phone:	Email:				
	Address:					
	Signature:	Date:				
2.	Name:	Title:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Phone:	Email:				
	Address:					
	Signature:	Date:				
3.	Name:	Title:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Phone:	Email:				
	Address:					
	Signature:	Date:				
4.	Name:	Title:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Phone:	Email:				
	Address:					
	Signature:	Date:				
5.	Name:	Title:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Phone:	Email:				
	Address:					
	Signature:	Date:				

**Submit a second form (this side only) for alternate signers attached to this form and the argument.**

FOR OFFICIAL USE ONLY

Signers	<input type="checkbox"/> Registered	N/A	Signed	Dated
Bona Fide Association	<input type="checkbox"/> Verified	N/A	Signed	Dated