



COUNCIL AGENDA REPORT

City of Anaheim OFFICE OF THE CITY CLERK

DATE: SEPTEMBER 14, 2010
FROM: OFFICE OF THE CITY CLERK
SUBJECT: RESULTS OF MAIL BALLOT SPECIAL ELECTION FOR
BROADWAY/THISTLE ISLAND ANNEXATION

ATTACHMENT (Y/N): YES **ITEM # 30**

RECOMMENDATION:

That the City Council, by Resolution, declare the results and certify the special mail ballot election for the Broadway/Thistle Island Annexation.

DISCUSSION:

On July 6, 2010, the Local Agency Formation Commission (LAFCO) conducted a protest hearing for the Broadway/Thistle neighborhood annexation. A total of 113 protest forms opposing the annexation were submitted to LAFCO, which were subsequently delivered to the Registrar of Voters (ROV) for verification. On July 9, 2010, the ROV certified that a sufficient number of protests (48%) were valid and that the annexation now must be determined by an election consisting of those registered voters residing within the Broadway/Thistle neighborhood. On July 19, 2010 LAFCO adopted Resolution No. 10-01P ordering the annexation subject to an election and directing the City of Anaheim to hold such election.

On July 27, 2010, the City Council approved Resolution No. 2010-124, calling for a special mail ballot election of the qualified electors within the Broadway/Thistle Neighborhood Annexation, to be held on August 31, 2010. The qualified electors considered one measure that asked: "Shall the order adopted May 12, 2010 by the Orange County Local Agency Formation Commission ordering the annexation to the City of Anaheim of the territory described in that order and designated as the 'Broadway/Thistle Island Annexation to the City of Anaheim (RO 10-01)' be confirmed subject to the terms and conditions specified in the order?"

Canvassing of the votes commenced on September 2, 2010 at 8:30 a.m. and required the affirmative votes of a majority of the votes cast to pass. A total of 125 ballots were cast in the City by August 31, 2010 and six (6) ballots were found invalid (total of 119 valid ballots counted). The Measure received a total of 35 YES votes and 84 NO votes. The Measure failed to receive the necessary affirmative votes by the qualified electors.

In accordance with Government Code Section 57149, the City Clerk reported the results to the Executive Officer of LAFCO. The Executive Officer is scheduled to report the election results to LAFCO at its September 15, 2010 meeting and issue a Certificate of Termination to the annexation proceedings.

Pursuant to Government Code Section 57090(a), a similar proposal for a change of reorganization of the same or substantially the same territory may not be filed with the commission within two years after the date of adoption of the certificate of termination.

The attached Resolution declares the results of the Special Mail Ballot Election.

IMPACT ON BUDGET:

There is no impact on the FY 10/11 budget.

Respectfully submitted,

Linda N. Andal
City Clerk

Attachment:

1. Resolution Declaring Results of Special Mail Ballot Election