

RESOLUTION NO. 2017-010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE CERTIFYING THE REFERENDUM PETITION SUBMITTED AGAINST ORDINANCE NO. 23-2016 ADOPTING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH ELK GROVE TOWN CENTER, LP

WHEREAS, a referendum petition entitled "Referendum Against an Ordinance passed by the City Council; Ordinance No. 23-2016. An Ordinance of the City Council of the City of Elk Grove adopting the First Amendment to the Development Agreement with Elk Grove Town Center, LP.," was filed with the Office of the City Clerk on November 21, 2016 against City of Elk Grove Ordinance No. 23-2016; and

WHEREAS, the referendum petition was timely filed, in an appropriate form, and exceeded the minimum requisite threshold of signatures (submitting 14,800 signatures where 8,896 were required) requiring the elections official to proceed with validating the referendum petition; and

WHEREAS, the City of Elk Grove maintains a Memorandum of Understanding with the Sacramento County Voter Registration and Elections Department (the County) for the County to provide election related services; and

WHEREAS, the Office of the City Clerk initiated two processes for verification: 1) a random sampling of signatures, conducted by the County; and 2) validating that voter names and addresses on the petition were in the voter registration logs, conducted by the Office of the City Clerk; and

WHEREAS, the County conducted a 5% random sampling for verification of the signatures pursuant to Elections Code Section 9115 and has submitted a Certificate of Petition, attached and made a part hereof as Exhibit A; and

WHEREAS, the City Clerk, as the City's elections official, has accepted the County's Certificate of Petition and hereby certifies those results to the City Council.

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

Section 1. The random sample of signatures conducted by Sacramento County resulted in a statistically valid signature total of 11,565 which exceeds the number of signatures for the petition to be deemed sufficient; a copy of the Certificate of Petition is attached hereto as Exhibit A.

Section 2. The Office of the City Clerk reviewed the petition sections filed, and validated that 10,000 entries of voter names and addresses were of active registered voters in Elk Grove at the time they signed the petition section.

Section 3. That the referendum petition "Referendum Against an Ordinance passed by the City Council; Ordinance No. 23-2016. An Ordinance of the City Council of the City of Elk Grove adopting the First Amendment to the Development Agreement with Elk Grove Town Center, LP" is found to be sufficient and the referendum petition is certified as sufficient by the City Council of the City of Elk Grove.

Section 4. That, pursuant to Elections Code section 9237, the effective date of Ordinance No. 23-2016 is suspended pending reconsideration of the ordinance.

Section 5. That the City Clerk shall certify to the passage and adoption of this resolution.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 11th day of January 2017.



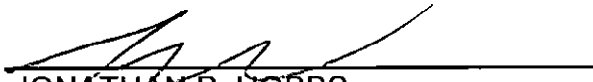
STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

Voter Registration and Elections Department
Jill LaVine, Registrar of Voters



Divisions
Campaign Services
Outreach
Precincts
Registration
Vote By Mail
Voting Systems and Technology

EXHIBIT A
County of Sacramento

**REGISTRAR OF VOTERS
CERTIFICATE OF PETITION**

I, Jill LaVine, Registrar of Voters of the County of Sacramento, State of California, hereby certify:

That the petition, **REFERENDUM AGAINST AN ORDINANCE PASSED BY THE CITY COUNCIL; ORDINANCE NO. 23-2016. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ADOPTING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH ELK GROVE TOWN CENTER, LP.**, was filed with the City Clerk on November 21, 2016 and submitted to this office on November 30, 2016.

That said petition consists **1,349** sections; with **14,826** signatures.

That each section contains signatures purporting to be the signatures of qualified electors of this City.

That attached to this petition at the time it was filed was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition.;

That the affiant stated his/her own qualification, that s/he had solicited the signatures upon that section, that all of the signatures were made in his/her presence, and that to the best of his/her knowledge and belief each signature to that section was the genuine signature of the person whose name it purports to be.

That after the City Clerk filed this petition with this office, I verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purported dates of such signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

1. Number of signatures filed by proponent (raw count)	14,826
2. Number of signatures required	8,896
3. Number of signatures verified	741
a. Number of signatures found SUFFICIENT	578
b. Number of signatures found NOT SUFFICIENT	163
(1) Not Sufficient because DUPLICATE	0

The random sample of signatures resulted in a statistically valid signature total of 11,565 which exceeds the number of signatures for the petition to be deemed sufficient.

IN WITNESS THEREOF, I have hereunto set my hand and affixed my official seal this 20th day of December, 2016.

Jill LaVine
Jill LaVine
REGISTRAR OF VOTERS

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2017-010

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

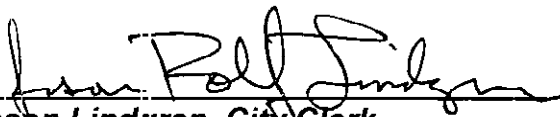
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 11, 2017 by the following vote:

AYES : **COUNCILMEMBERS:** *Ly, Detrick, Suen*

NOES: **COUNCILMEMBERS:** None

ABSTAIN : **COUNCILMEMBERS:** *Hume*

ABSENT: **COUNCILMEMBERS:** None



Jason Lindgren, City Clerk
City of Elk Grove, California