

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Deborah S. Traffenstedt, Deputy City Manager *DST*  
Maureen Benson, City Clerk *MB*

**DATE:** June 13, 2012 (CC Meeting of 6/20/12)

**SUBJECT:** Consider Resolutions for the General Municipal Election to be Held on Tuesday, November 6, 2012:

- 1) Resolution Calling and Giving Notice of the Holding of the General Municipal Election on November 6, 2012, for the Election of Certain Officers of the City and for Submission to the Voters of an Article 34 Authorization Ballot Measure, and Requesting the Board of Supervisors of the County of Ventura to Consolidate said General Municipal Election with the Presidential General Election on said Date; and
- 2) Resolution Requesting the Board of Supervisors of the County of Ventura to Permit the County Clerk to Render Services to the City of Moorpark for the General Municipal Election and to Canvass the Returns of the General Municipal Election; and
- 3) Resolution Setting Priorities for Filing Written Arguments Regarding a City Measure and Directing the City Attorney to Prepare an Impartial Analysis; and
- 4) Resolution Providing for the Filing of Rebuttal Arguments for City Measures Submitted at Municipal Elections

**DISCUSSION**

The City's General Municipal Election is scheduled for November 6, 2012. The first resolution attached to this agenda report (Attachment 1) calls and gives notice of the General Municipal Election for the election of certain officers of the City (for the purpose of electing a Mayor for a two-year term and two City Councilmembers for a four-year term) and for submission to the voters of a ballot measure (Article 34 authorization ordinance), and requests the County Board of Supervisors to consolidate the General Municipal Election with the Presidential General Election on said date.

The Article 34 authorization ballot measure that is proposed to be included on the November 6, 2012 election ballot is consistent with the City Council direction at the regular meeting on May 2, 2012. At that meeting, the City Council directed staff to proceed with placing a measure on the November 6 ballot that pursuant to Article 34 of the California Constitution would give the City of Moorpark the ability to develop, construct, or acquire up to a maximum of 200 low rent housing units affordable to persons of low income in the City of Moorpark over a 10-year period. A draft Article 34 authorization ordinance has been prepared, and has been

included as Exhibit A to the resolution calling the election. This resolution also includes the proposed question for the Article 34 measure that would be included on the election ballot. The draft ordinance will be printed with the sample ballot that is mailed to the registered voters, and staff will also make this information available on the City's website. The City Attorney's office has reviewed the draft ordinance and ballot question.

In conjunction with the calling of the General Municipal Election, and pursuant to Section 10002 of the Elections Code, the second resolution that is attached to the agenda report (Attachment 2), is required in order for the Board of Supervisors to permit the County Clerk to render services in conducting the General Municipal Election for the City and placement of the measure on the ballot.

The third resolution that is attached to the agenda report (Attachment 3) is required in order to set priorities for filing written arguments for the proposed City ballot measure and to direct the City Attorney to prepare the impartial analysis. Since it is the City that is proposing to place the Article 34 measure on the ballot, it is appropriate for the City to determine that the members of the City Council will be given preference and priority for arguments in favor of the ballot measure, which is how the resolution has been drafted.

Consistent with Section 9287 of the Elections Code, if the legislative body does not determine to authorize a member or members to have preference and priority for filing arguments in favor of or against a ballot measure, then the city elections official shall give preference and priority in the order named:

- "(b) The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
- (c) Bona fide associations of citizens
- (d) Individual voters who are eligible to vote on the measure."

The fourth resolution (Attachment 4) provides for the filing of rebuttal arguments for City measures submitted at municipal elections.

Three City Council positions (Mayor and two Councilmember positions) will be on the ballot for the November 6, 2012, General Municipal Election. The candidate filing period begins July 16 and ends at 5:00 p.m. on August 10. If an incumbent does not run for reelection, the filing period for that Mayor or Councilmember position would be extended to 5:00 p.m. on August 15.

Staff has included as an attachment to this agenda report (Attachment 5) the County of Ventura's election calendar for the election on November 6, 2012. The County's election calendar for the November 6 election identifies that the last day for the Council to file with the County Board of Supervisors (with copy to County Clerk) the required election resolutions is July 2, 2012.

The City Council has previously adopted Resolution No. 2010-2929 (see Attachment 6) pertaining to regulations for candidates' statements and determining provisions for resolving tie votes. Resolution No. 2010-2929 is still valid and does not require updating.

### **FISCAL IMPACT**

The Fiscal Year 2012/2013 draft Budget already includes the estimated amount of \$15,000 for election services to be provided by the County of Ventura Elections Division for the November 2012 General Municipal Election. Adding the ballot measure will result in higher printing costs, and staff will review any need for a budget amendment after the County's invoice is received following the November 2012 election.

Voter approval of the Article 34 ballot measure would not result in a fiscal impact, and the adoption action does not increase taxes, revenues, or expenses of the City. Any future affordable housing project would go through the public review and environmental clearance process, as required by the City's Municipal Code and State law, and decisions regarding conditions of approval, mitigation, fees, expenses, and funding would occur at that time.

### **STAFF RECOMMENDATION**

Adopt General Municipal Election Resolutions (Nos. 2012-\_\_\_\_, 2012-\_\_\_\_, 2012-\_\_\_\_, and 2012-\_\_\_\_).

### **ATTACHMENTS:**

1. Resolution Calling and Giving Notice of the Holding of the General Municipal Election on November 6, 2012, for the Election of Certain Officers of the City and for Submission to the Voters of an Article 34 Authorization Ballot Measure, and Requesting the Board of Supervisors of the County of Ventura to Consolidate said General Municipal Election with the Presidential General Election on said Date
2. Resolution Requesting the Board of Supervisors of the County of Ventura to Permit the County Clerk to Render Services to the City of Moorpark for the General Municipal Election and to Canvass the Returns of the General Municipal Election
3. Resolution Setting Priorities for Filing Written Arguments Regarding a City Measure and Directing the City Attorney to Prepare an Impartial Analysis
4. Resolution Providing for the Filing of Rebuttal Arguments for City Measures Submitted at Municipal Elections
5. Ventura County Election Calendar for November 6, 2012
6. Resolution No. 2010-2929 Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements Submitted to the Voters at an Election and Determining Resolution of Tie Votes pursuant to State Elections Code Section 15651(a)

RESOLUTION NO. 2012-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, FOR THE ELECTION OF CERTAIN OFFICERS OF THE CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES; AND FOR SUBMISSION TO THE VOTERS OF A BALLOT MEASURE QUESTION RELATING TO ARTICLE 34 AUTHORIZATION FOR THE CITY OF MOORPARK TO DEVELOP, CONSTRUCT, OR ACQUIRE UP TO A MAXIMUM OF 200 LOW RENT HOUSING UNITS AFFORDABLE TO PERSONS OF LOW INCOME IN THE CITY OF MOORPARK IN A 10-YEAR PERIOD; AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA TO CONSOLIDATE SAID MUNICIPAL ELECTION WITH THE PRESIDENTIAL GENERAL ELECTION ON SAID DATE, PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 6, 2012, for the election of Municipal Officers; and

WHEREAS, the City Council also desires to submit to the voters at the General Municipal Election a ballot measure question consistent with Article 34 of the California Constitution, and the ballot question is included in Section 2 of this resolution and the proposed complete text of the ballot measure ordinance is included as Exhibit A to this resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Moorpark, California, on Tuesday, November 6, 2012, a General Municipal Election for the purpose of electing a Mayor for the full term of two (2) years and two (2) Members of the City Council for the full term of four (4) years.

SECTION 2. That the City Council, pursuant to its right and authority, does also order submitted to the voters at the General Municipal Election on November 6, 2012, the following question:

<p>Shall the City of Moorpark be authorized to develop, construct, or acquire up to a maximum of two hundred (200) low rent housing units, affordable to persons of low income, in the City of Moorpark over a ten (10)-year period commencing upon the effective date of the authorization ordinance?</p>	Yes
	No

SECTION 3. That the proposed complete text of the ballot measure ordinance to be submitted to the voters is attached hereto as Exhibit A.

SECTION 4. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 5. That pursuant to the requirements of Section 10403 of the Elections Code of the State of California, the Board of Supervisors of the County of Ventura is hereby requested to consent and agree to the consolidation of said General Municipal Election with the Presidential General Election on Tuesday, November 6, 2012.

SECTION 6. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day, when the polls shall be closed pursuant to Section 10242 of the Elections Code, except as provided in Section 14401 of the Elections Code.

SECTION 7. That said Board of Supervisors is hereby requested to issue instructions to the County Clerk to take any and all steps necessary for the holding of said consolidated election.

SECTION 8. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 9. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give such further or additional notice of the election, in time, form, and manner required by law.

SECTION 10. That pursuant to the provisions of Section 15651(a) of the Elections Code, and City Council Resolution No. 2010-2929, a tie vote shall be determined and resolved by lot.

SECTION 11. That the City Clerk of the City of Moorpark is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Clerk of the County of Ventura.

SECTION 12. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this 20th day of June, 2012.

\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk

Exhibit A: AN ORDINANCE OF THE PEOPLE OF THE CITY OF MOORPARK, CALIFORNIA, AUTHORIZING THE CITY OF MOORPARK TO DEVELOP, CONSTRUCT, OR ACQUIRE UP TO A MAXIMUM OF TWO HUNDRED (200) LOW RENT HOUSING UNITS, AFFORDABLE TO PERSONS OF LOW INCOME, IN THE CITY OF MOORPARK OVER A TEN (10)-YEAR PERIOD COMMENCING UPON THE EFFECTIVE DATE OF THE AUTHORIZATION ORDINANCE

**EXHIBIT A**

AN ORDINANCE OF THE PEOPLE OF THE CITY OF MOORPARK, CALIFORNIA, AUTHORIZING THE CITY OF MOORPARK TO DEVELOP, CONSTRUCT, OR ACQUIRE UP TO A MAXIMUM OF TWO HUNDRED (200) LOW RENT HOUSING UNITS, AFFORDABLE TO PERSONS OF LOW INCOME, IN THE CITY OF MOORPARK OVER A TEN (10)-YEAR PERIOD COMMENCING UPON THE EFFECTIVE DATE OF THE AUTHORIZATION ORDINANCE

WHEREAS, Article 34 of the California Constitution requires approval of a majority of the qualified electors before any low rent housing project can be developed, constructed, or acquired by any state public body; and

WHEREAS, on June 8, 1982, prior to incorporation of the City of Moorpark ("City"), an election was held in the County of Ventura in which the voters within the unincorporated area of the County voted in favor of an Article 34 referendum measure to authorize the Area Housing Authority of the County of Ventura to be permitted to develop, construct or acquire, utilizing any federal or state or local financial assistance, housing units for low income persons, including the elderly, handicapped or disabled, within the unincorporated area, not to exceed in number 3% of the dwelling units within the unincorporated area; and

WHEREAS, the Moorpark City Council approved Ordinance No. 17 on April 4, 1984, finding that a majority of the qualified electors of the City, voting on the Article 34 referendum in the 1982 election, authorized the Area Housing Authority of the County of Ventura to develop, contract or acquire, utilizing any federal or state or local financial assistance, housing units for low income persons, including the elderly, handicapped or disabled, within the City of Moorpark, not to exceed in number 2% of the dwelling units within the City; and

WHEREAS, on December 29, 2011, the California Supreme Court announced its decision in *California Redevelopment Association v. Matosantos* upholding Assembly Bill (AB) X1 26, which was intended to dissolve all redevelopment agencies in California effective February 1, 2012, including the Redevelopment Agency of the City of Moorpark; and

WHEREAS, the City on January 4, 2012, elected to assume the housing functions and take over the housing assets of the Redevelopment Agency of the City of Moorpark, along with related rights, powers, liabilities, duties and obligations, thereby becoming the Successor Housing Agency for the Redevelopment Agency of the City of Moorpark; and

WHEREAS, on May 16, 2012, the City Council approved the City's General Plan Housing Element update, which is required to identify adequate sites for housing for the existing and projected needs of all economic segments of the community as determined by a Regional Housing Needs Assessment (RHNA); and

WHEREAS, the City's adopted Housing Element incorporates the RHNA for 2006 through 2014, which identifies a housing need of one thousand, six hundred and seventeen (1,617) housing units in the City, of which six hundred and fifty-five (655) units should be for very low and low income ranges; and

WHEREAS, voter approval of the authority for the City to develop, construct, or acquire up to a maximum of two hundred (200) low rent housing units that are affordable to persons of low income in the City within a ten (10)-year period is consistent with the City's General Plan Housing Element objectives; and

WHEREAS, voter approval of the ballot measure does not increase taxes, has no fiscal impact, and does not grant approval for any specific project, as each would go through the public review process; and

WHEREAS, the City's Community Development Director has determined that the proposed ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) by the general rule that CEQA only applies to projects that may have a significant effect on the environment.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF MOORPARK DO ORDAIN AS FOLLOWS:

SECTION 1. Title. This voter approved ballot measure shall be known as the City of Moorpark Article 34 authorization ordinance.

SECTION 2. Definition of terms.

(a) The term "City of Moorpark" or "City" shall mean the City of Moorpark of the State of California and shall include the City and any other City agency for which the City Council serves as the governing body.

(b) The term "housing unit," shall mean a residential dwelling designed for human occupation, and shall include but not be limited to apartments, condominiums, townhouses, single family homes, duplexes, and mobile homes.

(c) The term "low rent housing unit" shall mean a housing unit that is located within a low rent housing project.

(d) The terms "develop," "construct," "acquire," "low rent housing project," and "persons of low income" shall be interpreted in accordance with Article 34 of the California

Constitution, Health and Safety Code Sections 36000 et seq. and 37000 et seq., and any successor legislation thereto.

SECTION 3. Article 34 Authorization. Consistent with Article 34 of the California Constitution, the City of Moorpark is authorized to develop, construct, or acquire up to two hundred (200) low rent housing units, affordable to persons of low income, in the City of Moorpark over a ten (10)-year period commencing upon the effective date of the ordinance approved by majority vote of the qualified electors of the City.

SECTION 4. Scope of Authorization.

(a) The low rent housing authorized by this ordinance shall be in addition to any other Article 34 authorization granted by the qualified electors of the City of Moorpark or County of Ventura within the City's jurisdictional boundaries before or after the adoption of this ordinance.

(b) Any low rent housing project authorized by this ordinance may be funded in any manner.

(c) This ordinance does not restrict or limit the City's authority to develop or assist in the development of housing that is not subject to Article 34.

SECTION 5. Effective Date. This ordinance shall be adopted if approved by the majority of the qualified electors at the City's General Municipal Election to be held on November 6, 2012; and shall be effective ten (10) days following the date upon which the City Council declares by resolution the election results for the General Municipal Election held on November 6, 2012.

SECTION 6. Severability. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses, phrases, parts or portions of this ordinance. The voters hereby declare that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions of this ordinance be declared invalid or unconstitutional.

RESOLUTION NO. 2012-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA TO PERMIT THE COUNTY CLERK TO RENDER SERVICES TO THE CITY OF MOORPARK RELATED TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2012, AND TO CANVASS THE RETURNS OF THE GENERAL MUNICIPAL ELECTION

WHEREAS, a General Municipal Election is to be held in the City of Moorpark, California, on November 6, 2012, for the purpose of electing certain officers of the City and for the placement of a City measure on the ballot; and

WHEREAS, pursuant to Section 10002 of the Elections Code of the State of California, the City of Moorpark wishes to have the County Clerk of Ventura County render specified services to the City relating to the conduct of the election as listed in attached Exhibits A and B; and

WHEREAS, the City of Moorpark authorizes the Board of Supervisors of Ventura County to direct the County Clerk to canvass the election returns of the General Municipal Election to be held in the City of Moorpark on November 6, 2012.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That pursuant to the Elections Code, the Board of Supervisors is requested to permit the County Clerk to render services with respect to the conduct of the General Municipal Election, as shown on Exhibits A and B, attached hereto and made a part hereof; and that any and all other such services be rendered as may be necessary to complete the election.

SECTION 2. That the County Clerk of said County is hereby authorized to canvass the returns of said General Municipal Election.

SECTION 3. That the City of Moorpark recognizes that additional costs will be incurred by the County by reason of these services being rendered, and agrees to reimburse the County for any such costs.

SECTION 4. That the City Clerk of the City of Moorpark is hereby directed to file a certified copy of this resolution with the Board of Supervisors of the County of Ventura.

SECTION 5. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 20th day of June, 2012

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk

**Attachments:**

Exhibit A - Ventura County Request for Specified Election Services (Candidate)

Exhibit B – Ventura County Request for Specified Election Services (Ballot Measure)

Exhibit A

**MARK A. LUNN**  
**Clerk Recorder/Registrar of Voters**  
**Elections Division**

**VENTURA COUNTY**  
**REQUEST FOR SPECIFIED ELECTION SERVICES**

TO: **MARK A. LUNN**, Clerk Recorder/Registrar of Voters

FROM: MOORPARK \_\_\_\_\_  
City Name Signature of Authorization

ELECTION: GENERAL MUNICIPAL DATE: November 6, 2012

**ITEM #1 PUBLICATIONS**

- X  A. County elections official is requested to publish: Notice of Election Offices, Nominees, Election Officers and Polling Places.
- \_\_\_\_\_ B. City will publish.

**ITEM #2 CANDIDATE FORMS**

- X  County elections to provide one master set for copying.

**ITEM #3 CANDIDATE FILINGS**

- X  County elections will check nomination petition signatures.

**ITEM #4 CANDIDATE STATEMENT**

Maximum number of words permitted for the Candidate's Statement will be 200 words.

- X  A. City to be billed for pro-rata cost of handling and printing Candidate Statements. Pursuant to Elections Code Section 10002, City agrees to reimburse County elections official in full for the services performed upon presentation of a bill.

**ITEM #5 CAMPAIGN REPORTING MATERIALS**

- \_\_\_\_\_ County elections official to furnish one master set for copying.

**ITEM #6 CANDIDATE CERTIFICATES AND OATHS OF OFFICE**

- \_\_\_\_\_ A. County elections official is requested to furnish Certificates and Oaths of Office.  
1. \_\_\_ Blank forms only - number requested \_\_\_\_.  
2. \_\_\_ Forms filled in appropriately - number requested \_\_\_\_.
- X  B. City will furnish Certificates and Oaths of Office.

**ITEM #7 ELECTION DAY VOTER INFORMATION**

- X  CD of registered voters and a list of polling places.

**ITEM #8 ELECTION NIGHT RESULTS**

- X  On-line results
- X  FAX to  805-532-2525 and 805-531-9106   
Fax numbers to be used

Listed below are additional services provided only by the County for each election:

**SPANISH TRANSLATIONS** - County elections official will arrange for all translations pursuant to Elections Code Section 13307.

**PRINTING OF SAMPLE BALLOTS** - County elections official will arrange for all printing of Candidates Statements and arguments/analyses in the Sample Ballot for each election.

**VOTE BY MAIL BALLOTS** - County elections official will handle all Vote By Mail ballots, including the checking of applications and ballot mailing. Applications and envelopes will be provided to the City Clerk.

**POLLING PLACES/PRECINCTS ASSIGNMENTS** - County elections official will determine the number of polling places.

The undersigned requests the above election services to be performed by the County Elections Official and pursuant to Elections Code Section 10002, agrees to reimburse the County in full for services requested upon presentation of a bill.

Name of City:  City of Moorpark

Signature & Title: \_\_\_\_\_ City Clerk

Date:  June 21, 2012

Exhibit B

**MARK A. LUNN**  
**Clerk Recorder/Registrar of Voters**  
**Elections Division**

**VENTURA COUNTY**  
**REQUEST FOR SPECIFIED ELECTION SERVICES**

TO: **MARK A. LUNN**, Clerk Recorder/Registrar of Voters

FROM: MOORPARK \_\_\_\_\_  
City Name Signature of Authorization

ELECTION: GENERAL MUNICIPAL DATE: November 6, 2012

**ITEM #1 PUBLICATIONS**

- X   A. County elections official is requested to publish: Notice of Election of Measure, Election Officers and Polling Places.
- \_\_\_\_\_ B. City/District will publish.

**ITEM #2 MEASURE FORMS**

\_\_\_\_\_ County elections to provide one master set for copying.

**ITEM #3 MEASURE/INITIATIVE PROPONENT FILINGS**

  X   County elections will check petition signatures.  
County elections to serve as filing official for all measure document filings, i.e. deadline filing dates, maximum number of words, forms, and format.

  X   City/District to be billed for costs of handling and printing of all measure materials. Pursuant to Elections Code Section 10002, City/District agrees to reimburse county elections official in full for the services performed upon presentation of a bill.

- \_\_\_\_\_ County elections to prepare the set-up and verification of signatures submitted on an initiative, recall or referendum attempting to qualify for the ballot.
- \_\_\_\_\_ A. Random sample of 500 signatures.
- \_\_\_\_\_ B. Full check of all signatures submitted.

**ITEM #4 CAMPAIGN REPORTING MATERIALS**

\_\_\_\_\_ County elections official to furnish one master set for copying.

**ITEM #5 ELECTION DAY VOTER INFORMATION**

X  CD of registered voters and a list of polling places.

**ITEM #6 ELECTION NIGHT RESULTS**

X  On-line results  
 X  FAX to  805-532-2525 and 805-531-9106   
Fax numbers to be used

Listed below are additional services provided only by the County for each election.

**SPANISH TRANSLATIONS** – County elections official will arrange for all translations pursuant to Elections Code Section 13307.

**PRINTING OF SAMPLE BALLOTS** – County elections official will arrange for all printing of Candidates' Statements and arguments/analyses in the Sample Ballot for each election.

**VOTE BY MAIL BALLOTS** - County elections official will handle all Vote By Mail ballots, including the checking of applications and ballot mailing. Applications and envelopes will be provided to City Clerks.

**POLLING PLACES/PRECINCTS ASSIGNMENTS** – County elections official will determine the number of polling places.

The undersigned requests the above election services to be performed by the County Elections Official and pursuant to Elections Code Section 10002, agrees to reimburse the County in full for services requested upon presentation of a bill.

Name of City,  
School District,  
or Special District:  City of Moorpark

Signature & Title:  City Clerk

Date:  June 21, 2012

## RESOLUTION NO. 2012-

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, a General Municipal Election is to be held in the City of Moorpark, California, on November 6, 2012, at which there will be submitted to the voters a City ballot measure question as follows:

Shall the City of Moorpark be authorized to develop, construct, or acquire up to a maximum of two hundred (200) low rent housing units, affordable to persons of low income, in the City of Moorpark over a ten (10)-year period commencing upon the effective date of the authorization ordinance?

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City Council authorizes Mayor Janice Parvin, Mayor Pro Tempore David Pollock, Councilmember Roseann Mikos, Councilmember Keith Millhouse, and Councilmember Mark Van Dam to file a written argument with the City Clerk in favor of the City measure as specified above.

SECTION 2. In accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, the City Council directs that the arguments for or against the City measure, as specified above, shall not exceed three hundred (300) words in length and shall be filed with the City Clerk, signed, with the printed name(s) and original signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and original signature of at least one of its principal officers, who is the author of the argument. Pursuant to Section 9286 of the Elections Code, arguments may be changed or withdrawn by their proponents until and including the date fixed by the City Clerk, during the normal business hours of the City Clerk's office as posted, after which no arguments for or against the measure may be submitted to the City Clerk. The arguments shall be accompanied by the Argument/Rebuttal Form available from the City Clerk.

SECTION 3. Pursuant to Section 9287 of the Elections Code, if more than one argument for or more than one argument against the measure is submitted to the City Clerk within the time prescribed, the City Clerk shall select one of the arguments in favor and one of the arguments against the measure for printing and distribution to the voters in accordance with the preference and priority named in Section 9287 of the Elections Code and this resolution. In the case of receipt of more than one argument for or more than one argument against the measure, of the same preference and priority pursuant to Section 9287 of the Elections Code, the City Clerk shall select the argument to be printed and distributed to the voters by random drawing from those arguments of the same preference and priority.

SECTION 4. That the City Council directs the City Clerk to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure not exceeding five hundred (500) words showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 5. That the City Clerk shall certify to the passage and adoption of this resolution and shall enter it into the book of original resolutions.

PASSED AND ADOPTED this 20th day of June 2012.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk

RESOLUTION NO. 2012-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS

WHEREAS, Section 9285 of the Elections Code of the State of California authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments for city measures submitted at municipal elections.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That pursuant to Section 9285 of the Elections Code, when the City Clerk has selected the arguments for and against the measure which will be printed and distributed to the voters, the City Clerk shall send a copy of the argument in favor of the measure to the authors of any argument against the measure, and a copy of an argument against the measure to the authors of any argument in favor of the measure immediately upon receiving the arguments.

The author or a majority of the authors of an argument relating to a city measure may prepare and submit rebuttal arguments not exceeding two hundred fifty (250) words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument. A rebuttal argument may not be signed by more than five (5) persons.

The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and original signatures(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and original signature of at least one of its principal officers, not more than ten (10) calendar days after the final date for filing direct arguments. The rebuttal arguments shall be accompanied by the Argument/Rebuttal Form available from the City Clerk.

Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument, which it seeks to rebut.

SECTION 2. That all previous City Council resolutions providing for the filing of rebuttal arguments for City measures are repealed.

SECTION 3. That the provisions of this resolution shall apply only to the General Municipal election to be held on November 6, 2012, and shall then be repealed.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this 20th day of June, 2012.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk

**MARK A. LUNN**  
**Clerk Recorder/Registrar of Voters**  
**County of Ventura Elections Division**  
**Calendar for the Presidential General Election**  
**November 6, 2012**

**ATTACHMENT 5**

<b>May 18</b> 172 days	Last day to file petitions regarding measures and/or initiatives.	
<b>July 2</b> 127 days	Last day to request consolidation by delivering resolution for cities, schools and special districts for offices to be filled, including ballot question text for initiative measures.	(E.C. §10522)
<b>July 9</b> 120 days	Publish Notice of Election.	(E.C. §§10417, 12101, 12112)
<b>July 16</b> 113 days	Nomination period begins.	(E.C. §§10220, 10510)
<b>July 23</b> 106 days	Ballot title and summary, tax rate statement, and full text of measure due to County Elections Office.	(E.C. §9160)
<b>July 23</b> 106 days	Newspaper publication of Notice of Election and Synopsis of Measures with dates of Arguments/Rebuttals. (Public examination opens for 10 days immediately upon receipt of documents.)	(E.C. §§9163, 12111, G.C. §6061)
<b>July 24</b> 105 days	Measures to County Counsel (or City Attorney) to prepare Impartial Analysis.	(E.C. §§9160, 9280)
<b>July 24 – August 2</b> 105-96 days	Arguments filing period. Public exam August 3 through August 12.	(E.C. §§9295, 9380, 9600)
<b>August 3 – August 12</b> 95-86 days	Rebuttals filing period. Public exam August 13 through August 22.	(E.C. §§9504, 9509)
<b>August 10</b> 88 days	Last day of nomination period.	(E.C. §§10220,10510)
<b>August 11 – August 15</b> 87-83 days	Extension of nomination period.	(E.C. §10225)
<b>August 16</b> 82 days	Random alpha drawing for names appearing on the ballot.	(E.C. §13112(F))
<b>August 24</b> 74 days	Sample Ballot pages to printers.	

<b>September 10 – October 23</b>		
57-14 days	Write-in candidate filing period.	(E.C. §§8600, 8601)
<b>September 27 – October 16</b>		
40-21 days	Mail Sample Ballots to voters.	(E.C. §13303)
<b>October 8 – October 30</b>		
29-7 days	Vote By Mail ballots are available.	(E.C. §3001)
<b>October 22</b>		
15 days	Last day to register to vote.	(E.C. §2107)
<b>November 6</b>	Election Day. Polls open 7 a.m. to 8:00 p.m.	
<b>November 8</b>		
2 days	Official Canvass begins.	(E.C. §§10547, 15301)
<b>December 4</b>		
28 days	Completion of Official Canvass.	(E.C. §15372)

**NOTE:** Resolutions requesting consolidation for measures received after July 2 will have shortened and/or no Argument/Rebuttal periods.

RESOLUTION NO. 2010-2929

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION; DETERMINING RESOLUTION OF TIE VOTES PURSUANT TO STATE ELECTIONS CODE SECTION 15651(a); AND RESCINDING RESOLUTION NO. 98-1476

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a Municipal Election, including cost of the candidate's statement; and

WHEREAS, Section 15651(a) of the Elections Code provides if two or more persons receive an equal and the highest number of votes for an office to be voted for, the determination of tie votes will be determined by lot and that a special runoff election shall be held only if the City Council chooses to adopt the provisions of Elections Code Section 15651(b) prior to the conduct of the election resulting in the tie vote; and

WHEREAS, the City Council has determined that resolution of a tie vote by lot is preferred pursuant to the provisions of Section 15651(a) of the Elections Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. CANDIDATE STATEMENT GENERAL PROVISIONS. That pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an election to be held in the City of Moorpark may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description of no more than 200 words of the candidate's education, and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

**SECTION 2. FOREIGN LANGUAGE AND PAYMENT POLICY.** The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language pursuant to the Federal Voting Rights Act of 1965, as amended, and applicable State law. The candidate shall be required to pay for the cost of printing the candidate's statement in English and in any required foreign language in the voter's pamphlet. The City Clerk shall estimate the total cost of translating, printing, handling, and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the federal Voting Rights Act, and require each candidate filing a statement to pay in advance to the City his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. The estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the City Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the City Clerk shall require the candidate to pay the balance of the cost incurred. In the event of overpayment, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election or after receipt of the election services provider billing.

**SECTION 3. ADDITIONAL MATERIALS NOT PERMITTED.** No candidate will be permitted to include additional materials in the sample ballot package.

**SECTION 4. TIE VOTE.** If at any election, two or more candidates receive an equal and the highest number of votes for an office, a tie vote shall be determined and resolved by lot pursuant to Section 15651(a) of the Elections Code of the State of California.

**SECTION 5. CANDIDATES TO RECEIVE COPY OF RESOLUTION.** That the City Clerk shall provide each candidate, or the candidate's representative, a copy of this resolution at the time nominating petitions are issued.

**SECTION 6.** That Resolution No. 98-1476, which previously established regulations for candidates for elective office pertaining to candidates statements, is hereby rescinded.

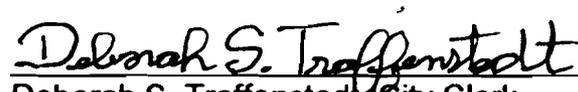
**SECTION 7.** That this resolution shall apply at the next ensuing municipal election and at each municipal election after that time.

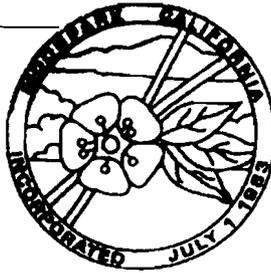
**SECTION 8.** The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 16th day of June, 2010.

  
\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

  
\_\_\_\_\_  
Deborah S. Traffenstedt, City Clerk



STATE OF CALIFORNIA            )  
COUNTY OF VENTURA         )     ss.  
CITY OF MOORPARK            )

I, Deborah S. Traffenstedt, City Clerk of the City of Moorpark, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 2010-2929 was adopted by the City Council of the City of Moorpark at a regular meeting held on the 16th day of June, 2010, and that the same was adopted by the following vote:

AYES:            Councilmembers Mikos, Pollock, Van Dam, and Mayor Parvin  
NOES:            None  
ABSENT:         Councilmember Millhouse  
ABSTAIN:        None

WITNESS my hand and the official seal of said City this 17th day of June, 2010.

Deborah S. Traffenstedt  
Deborah S. Traffenstedt, City Clerk  
(seal)

