

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Deborah S. Traffenstedt, Deputy City Manager *DST*

DATE: July 11, 2012 (CC Meeting of 7/18/12)

SUBJECT: Consider Ballot Argument for Measure O for the City's General Municipal Election to be Held on Tuesday, November 6, 2012

BACKGROUND

The City's General Municipal Election is scheduled for November 6, 2012. The City Council took action at the regular meeting on June 20, 2012, to adopt the following four election resolutions:

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 (Resolution No. 2012-3112).
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 (Resolution No. 2012-3113).
3. Resolution Setting Priorities for Filing Written Arguments Regarding a City Measure and Directing the City Attorney to Prepare an Impartial Analysis (Resolution No. 2012-3114).
4. Resolution Providing for the Filing of Rebuttal Arguments for City Measures Submitted at Municipal Elections (Resolution No. 2012-3115).

Included with the resolution calling and giving notice of the City's General Municipal Election was the submission to the voters of a ballot measure to provide authorization pursuant to Article 34 of the California Constitution to 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. The City Council appointed an ad hoc committee consisting of Councilmembers Mikos and Pollock to draft the "in favor" argument for the proposed ballot measure. The City Council also directed an

agenda item be scheduled for the July 18 regular meeting to permit review of the draft ballot argument.

DISCUSSION

The County of Ventura Elections Division has notified the City that the Article 34 authorization ordinance ballot measure will be called Measure O on the November 6, 2012, election ballot. Consistent with Section 9287 of the Elections Code, in selecting the argument for the ballot, the City's elections official (City Clerk) is required to give preference and priority to the argument submitted by the legislative body or member or members of the legislative body authorized by that body. The Council's adopted resolution setting the priorities for filing written arguments gives one or members of the City Council the ability to sign the "in favor" argument for Measure O on behalf of the City Council. A maximum of five signatures is permitted for the ballot argument.

In addition to appointing a Council ad hoc committee to draft the "in favor" argument, the Council also discussed at the June 20 meeting having the ad hoc committee determine other appropriate persons to sign the "in favor" ballot measure argument form along with one or more members of the City Council. The intent was to show community support for the measure, while maintaining the legislative body's preference and priority for filing the "in favor" argument.

The Council ad hoc committee's preliminary draft "in favor" argument is included as an attachment to this report for review and discussion. The maximum number of words permitted for the ballot argument is 300. To proceed with finalizing and filing the "in favor" argument and any rebuttal to an argument against Measure O, staff is recommending the City Council provide authorization to the appointed Council ad hoc committee, as listed below, which authority is also intended to avoid a Brown Act violation. There is no scheduled City Council meeting for the rest of July or August that would permit further Council discussion of argument or rebuttal language and delegation of authority is needed.

FISCAL IMPACT

None for staff recommendation.

STAFF RECOMMENDATION

1. Provide the City Council's ad hoc committee with any comments on the draft "in favor" ballot argument;
2. Authorize the Council's ad hoc committee to determine the final language for the "in favor" ballot argument and for any rebuttal to an argument against Measure O as determined appropriate by the ad hoc committee;
3. Authorize the Council's ad hoc committee to determine who will sign the "in favor" argument and any rebuttal to argument against Measure O, while maintaining the

City Council's legislative preference and priority for filing the ballot argument consistent with Council resolution and State law; and

4. Authorize the Council's ad hoc committee to file the "in favor" ballot argument and any rebuttal to an argument against Measure O with the City Clerk during the County of Ventura's established filing periods for ballot measure arguments and rebuttals on behalf of the City Council.

Attachment: Draft "In Favor" Argument for Ballot Measure O

VENTURA COUNTY ELECTIONS DIVISION

ARGUMENT/REBUTTAL

ELECTION DATE: November 6, 2012

PROPOSITION: Measure O

JURISDICTION: City of Moorpark

(300 words)
ARGUMENT IN FAVOR: X REBUTTAL TO ARGUMENT AGAINST: _____

ARGUMENT AGAINST: _____ REBUTTAL TO ARGUMENT IN FAVOR: _____

ARGUMENT DEADLINE: _____ REBUTTAL DEADLINE: _____

STATEMENT MUST BE TYPED

Please join us in voting YES for Measure O, which allows the City of Moorpark the opportunity to develop, construct, or acquire up to a maximum of 200 low rent housing units, affordable to persons of low income, over a 10-year period. Passage will allow the City to use any future available Federal, State public body, or City affordable housing program funds. Measure O does not grant approval for any specific project, as each would be subject to the environmental clearance, public review, and approval process established by State law and the City's Municipal Code.

The City of Moorpark has a shortage of affordable rental housing units. For example, the City's May 2012 General Plan Housing Element identifies the estimated vacancy rate for rental housing units in Moorpark at 1.2%, with an average monthly rent for a one-bedroom, one-bathroom apartment in Moorpark exceeding \$1,300, and exceeding \$1,600 for a two-bedroom, two-bathroom apartment. For a retired senior citizen receiving an average social security income of approximately \$1,200 per month, even the average priced one-bedroom apartment in Moorpark would exceed the total monthly income. Typically, the recommended maximum percent of income to be spent on housing is 30%. To maintain this percentage for a two-bedroom apartment in Moorpark, the household annual income would need to exceed \$64,000, which would be more than the entry-level salary earned by many professionals, including teachers and firefighters.

A YES vote on Measure O will help to provide the opportunity for the City to pursue the development of affordable rental housing for our senior citizens, single-parent households, young professionals, and other lower-income families, creating a balanced community with a variety of housing opportunities.

Please join concerned City, community, church, and educational leaders and VOTE YES on Measure O.

DECLARATION BY AUTHOR(S) OF ARGUMENT OR REBUTTAL

(Elections Code §9600)

The undersigned author(s) of the _____ argument _____
(Primary/Rebuttal) (In Favor Of/Against)
ballot proposition _____
(Name or Number)
at the _____ election for the _____
(Title of Election) (Jurisdiction/District)
to be held on _____ hereby state that this argument is true and correct
(Date)
to the best of _____ knowledge and belief.
(His/Her/Their)

1. _____
Printed Name (As Signature) Title to Appear on Argument

Signature Date
2. _____
Printed Name (As Signature) Title to Appear on Argument

Signature Date
3. _____
Printed Name (As Signature) Title to Appear on Argument

Signature Date
4. _____
Printed Name (As Signature) Title to Appear on Argument

Signature Date
5. _____
Printed Name (As Signature) Title to Appear on Argument

Signature Date

IMPORTANT: Indicate below the name of the author to contact or receive correspondence.

Printed name Residence

Phone City and Zip Code