

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council
FROM: Maureen Benson, City Clerk *YMB*
DATE: June 2, 2016 (CC Meeting of 6/15/16)
SUBJECT: Consider Resolutions for the General Municipal Election to be Held on Tuesday, November 8, 2016:

- 1) **Resolution Calling and Giving Notice of the Holding of the General Municipal Election on November 8, 2016, for the Election of Certain Officers of the City and for Submission to the Voters of a Ballot Measure for the Re-adoption and Extension to the Year 2050 of the City of Moorpark Urban Restriction Boundary Line Ordinance Entitled “Moorpark Save Open-space and Agricultural Resources – 2050”, 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 8, 2016. 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 (Moorpark Save Open-space and Agricultural Resources – 2050 or Moorpark SOAR – 2050), and requests the County Board of Supervisors to consolidate the General Municipal Election with the Presidential General Election on said date.

The Moorpark SOAR -- 2050 ballot measure that is proposed to be included on the November 8, 2016, election ballot is consistent with the City Council direction at the regular meeting on April 20, 2016. At that meeting, the City Council directed staff to proceed with placing the measure on the November 8 ballot. A draft 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 Moorpark SOAR -- 2050 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 ballot measure and to direct the City Attorney to prepare the impartial analysis.

Consistent with Section 9287 of the Elections Code, if the legislative body does not determine pursuant to Section 9287(a) to authorize the legislative body or 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 8, 2016, General Municipal Election. The candidate filing period begins July 18 and ends at 5:00 p.m. on August 12. 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 17.

Staff has included as an attachment to this agenda report (Attachment 5) the County of Ventura's election calendar for the election on November 8, 2016. The County's election calendar for the November 8, 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 5, 2016.

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 2016/2017 draft Budget already includes the estimated amount of \$14,000 for election services to be provided by the County of Ventura Elections Division for the November 2016 General Municipal Election and an additional \$7,000 for the ballot measure. Staff will review any need for a budget amendment after the County's invoice is received following the November 2016 election.

STAFF RECOMMENDATION

Adopt General Municipal Election Resolutions (Nos. 2016-____, 2016-____, 2016-____, and 2016-____).

ATTACHMENTS:

1. Resolution Calling and Giving Notice of the Holding of the General Municipal Election on November 8, 2016, for the Election of Certain Officers of the City and for Submission to the Voters of a Ballot Measure for the Re-adoption and Extension to the Year 2050 of the City of Moorpark Urban Restriction Boundary Line Ordinance Entitled "Moorpark Save Open-space and Agricultural Resources – 2050, 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 8, 2016
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. 2016-_____

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 8, 2016, 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 THE SUBMISSION TO THE VOTERS OF A CERTAIN BALLOT MEASURE FOR THE RE-ADOPTION AND EXTENSION TO THE YEAR 2050 OF THE CITY OF MOORPARK URBAN RESTRICTION BOUNDARY LINE (MOORPARK CURB) ORDINANCE ENTITLED "MOORPARK SAVE OPEN-SPACE AND AGRICULTURAL RESOURCES – 2050 INITIATIVE, OR MOORPARK SOAR – 2050" AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA TO CONSOLIDATE SAID MUNICIPAL ELECTION WITH THE STATE GENERAL ELECTION ON SAID DATE, PURSUANT TO SECTION 10403 AND 10418 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 8, 2016, for the election of Municipal Officers; and

WHEREAS, pursuant to authority provided by statute, a petition has been filed with the legislative body of the City of Moorpark, California, signed by more than 10 percent of the number of registered voters of the City to submit a proposed Moorpark Save Open-space and Agricultural Resources – 2050 initiative, or Moorpark SOAR – 2050 Ordinance to the voters; and

WHEREAS, the City Clerk has ascertained that the petition has been signed by the requisite number of registered voters of the City and has so certified; and

WHEREAS, the City Council is authorized and directed by statute to submit the proposed ordinance to the voters of the City;

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 8, 2016, 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 order submitted to the voters of the City at the General Municipal Election on November 8, 2016, the following question:

Shall the Ordinance entitled "Moorpark Save Open-space and Agricultural Resources – 2050 initiative" ("Moorpark SOAR – 2050") be adopted to extend with certain amendments the provisions of the 1999 voter-approved Moorpark SOAR from December 31, 2020 to December 31, 2050 and continue to prohibit the City of Moorpark from permitting urban services or urbanized uses of land outside the current Moorpark City Urban Restriction Boundary (CURB) with certain exceptions during that extended period?	Yes
	No

SECTION 3. That the proposed complete text of the ballot measure ordinance 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, the Board of Supervisors of the County of Ventura is hereby requested to consent and agree to the consolidation of said Municipal Election with the Presidential General Municipal Election on Tuesday, November 8, 2016.

SECTION 6. That the City of Moorpark acknowledges that the consolidated election will be held and conducted in the manner prescribed in Section 10418 of the Elections Code.

SECTION 7. 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, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 8. 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 9. 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 10. 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 11. That pursuant to the provisions of Elections Code Section 15651(a) and City Council Resolution No. 2010-2929, a tie vote shall be resolved and determined by lot.

SECTION 12. 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 13. 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 15th day of June, 2016.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

ATTACHMENT: Exhibit A: MOORPARK SAVE OPEN-SPACE AND AGRICULTURAL RESOURCES – 2050 INITIATIVE, OR MOORPARK SOAR – 2050 ORDINANCE

CITY OF MOORPARK MEASURE
“Moorpark Save Open-space and Agricultural Resources – 2050 initiative,”
or “Moorpark SOAR – 2050.”
FULL TEXT OF ORDINANCE (page 1 of 3)

PREAMBLE

In 1999, the City of Moorpark, through the initiative process, approved an initiative measure establishing a City Urban Restriction Boundary (CURB), entitled the Save Open-Space and Agricultural Resources measure (SOAR) limiting development outside of the CURB. The measure sunsets – expires – in 2020. The effects of that measure have been very successful, accomplishing its purposes and objectives, while allowing for meeting the City's growth goals and potentials. Accordingly, this initiative is intended to restate and re-adopt the 1999 SOAR measure, as currently found in the Moorpark City General Plan, and to restate, readopt and re-establish the CURB line, in order that the concepts embodied in the initiative are extended until December 31, 2050. Certain minor modifications borne of the experiences since the measure's original adoption are set forth herein at Section 3.

The people of the City of Moorpark do hereby ordain as follows:

Section 1. Title

This initiative measure shall be known as the Moorpark Save Open-space and Agricultural Resources – 2050 initiative, or Moorpark SOAR – 2050

Section 2. Purpose and Findings.

A. Purpose. The purpose of this initiative is to readopt for the City of Moorpark its existing Urban Restriction Boundary. The Moorpark City Urban Restriction Boundary (Moorpark CURB) line readoption and extension to the year 2050 has the following objectives:

1. To continue to successfully promote stability in long term planning for the City by establishing a cornerstone policy within the General Plan designating the geographic limits of long term urban development and allowing sufficient flexibility within those limits to respond to the City's changing needs over time,
2. To continue to encourage efficient growth patterns and protect the City of Moorpark's quality of life by concentrating future development largely within existing developed areas consistent with the availability of infrastructure and services;
3. To continue to promote on lands outside the Moorpark CURB line ongoing natural resource and open space uses as defined in Government Code section 65560(b), such as preservation of natural resources, public and private outdoor recreation, uses that foster public health and safety, and productive investment for farming enterprises,
4. To continue to manage the City's growth in a manner that fosters and protects the small town and semi-rural character of Moorpark while encouraging appropriate economic development in accordance with the City's unique local conditions;
5. To allow the City to continue to meet its reasonable housing needs for all economic segments of the population, especially low and moderate income households, by directing the development of housing into areas where services and infrastructure are more efficiently available, and
6. To continue to ensure that the preservation and protection of (1) open space, (2) environmentally sensitive habitat, and (3) agricultural production are inviolable against transitory short-term political decisions and that watershed, viewshed, open space, and agricultural lands are not prematurely or unnecessarily converted to other non-agricultural or non-open space uses without public debate and a vote of the people.

B. Findings.

1. Continued urban encroachment into open space, watershed, viewshed, or agricultural areas will threaten the public health, safety and welfare by causing increased traffic congestion, associated air pollution, and potentially serious water problems, such as pollution, depletion, and sedimentation of available water resources not only for the City but for its jurisdictional neighbors and severely impact the viability of adjacent agricultural lands. Such urban encroachment would eventually result in both the unnecessary, expensive extension of public services and facilities and inevitable conflicts between urban, agricultural and open space uses.
2. The unique character of the City of Moorpark and quality of life of City residents depend on the protection of a substantial amount of open space, rural and agricultural lands and their associated visual resources. The protection of such lands not only ensures the continued viability of agriculture, but also protects the available water supply and contributes to flood control and the protection of wildlife, environmentally sensitive areas, and irreplaceable natural and visual resources. As importantly, we have learned that adopting a geographic urban limit line around the City of Moorpark has promoted the formation and continuation of a cohesive community by defining the boundaries and by helping to prevent urban sprawl. Such a boundary has promoted efficient municipal services and facilities by confining urban development to defined development areas.
3. The protection of existing open-space, watershed, viewshed and agricultural lands, within and surrounding the City of Moorpark has been and is of critical importance to present and future residents of the City of Moorpark. Agriculture has been and remains a major contributor to the economy of the Moorpark area and County of Ventura, directly and indirectly creating employment for many people and generating substantial tax revenues for the City and its surrounding area.
4. In particular, the City of Moorpark is a component of Ventura County and a gate-keeper to the surrounding area, with its unique combination of soils, micro-climate and hydrology, which has become one of the finest growing regions in the world. Vegetable and fruit production from the County of Ventura and more particularly from the soils and silt from the Arroyo Sumi, the entire Calleguas watershed area, the Tierra Rejada Valley and alluvial plains adjacent to the City have achieved international acclaim, enhancing the City's economy and reputation.
5. This initiative ensures that the Goals and Policies relating to Agriculture (Goal 11 and Policies 11.1 through 11.3) and Preservation of Environmental Quality (Goal 14 and 15) and Policies 14.1 through 14.6 and Policies 15.1 through 15.3, 15.5, and 15.8 of the General Plan are inviolable against transitory short-term political decisions and that agricultural, watershed and open space lands are not prematurely or unnecessarily converted to other non-agricultural or non-open space uses without public debate and a vote of the people. Accordingly, the initiative requires that until December 31, 2050, the City of Moorpark shall, with minor exceptions, restrict the provision of urban services, and creation of urban uses, other than in certain circumstances and according to specific procedures set forth in the initiative, to within the City Urban Restriction Boundary restated and readopted by this initiative.
6. Although established generally in the same location as the Sphere of Influence line as it existed as of January 1, 1998, the CURB is not intended to and shall in no way inhibit the Local Agency Formation Commission from changing or altering the Sphere of Influence line in accordance with state law. The two lines, although generally coterminous as of one point in time are independent one from the other in legal significance and purpose. While the Sphere of Influence line may be altered by the Local Agency Formation Commission, and addresses the issue of annexation, the City Urban Restriction Boundary is a local planning policy addressing the issue of land uses and shall not be changed except as herein provided.

Section 3. General Plan Amendment.

The Moorpark General Plan currently reads as follows. It is hereby restated and readopted, not to sunset until December 31, 2050, subject to the minor modifications as noted. Deletions are indicated by strike-outs and additions being indicated by *italics*.

8.0 MOORPARK CITY URBAN RESTRICTION BOUNDARY**Introduction**

The electorate of the City of Moorpark have, through the initiative process, adopted an urban growth boundary line denominated the Moorpark City Urban Restriction Boundary (Moorpark CURB). Its purpose, principals, implementation procedures, and methodologies for amendment are set forth in this Section.

8.1 PURPOSE. The City of Moorpark and surrounding area, with its unique combination of soils, microclimate and hydrology, has become one of the finest growing regions in the world. Vegetable and fruit production from the County of Ventura and in particular production from the soils and silt from the Arroyo Sumi, the entire Calleguas watershed, the Tierra Rejada Valley, and alluvial plains adjacent to the City have achieved international acclaim, enhancing the City's economy and reputation.

The purpose of the Moorpark CURB is:

- A. To promote stability in long term planning for the City by establishing a cornerstone policy within the General Plan designating the geographic limits of long term urban development and allowing sufficient flexibility within those limits to respond to the City's changing needs over time,
- B. To encourage efficient growth patterns and protect the City of Moorpark's quality of life by concentrating future development largely within existing developed areas consistent with the availability of infrastructure and services,
- C. To promote on lands outside the Moorpark CURB line ongoing natural resource and open-space uses as defined in Government Code Section 65560(b), such as

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preservation of natural resources, public and private outdoor recreation, uses that foster public health and safety, and productive investment for farming enterprises,
 D To manage the City's growth in a manner that fosters and protects the “small town” and semi-rural character of Moorpark while encouraging appropriate economic development in accordance with the City's unique local conditions;
 E. To allow the City to continue to meet its reasonable housing needs for all economic segments of the population, especially low and moderate income households, by directing the development of housing into areas where services and infrastructure are more efficiently available, and
 F. To ensure that the preservation and protection of (1) open-space, (2) environmentally sensitive habitat, and (3) agricultural production are inviolable against transitory short-term political decisions and that watershed, viewshed, open-space, and agricultural lands are not prematurely or unnecessarily converted to other nonagricultural or non-open-space uses without public debate and a vote of the people.

8.2 PRINCIPLES

A. Continued urban encroachment into open-space, viewshed, watershed and agricultural areas will impair agriculture, negatively impact sensitive environmental areas, and intrude on open-space irrevocably changing its beneficial utility. By diminishing such beneficial uses, urban encroachment also diminishes the quality of life and threatens the public health, safety, and welfare by causing increased traffic congestion, associated air pollution, alteration of sensitive lands in flood plains and causing potentially serious water problems, such as pollution, depletion, and sedimentation of available water resources not only for the City of Moorpark but for its jurisdictional neighbors. Such urban sprawl would eventually result in both the unnecessary, expensive extension of public services and facilities and inevitable conflicts between urban and open-space/agricultural uses.

B. The unique character of the City of Moorpark and quality of life of City residents depend on the protection of a substantial amount of open-space, watershed and agricultural lands. The protection of such lands through the implementation of this General Plan Amendment by initiative not only ensures the continued viability of agriculture, but also protects the available water supply and contributes to flood control and the protection of wildlife, environmentally sensitive areas, and irreplaceable visual and natural resources. As importantly, adopting a City Urban Restriction Boundary around the City of Moorpark will promote the formation and continuation of a cohesive community by defining the boundaries and by helping to prevent urban sprawl. Such a City Urban Restriction Boundary will promote efficient municipal services and facilities by confining urban development to defined development areas.

8.3 IMPLEMENTATION OF CURB

A. The City of Moorpark hereby establishes established and adopts adopted a Moorpark City Urban Restriction Boundary (Moorpark CURB) line in 1999. The Moorpark CURB shall be established coterminous with and in the same location as the Sphere of Influence line established by the Local Agency Formation Commission as it exists existed as of January 1, 1998, or as altered or modified pursuant to the Amendment Procedures set forth below. Graphic representation of that line is shown at Exhibit “A.” With one minor deviation in the south eastern portion of the City the CURB line tracks the City limits.

B. Until December 31, 2020 2050, the City of Moorpark shall restrict urban services (except temporary mutual assistance with other jurisdictions) and urbanized uses of land to within the Moorpark City Urban Restriction Boundary, except as provided herein, and except for the purpose of completing roadways designated in the circulation element of the Moorpark General Plan as of January 1, 1998 construction of public potable water facilities, public schools, or public parks or other government facilities. Other than for the exceptions provided herein, upon the effective date of this General Plan Amendment the City and its departments, boards, commissions, officers and employees shall not grant, or by inaction allow to be approved by operation of law, any general plan amendment, rezoning, specific plan, subdivision map, conditional use permit, building permit or any other ministerial or discretionary entitlement, which is inconsistent with the purposes of this Section, unless in accordance with the Amendment Procedures of Section 8.4.

C. “Urbanized uses of land” shall mean any development which would require the establishment of new community sewer systems or the significant expansion or extension of existing community sewer systems, or would result in the creation of residential lots less than 20 acres in area; or would result in the establishment of commercial or industrial uses which are not exclusively agriculturally-related.

D. The Moorpark City Urban Restriction Boundary may not be amended, altered, revoked, or otherwise changed prior to December 31, 2020 2050, except by vote of the people or by the City Council pursuant to the procedures set forth in Section 8.4.

E. Implementation of this initiative will in no way preclude the Moorpark City Council from making land use decisions regarding lands inside the Moorpark City Urban Restriction Boundary.

8.4 AMENDMENT PROCEDURES

Until December 31, 2020 2050, the foregoing Purposes, Principles and Implementation provisions of this Section of the Land Use Element may be amended only by a vote of the people commenced pursuant to the initiative process by the public, or pursuant to the procedures set forth below.

A. The City Council may amend the City Urban Restriction Boundary if it deems it to be in the public interest, provided that the amended boundary is within or coextensive with the limits of said City Urban Restriction Boundary. A contracted CURB line as referenced herein may only be extended pursuant to the procedures set forth herein.

B. The City Council, following at least one public hearing for presentations by an applicant and by the public, and after compliance with the California Environmental Quality Act, may amend the City Urban Restriction Boundary in order to comply with State regulations regarding the provision of housing for all economic segments of the community, provided that no more than 10 acres of land may be brought within the CURB for this purpose in any calendar year. Such amendment may be adopted only if the City Council makes each of the following findings.

1. The City is in violation of State regulations regarding its fair share of housing stock
2. The land is immediately adjacent to existing compatibly developed areas and the applicant for the inclusion of land within the Urban Restriction Boundary has provided to the City evidence that the Fire Department, Police Department, Department of Public Works, the Community Services Department, applicable water and sewer districts, and the School District with jurisdiction over such land have adequate capacity to accommodate the proposed development and provide it with adequate public services; and
3. That the proposed development will address the highest priority need identified in the analysis by which the City has determined it is not in compliance with State regulations, i.e., low and very low income housing; and
4. That there is no existing residentially designated land available within the Urban Restriction Boundary to accommodate the proposed development, and,
5. That it is not reasonably feasible to accommodate the proposed development by redesignating lands within the Urban Restriction Boundary.

C. The City Council following at least one public hearing for presentations by an applicant and by the public, and after compliance with the California Environmental Quality Act, may amend the Urban Restriction Boundary described herein, if the City Council makes each of the following findings.

1. The land proposed for receiving urban services, urbanized land uses, or inclusion within the Urban Restriction Boundary is immediately adjacent to areas developed in a manner comparable to the proposed use,
2. Adequate public services and facilities are available and have the capacity and capability to accommodate the proposed use;
3. The proposed use will not have direct, indirect, or cumulative adverse significant impacts to the area's agricultural viability, habitat, scenic resources, or watershed value;

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4 The proposed use will not adversely affect the stability of land use patterns in the area (i.e., the parcel affected will not introduce or facilitate a use that is incompatible with adjoining or nearby uses),

5. The land proposed for reception of public services, urbanization or inclusion within the Urban Restriction Boundary has not been used for agricultural purposes in the immediately preceding 24 years and is unusable for agriculture due to its topography, drainage, flooding, adverse soil conditions or other physical reasons, and

6. The land proposed for reception of public services, urbanization or inclusion within the Urban Restriction Boundary does not exceed 40 acres for any one landowner in any calendar year, and one landowner's property may not similarly be removed from the protections contemplated by this Initiative more often than every other year. Landowners with any unity of interest are considered one landowner for purposes of this limitation.

7 Notice of such Proposed Modification is given according to the City's standard notice requirements to neighboring properties; and as well, not less than 30 days prior to the proposed modification appearing on the City Council agenda, to LAFCo, and to all individuals or organizations who or which have indicated a desire for such Notice by requesting the same by placing his/her/its name and contact information with the City Clerk.

D. The City Council following at least one public hearing for presentation by an applicant and by the public, and after compliance with the California Environmental Quality Act, may amend the CURB if the City Council makes each of the following findings:

1 Failure to amend the CURB would constitute an unconstitutional taking of a landowner's property for which compensation would be required or would deprive the landowner of a vested right; and

2. The amendment and associated land use designations will allow additional land uses only to the minimum extent necessary to avoid said unconstitutional taking of the landowner's property or to give effect to the vested right.

E. The City Council following at least one public hearing for presentations by an applicant and by the public, and after compliance with the California Environmental Quality Act, may place any amendment to the Urban Restriction Boundary or the provisions of this initiative on the ballot pursuant to the mechanisms provided by State law.

F. The City Council may amend the CURB line location to encompass lands contemplated for construction of public potable water facilities, public schools, or public parks, or other government facilities; all uses exempted from the provisions of this General Plan Amendment by the provisions of Section 8.3, but only to the minimum amount necessary to accommodate said uses.

G. The City Council may reorganize, renumber or reorder the individual provisions of the General Plan, including the provisions of this Section 8 sequence, in the course of ongoing updates of the General Plan in accordance with the requirements of State law
{Added per Resolution No. 99-1572}

Section 4. Insertion Date

A. Upon the effective date of this initiative, it shall be deemed inserted, replacing the existing Section 8.0, *et seq* of the Land Use Element of the City of Moorpark's General Plan as an amendment thereof, except, if the four amendments of the mandatory elements of the general plan permitted by state law for any given calendar year have already been utilized prior to the effective date of this initiative, this General Plan amendment shall be deemed inserted in the City's General Plan on January 1, of the calendar year immediately following the date this initiative is adopted.

B. The City of Moorpark General Plan in effect at the time the Notice of Intention to circulate this initiative measure was submitted to the City Clerk of Moorpark, and that General Plan as amended by this initiative measure, comprise an integrated, internally consistent and compatible statement of policies for the City. In order to ensure that the City of Moorpark General Plan remains an integrated, internally consistent and compatible statement of policies for the City as required by state law and to ensure that the actions of the voters in enacting this initiative are given effect, any provision of the General Plan that is adopted between the submittal date and the date that this initiative measure is deemed inserted into the General Plan, shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by section 3 of this initiative measure, be amended as soon as possible and in the manner and time required by State law to ensure consistency between the provisions adopted by this initiative and other elements of the City's General Plan. In the alternative, such interim-enacted inconsistent provision shall be disregarded.

Section 5. Severability.

This measure shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this measure is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this measure. The voters hereby declare that this measure, and each section, sub-section, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, sub-sections, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this initiative is declared invalid as applied to any person or circumstance, such invalidity shall not affect any application of this measure that can be given effect without the invalid application. This initiative shall be broadly construed in order to achieve the purposes stated in this initiative. It is the intent of the voters that the provisions of this measure shall be interpreted by the City and others in a manner that facilitates the confinement of urban uses thereby protecting agricultural, open space and rural lands, and preventing urban sprawl.

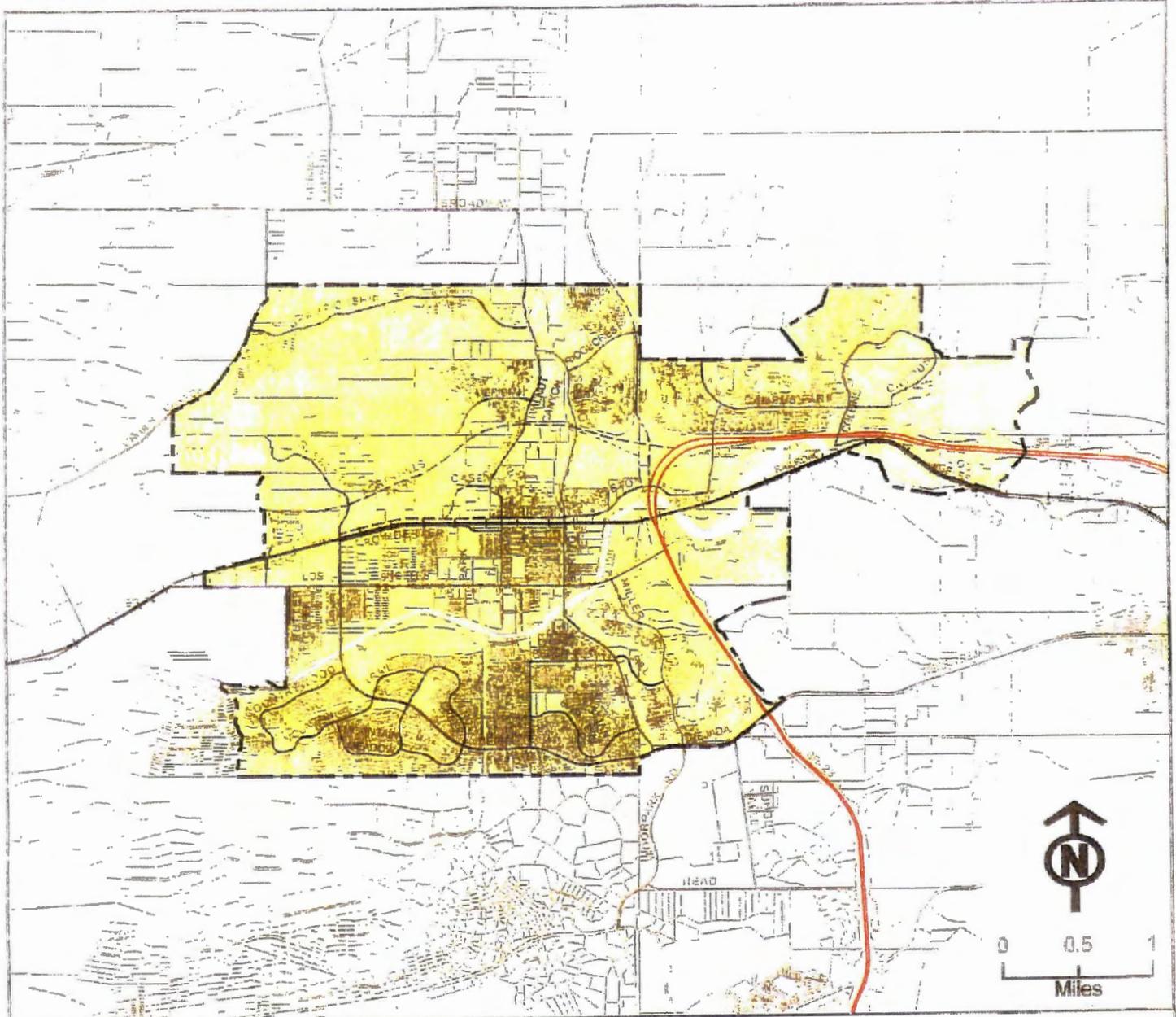
Section 6. Amendment or Repeal.

Except as otherwise provided herein, this initiative may be amended or repealed only by the voters of the City of Moorpark at an election held in accordance with state law.

Section 7. Competing Measures.

In the event there are competing measures on the same ballot with this measure that purport to address the same subject matter of this measure, the following rules shall apply. If more than one such measure passes, the both measures shall go into effect except to the extent that particular provisions of one initiative are in direct, irreconcilable conflict with particular provisions of another initiative. In that event, as to those conflicting provisions only, the provisions of the initiative which received the most votes shall prevail.

EXHIBIT A



Legend

-  CURB Boundary
-  Freeway
-  Major Streets
-  Proposed Streets
-  Parcels
-  Moorpark City Limits

Sources:
City of Moorpark, November 2008
County of Ventura GIS data, October 2008
Prepared: November 2008

Note: A copy of the City's CURB Figure is available for download at <http://www.ci.moorpark.ca.us> or for purchase at Moorpark City Hall, 799 Moorpark Avenue, Moorpark, CA 93021.



CC ATTACHMENT 3

City of Moorpark

RESOLUTION NO. 2016-

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 8, 2016, 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 8, 2016, for the purpose of electing certain officers of the City; 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 Exhibit A; 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 8, 2016.

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 Exhibit A, 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 15th day of June, 2016.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Attachment:

Exhibit A. Ventura County Request for Specified Election Services (Candidate/Measure)

Exhibit A

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

VENTURA COUNTY
REQUEST FOR SPECIFIED ELECTION SERVICES
MEASURES

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

FROM: MOORPARK _____
City Name Signature of Authorization

ELECTION: GENERAL MUNICIPAL DATE: November 8, 2016

SERVICES REQUESTED:

ITEM #1 PUBLICATIONS

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

ITEM #2 SAMPLE BALLOT PUBLICATION

- X A. Print Full Measure Text.
_____ B. Full Measure Text will not be printed in the Sample Ballot.

ITEM #3 MEASURE/INITIATIVE PROPONENT FILINGS

- _____ A. Random sample of 500 signatures.
 X B. Full check of all signatures submitted. (Already completed and paid for)

ITEM #4 ELECTION NIGHT RESULTS

- X On-line results
 X E-mail mbenson@moorparkca.gov and dtraffenstedt@moorparkca.gov

ELECTIONS DIVISION SERVICES PROVIDED:

SIGNATURE CHECKING – County elections to prepare the set-up and verification of signatures submitted on an initiative, recal, or referendum attempting to qualify for the ballot.

OFFICIAL FILINGS – County elections to serve as filing official for all measure document filings, i.e. deadline filling dates, maximum number of words, forms , and format.

MEASURE FORMS/CAMPAIGN REPORTING MATERIAL – Ventura County Elections Division to provide one master set for copying.

ELECTION DAY VOTER INFORMATION – A CD of registered voters and a list of polling places will be provided

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 arguments/analyses in 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 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 Ventura 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 15, 2016

RESOLUTION NO. 2016-

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 8, 2016, at which there will be submitted to the voters the following measure:

Shall the Ordinance entitled "Moorpark Save Open-space and Agricultural Resources – 2050 initiative" ("Moorpark SOAR – 2050") be adopted to extend with certain amendments the provisions of the 1999 voter-approved Moorpark SOAR from December 31, 2020 to December 31, 2050 and continue to prohibit the City of Moorpark from permitting urban services or urbanized uses of land outside the current Moorpark City Urban Restriction Boundary (CURB) with certain exceptions during that extended period?

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

SECTION 1. 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 may not be signed by more than five (5) persons. The arguments shall be accompanied by the Argument/Rebuttal Form available from the City Clerk.

SECTION 2. 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 3. 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 15th day of June 2016.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

RESOLUTION NO. 2016-

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 8, 2016, 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 15th day of June, 2016.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

August 18 82 days	Random alpha drawing for names appearing on the ballot.	(E.C. §131.12(b)(1)(C))
August 26 74 days	Sample Ballot pages to printers.	
September 12 – October 25 57-14 days	Write-in candidate filing period.	(E.C. §§ 8600, 8601)
September 29 – October 18 40-21 days	Mail Sample Ballots to voters.	(E.C. §13303)
October 10* – November 1 29-7 days	Vote By Mail ballots are available.	(E.C. §3001)
October 24 15 days	Last day to register to vote.	(E.C. §2107)
November 8	Election Day. Polls open 7:00 a.m. to 8:00 p.m.	
November 10 +2 days	Official Canvass begins.	(E.C. §§10547, 15301)
December 8 +30 days	Completion of Official Canvass.	(E.C. §15372)

NOTE: Resolutions requesting consolidation for measures received after July 5 may have shortened and/or no Argument/Rebuttal periods.

* Federal holiday; Elections Division office will be open.

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.

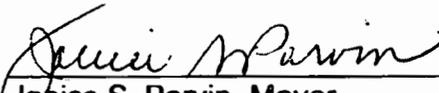
SECTION 5. CANDIDATES TO RECEIVE COPY OF RESOLUTION. That the City Clerk shall provide each candidate, or the candidate's representative, a copy of this resolution at the time nominating petitions are issued.

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.

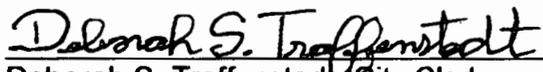
SECTION 8. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

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)

