

CITY OF COSTA MESA

INTEROFFICE MEMORANDUM

Date: June 23, 2004

To: Allan Roeder, City Manager

From: Julie Folcik, Deputy City Clerk

Subject: Possible Special Election Dates for a Ballot Measure.

In response to your question, July 13, 2004, is the suggested last date that a resolution to adopt a measure can be placed on the November 2, 2004, ballot. This date will allow for the 10-14 days for filing arguments, the additional ten (10) days to file rebuttals, and then allow for the ten (10) day viewing period by the public.

The suggested date of July 13, 2004, is also the suggested date by which to publish the Public Notice of Election for the measure and the date on which to post/publish notice of argument filing deadline (10 days) and for rebuttal filing deadline (+ 10 days). For your information, August 6, 2004, is the legal last day in which to adopt a resolution and advise the County regarding the call of an election for ballot measures (88 days from the election date). I would, however, strongly recommend against utilizing this date as the deadline, as it will greatly reduce the number of days in which to meet requirements to publish, post and allow for arguments and rebuttals. It will also create a hardship on the Orange County Registrar in preparing of the sample ballots and the voting machines due to the lateness of the information.

If the Council were to consider a ballot measure for the November ballot, the following Resolutions would need to be adopted:

1. Resolution calling the election for the ballot measure (please note that I will need the language of the measure).
2. Resolution providing for the filing of rebuttal arguments for the City measure.
3. Resolution setting priorities for filing a written argument regarding a City measure and directing the City Attorney to prepare an impartial analysis.

If the Council wishes to postpone a decision on the measure, the next possible election dates would be those established in the California Elections Code 1000, of March 8, 2005, June 7, 2005 and November 8, 2005. I have verified with the County that they do not have any elections scheduled at this time for next year. November 2005 would have been an election for the School Board and for some special districts however, they have since changed their election dates to November of the even numbered years. Since, at this time, consolidation is not possible, unless there is another agency's special election that will be held with in our City, a special municipal election would need to be held as a "stand alone"

election that may be either conducted by the Orange County Registrar or could be done in-house (contracting out many of the services required). Another option is to wait to consolidate with the March 2006 Gubernatorial Primary or the next General Municipal Election to be held in November 2006.

In anticipation that the Council may wish to go forth at the meeting of July 6, 2004, I can prepare the necessary resolutions minus the obvious measure information until I can confirm with Marc just what the wording is. As you also mentioned we could schedule a Special Meeting if necessary, perhaps Monday, July 12, 2004, for the adoption of the resolutions. Since we do have a fairly light agenda for the study session on that date might I recommend holding a special meeting at 5:30 P.M. or perhaps 6:00 P.M.? That way if any further discussion were to take place it would allow for some time before the Redevelopment Agency meeting.