

ATTACHMENTS 19-28

RESOLUTIONS

GENERAL ELECTION

NOVEMBER 8, 2016

RESOLUTION NO. 14 - XX

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

WHEREAS, §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 measures submitted at municipal elections.

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

SECTION 1. That pursuant to Section 9285 of the Elections Code of the State of California, when the elections official has selected the arguments for and against the measure which will be printed and distributed to the voters, the elections official shall send a copy of an argument in favor of the proposition 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 proposed measure may prepare and submit a rebuttal argument not exceeding 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 authors. If more than five authors provide a signature to the rebuttal, then only the signatures of the first five authors shall be printed to the exclusion of the excess signatures.

The rebuttal arguments shall be filed with the City Clerk, signed, with the printed
Resolution No. 14-XX Page 1 of 4

name(s) and 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 signature of at least one of its principal officers, not more than 10 days after the final date for filing direct arguments. The rebuttal arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument (Attachment 1). The rebuttal arguments shall be filed by _____.

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

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 That all previous resolutions providing for the filing of rebuttal arguments for city measures are repealed.

SECTION 3. That the provisions of Section 1 shall apply only to the election to be held on _____, and shall then be repealed.

SECTION 4. That the City Clerk is hereby directed to submit the rebuttal arguments, as described herein, in compliance with State law and to perform all duties required of the elections official for the City of Costa Mesa.

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

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council

of the City of Costa Mesa on this 9th day of December, 2014.

Stephen Mensinger, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that foregoing Resolution No. 14-XX was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 9th day of December, 2014, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 9th day of December, 2014.

Brenda Green, City Clerk

**FORM OF STATEMENT TO BE FILED BY
AUTHORS OF ARGUMENTS**

All arguments concerning measures filed pursuant to Division 9, Chapter 3 (beginning with § 9200) of the Elections Code shall be accompanied by the following form statement **to be signed** by each proponent, and by each author, if different, of the argument:

The undersigned proponent (s) or author(s) of the (primary/rebuttal) argument (in favor of/against) ballot proposition (name or number) at the Special Municipal election for the City of Costa Mesa to be held on _____, hereby state that the argument is true and correct to the best of (his/her/their) knowledge and belief.

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

<p>Editor's Notes:</p> <p style="text-align: center;">All Authors must print his/her name <u>and sign this form</u> (EC 9600) AND Print his/her name <u>and sign the Argument itself</u> (EC 9283) AND Print his/her name <u>and sign the Rebuttal Argument itself</u> (EC 9285)</p> <p>Further, pursuant to Election Code § 9282, printed arguments submitted to the voters shall be titled either "Argument In Favor Of Measure ___" or "Argument Against Measure ___".</p> <p>Likewise, printed rebuttal arguments submitted pursuant to Election Code § 9285 shall be titled either "Rebuttal To Argument In Favor Of Measure ___" or "Rebuttal to Argument Against Measure ___".</p>
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RESOLUTION NO. 14-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CALLING AND GIVING NOTICE FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2016 FOR THE SUBMISSION TO THE VOTERS OF A PROPOSED MEASURE

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES
AS FOLLOWS:

WHEREAS, pursuant to authority provided by statute a petition has been filed with the legislative body of the City of Costa Mesa, California, signed by fifteen percent (15%) of the number of registered voters of the city to submit a proposed ordinance entitled: Allow Operation of up to Eight Medical Marijuana Businesses in the City of Costa Mesa; and

WHEREAS, the City Clerk has caused to be examined, through the office of the Orange County Registrar, the records of registration and is in receipt of that certain "Certificate as to Verification of Signatures on Petition," from the Orange County Registrar, has examined such certificate and has accepted as true and correct the findings contained therein and, thereby, ascertained that the petition is signed by the requisite number of voters; and

WHEREAS, the City Council has not voted in favor of the adoption of the ordinance, and is required by law to submit the same to the voters of the City of Costa Mesa.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The foregoing recitals are true, correct, and adopted by the City Council as if set forth in full.

SECTION 2. 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 Costa Mesa, California on November 8, 2016 a General Municipal Election for the purpose of submitting the following proposed ordinance:

Measure __: Allow Operation of up to Eight Medical Marijuana Businesses in the City of Costa Mesa	Response	Vote
Shall the ordinance, to allow operation of up to eight medical marijuana businesses with: six percent tax on medical marijuana; one percent tax on other products; exemption from permits; regulations not subject to change by City Council except for increasing businesses; precedence to prior businesses; and locations limited to commercial and industrial areas, be adopted?	Yes	
	No	

SECTION 3. That the proposed complete text of the ordinance submitted to the voters is attached.

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

SECTION 5. That the City Clerk is authorized, instructed, and directed to coordinate with the County of Orange Registrar of Voters to procure and furnish any and all official ballots, notices, printed matter, and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 6. That the polls for the election shall be open at 7 a.m. of the day of the election and shall remain open continuously from that time until 8 p.m. of the same day when said polls shall be closed, pursuant to Election Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 7. That the Orange County Registrar of Voters is authorized to canvass the returns of the General Municipal Election.

SECTION 8. That in all particulars not recited in this resolution, said election shall be held and conducted in accordance with the provisions of law regulating the statewide election.

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 the time, form, and manner required by law.

SECTION 10. The Costa Mesa City Council hereby requests that the Orange County Registrar of Voters conduct all necessary services related to the Costa Mesa General Municipal Election. Pursuant to Elections Code Section 10002, the Finance Director, or his/her designee, is hereby authorized to reimburse the County for the actual cost incurred in conducting the election upon receipt of a bill stating the amount due as determined by the elections official.

SECTION 11. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Costa Mesa on this 9th day of December, 2014.

Stephen Mensinger, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that foregoing Resolution No. 14-XX was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 9th day of December, 2014, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 9th day of December, 2014.

Brenda Green, City Clerk

RESOLUTION NO. 14-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA AUTHORIZING WRITTEN ARGUMENTS FOR OR AGAINST THE PROPOSED ORDINANCE TO ALLOW OPERATION OF UP TO EIGHT MEDICAL MARIJUANA BUSINESSES IN THE CITY OF COSTA MESA; SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING THE MEASURE AND, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, a General Municipal Election is to be held in the City of Costa Mesa, California, on November 8, 2016, at which there will be submitted to the voters the following proposed measure:

Measure __: Allow Operation of up to Eight Medical Marijuana Businesses in the City of Costa Mesa	Response	Vote
Shall the ordinance, to allow operation of up to eight medical marijuana businesses with: six percent tax on medical marijuana; one percent tax on other products; exemption from permits; regulations not subject to change by City Council except for increasing businesses; precedence to prior businesses; and locations limited to commercial and industrial areas, be adopted?	Yes	
	No	

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

SECTION 1. That the City Council affirms for measures placed on the ballot by petition, the persons filing an initiative petition, pursuant to Elections Code 9282(a) may file a written argument in favor of the ordinance, and the legislative body may submit an argument against the ordinance.

SECTION 2. That the City Council authorizes ALL members of the City Council to file (a) written argument(s) In Favor of or Against Measure as specified above not exceeding 300 words, accompanied by the printed names(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California. The arguments may be changed or withdrawn until and

including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk.

SECTION 3. The arguments shall be filed with the City Clerk, signed, with the printed name(s) and 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 signature of at least one of its principal officers who is the author of the argument. The arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument.

SECTION 4. If more than one argument for a measure is received from individuals or groups with the same preference and priority, the authors will be asked to witness a random drawing by a designee of the city elections official to determine which argument will be published.

SECTION 5. That the City Council directs the City Clerk to transmit a copy of the measure to the City Attorney, unless the organization or salaries of the office of the City Attorney is affected. The City Attorney shall prepare an impartial analysis of the measure not exceeding 500 words showing the effect of the measure on existing law and the operation of the measure. If a measure affects the organization or salaries of the office of the City Attorney, the City Clerk shall prepare the impartial analysis. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-point type, the following: "The above statement is an impartial analysis of Ordinance or Measure _____. If you desire a copy of the ordinance or measure,

please call the election official's office at 714-754-5225 and a copy will be mailed at no cost to you. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Costa Mesa on this 9th day of December, 2014.

Stephen Mensinger, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that foregoing Resolution No. 14-XX was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 9th day of December, 2014, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
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IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 9th day of December, 2014.

Brenda Green, City Clerk

RESOLUTION NO. 14 - XX

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

WHEREAS, §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 measures submitted at municipal elections.

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

SECTION 1. That pursuant to Section 9285 of the Elections Code of the State of California, when the elections official has selected the arguments for and against the measure which will be printed and distributed to the voters, the elections official shall send a copy of an argument in favor of the proposition 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 proposed measure may prepare and submit a rebuttal argument not exceeding 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 authors. If more than five authors provide a signature to the rebuttal, then only the signatures of the first five authors shall be printed to the exclusion of the excess signatures.

The rebuttal arguments shall be filed with the City Clerk, signed, with the printed
Resolution No. 14-XX Page 1 of 4

name(s) and 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 signature of at least one of its principal officers, not more than 10 days after the final date for filing direct arguments. The rebuttal arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument (Attachment 1). The rebuttal arguments shall be filed by _____.

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

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

SECTION 3. That the provisions of Section 1 shall apply only to the election to be held on _____, and shall then be repealed.

SECTION 4. That the City Clerk is hereby directed to submit the rebuttal arguments, as described herein, in compliance with State law and to perform all duties required of the elections official for the City of Costa Mesa.

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

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of the City of Costa Mesa on this 9th day of December, 2014.

Stephen Mensinger, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

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Brenda Green, City Clerk

**FORM OF STATEMENT TO BE FILED BY
AUTHORS OF ARGUMENTS**

All arguments concerning measures filed pursuant to Division 9, Chapter 3 (beginning with § 9200) of the Elections Code shall be accompanied by the following form statement **to be signed** by each proponent, and by each author, if different, of the argument:

The undersigned proponent (s) or author(s) of the (primary/rebuttal) argument (in favor of/against) ballot proposition (name or number) at the Special Municipal election for the City of Costa Mesa to be held on _____, hereby state that the argument is true and correct to the best of (his/her/their) knowledge and belief.

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

<p>Editor's Notes:</p> <p style="text-align: center;">All Authors must print his/her name <u>and sign this form</u> (EC 9600) AND Print his/her name <u>and sign the Argument itself</u> (EC 9283) AND Print his/her name <u>and sign the Rebuttal Argument itself</u> (EC 9285)</p> <p>Further, pursuant to Election Code § 9282, printed arguments submitted to the voters shall be titled either "Argument In Favor Of Measure ___" or "Argument Against Measure ___".</p> <p>Likewise, printed rebuttal arguments submitted pursuant to Election Code § 9285 shall be titled either "Rebuttal To Argument In Favor Of Measure ___" or "Rebuttal to Argument Against Measure ___".</p>
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RESOLUTION NO. 14-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CALLING AND GIVING NOTICE FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2016, FOR THE SUBMISSION TO THE VOTERS OF A PROPOSED ORDINANCE

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, pursuant to authority provided by statute a petition has been filed with the legislative body of the City of Costa Mesa, California, signed by fifteen percent (15%) of the number of registered voters of the city to submit a proposed ordinance entitled: Allow Operation Of Up To Four Licensed Medical Marijuana Businesses In City of Costa Mesa;

WHEREAS, the City Clerk has caused to be examined, through the office of the Orange County Registrar, the records of registration and is in receipt of that certain "Certificate as to Verification of Signatures on Petition," from the Orange County Registrar, has examined such certificate and has accepted as true and correct the findings contained therein and, thereby, ascertained that the petition is signed by the requisite number of voters; and

WHEREAS, the City Council has not voted in favor of the adoption of the ordinance, and is required by law to submit the same to the voters of the City of Costa Mesa.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The foregoing recitals are true, correct, and adopted by the City Council as if set forth in full.

SECTION 2. 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 Costa Mesa, California on November 8, 2016 a General Municipal Election for the purpose of submitting the following proposed ordinance:

Measure __: Allow Operation of up to Four Licensed Medical Marijuana Businesses in the City of Costa Mesa	Response	Vote
Shall the ordinance, to allow operation of up to four medical marijuana businesses with: six percent tax on medical marijuana; required industry specific licenses; required operator permits; regulations subject to change by City Council including increasing businesses; precedence to prior businesses; and locations limited to commercial and industrial areas, be adopted?	Yes	
	No	

SECTION 3. That the proposed complete text of the ordinance submitted to the voters is attached.

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

SECTION 5. That the City Clerk is authorized, instructed, and directed to coordinate with the County of Orange Registrar of Voters to procure and furnish any and all official ballots, notices, printed matter, and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 6. That the polls for the election shall be open at 7 a.m. of the day of the election and shall remain open continuously from that time until 8 p.m. of the same day when said polls shall be closed, pursuant to Election Code Section 10242, except as

provided in Section 14401 of the Elections Code of the State of California.

SECTION 7. That the Orange County Registrar of Voters is authorized to canvass the returns of the General Municipal Election.

SECTION 8. That in all particulars not recited in this resolution, said election shall be held and conducted in accordance with the provisions of law regulating the statewide election.

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 the time, form, and manner required by law.

SECTION 10. The Costa Mesa City Council hereby requests that the Orange County Registrar of Voters conduct all necessary services related to the Costa Mesa General Municipal Election. Pursuant to Elections Code Section 10002, the Finance Director, or his/her designee, is hereby authorized to reimburse the County for the actual cost incurred in conducting the election upon receipt of a bill stating the amount due as determined by the elections official.

SECTION 11. That the City Clerk shall certify to the passage and adoption of this resolution.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Costa Mesa on this 9th day of December, 2014.

Stephen Mensinger, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that foregoing Resolution No. 14-XX was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 9th day of December, 2014, by the following roll call vote, to wit:

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IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 9th day of December, 2014.

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RESOLUTION NO. 14-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA AUTHORIZING WRITTEN ARGUMENTS FOR OR AGAINST THE PROPOSED MEASURE TO ALLOW OPERATION OF UP TO FOUR LICENSED MEDICAL MARIJUANA BUSINESSES IN THE CITY OF COSTA MESA; SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING THE MEASURE AND, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, a General Municipal Election is to be held in the City of Costa Mesa, California, on Tuesday, November 8, 2016, at which there will be submitted to the voters the following measure:

Measure __: Allow Operation of up to Four Licensed Medical Marijuana Businesses in the City of Costa Mesa	Response	Vote
Shall the ordinance, to allow operation of up to four medical marijuana businesses with: six percent tax on medical marijuana; required industry specific licenses; required operator permits; regulations subject to change by City Council including increasing businesses; precedence to prior businesses; and locations limited to commercial and industrial areas, be adopted?	Yes	
	No	

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

SECTION 1. That the City Council affirms for measures placed on the ballot by petition, the persons filing an initiative petition, pursuant to Elections Code 9282(a) may file a written argument in favor of the ordinance, and the legislative body may submit an argument against the ordinance.

SECTION 2. That the City Council authorizes ALL members of the City Council to file (a) written argument(s) In Favor of or Against Measure as specified above not exceeding 300 words, accompanied by the printed names(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections

Code of the State of California. The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk.

SECTION 3. The arguments shall be filed with the City Clerk, signed, with the printed name(s) and 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 signature of at least one of its principal officers who is the author of the argument. The arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument.

SECTION 4. If more than one argument for a measure is received from individuals or groups with the same preference and priority, the authors will be asked to witness a random drawing by a designee of the city elections official to determine which argument will be published.

SECTION 5. That the City Council directs the City Clerk to transmit a copy of the proposed ordinance to the City Attorney, unless the organization or salaries of the office of the City Attorney is affected. The City Attorney shall prepare an impartial analysis of the measure not exceeding 500 words showing the effect of the measure on existing law and the operation of the measure. If a measure affects the organization or salaries of the office of the City Attorney, the City Clerk shall prepare the impartial analysis. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-point type, the following: "The above statement is

an impartial analysis of Ordinance or Measure ____. If you desire a copy of the ordinance or measure, please call the election official's office at 714-754-5225 and a copy will be mailed at no cost to you. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Costa Mesa on this 9th day of December, 2014.

Stephen Mensinger, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

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AYES: COUNCIL MEMBERS:
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Brenda Green, City Clerk

RESOLUTION NO. 14 - XX

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

WHEREAS, §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 measures submitted at municipal elections.

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SECTION 1. That pursuant to Section 9285 of the Elections Code of the State of California, when the elections official has selected the arguments for and against the measure which will be printed and distributed to the voters, the elections official shall send a copy of an argument in favor of the proposition 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 proposed measure may prepare and submit a rebuttal argument not exceeding 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 authors. If more than five authors provide a signature to the rebuttal, then only the signatures of the first five authors shall be printed to the exclusion of the excess signatures.

The rebuttal arguments shall be filed with the City Clerk, signed, with the printed
Resolution No. 14-XX Page 1 of 4

name(s) and 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 signature of at least one of its principal officers, not more than 10 days after the final date for filing direct arguments. The rebuttal arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument (Attachment 1). The rebuttal arguments shall be filed by _____.

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

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

SECTION 3. That the provisions of Section 1 shall apply only to the election to be held on _____, and shall then be repealed.

SECTION 4. That the City Clerk is hereby directed to submit the rebuttal arguments, as described herein, in compliance with State law and to perform all duties required of the elections official for the City of Costa Mesa.

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

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council

of the City of Costa Mesa on this 9th day of December, 2014.

Stephen Mensinger, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that foregoing Resolution No. 14-XX was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 9th day of December, 2014, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 9th day of December, 2014.

Brenda Green, City Clerk

**FORM OF STATEMENT TO BE FILED BY
AUTHORS OF ARGUMENTS**

All arguments concerning measures filed pursuant to Division 9, Chapter 3 (beginning with § 9200) of the Elections Code shall be accompanied by the following form statement **to be signed** by each proponent, and by each author, if different, of the argument:

The undersigned proponent (s) or author(s) of the (primary/rebuttal) argument (in favor of/against) ballot proposition (name or number) at the Special Municipal election for the City of Costa Mesa to be held on _____, hereby state that the argument is true and correct to the best of (his/her/their) knowledge and belief.

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

<p>Editor's Notes:</p> <p style="text-align: center;">All Authors must print his/her name <u>and sign this form</u> (EC 9600) AND Print his/her name <u>and sign the Argument itself</u> (EC 9283) AND Print his/her name <u>and sign the Rebuttal Argument itself</u> (EC 9285)</p> <p>Further, pursuant to Election Code § 9282, printed arguments submitted to the voters shall be titled either "Argument In Favor Of Measure ___" or "Argument Against Measure ___".</p> <p>Likewise, printed rebuttal arguments submitted pursuant to Election Code § 9285 shall be titled either "Rebuttal To Argument In Favor Of Measure ___" or "Rebuttal to Argument Against Measure ___".</p>
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RESOLUTION NO. 14-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA ORDERING THE SUBMISSION TO THE VOTERS OF THE CITY OF COSTA MESA, CALIFORNIA A MEASURE RELATING TO A PROPOSED ORDINANCE TO ESTABLISH REGULATION OF MEDICAL MARIJUANA DISPENSARIES AND REGULATION OF MEDICAL MARIJUANA CULTIVATION

WHEREAS, in 1996 the California voters approved Proposition 215 (known as the Compassionate Use Act (the “CUA”) and codified as Health and Safety Code Section 11362.5 et seq.) to exempt certain patients and their primary caregivers from criminal liability under state law for the possession and cultivation of marijuana for medical purposes; and

WHEREAS, in 2003 the California legislature enacted Senate Bill 420 (known as the Medical Marijuana Program Act (the “MMPA”) and codified as Health and Safety Code Section 11362.7 et seq.), as later amended, to clarify the scope of the Compassionate Use Act relating to the possession and cultivation of marijuana for medical purpose, and to authorize local governing bodies to adopt and enforce laws consistent with its provisions; and

WHEREAS, in 2005 the California Board of Equalization began issuing seller’s permits for sales consisting only of medical marijuana; and

WHEREAS, in 2008 the California Attorney General issued guidelines for the security and non-diversion of marijuana grown for medical use; and

WHEREAS, in 2014 the U.S. House of Representatives voted to stop federal law enforcement from interfering with medical marijuana operations in the various states which have decriminalized and/or authorized such operations; and

WHEREAS, Health & Safety Code Section 11362.83 provides that cities are free to adopt and enforce local ordinances that regulate the location, operation, or establishment of medical marijuana dispensaries and cultivation; and

WHEREAS, the City Council of the City of Costa Mesa intends that nothing in this Ordinance shall be deemed to conflict with federal law as contained in the Controlled Substances Act, nor to otherwise permit any activity that is prohibited under that Act or other applicable law; and

WHEREAS, the City Council of the City of Costa Mesa intends that nothing in this Ordinance shall be construed to allow persons to engage in conduct that endangers others or causes a public nuisance, to allow the use of marijuana for non-medical purposes, or to allow any activity relating to the cultivation, distribution or consumption of marijuana that is otherwise illegal; and

WHEREAS, the operation of medical marijuana dispensaries and the cultivation of medical marijuana within the City of Costa Mesa presently remains prohibited and unregulated; and

WHEREAS, the City Council of the City of Costa Mesa finds that medical marijuana operations and cultivation require careful consideration, as does the regulation of the location and manner in which dispensaries operate and cultivation occurs, so as to prevent negative impacts on nearby residents and businesses; and

WHEREAS, the City Council of the City of Costa Mesa finds that the City of Costa Mesa has a compelling interest in protecting the public health, safety and welfare of its residents and businesses by regulating the location and operation of medical marijuana dispensaries and medical marijuana cultivation, in preserving the peace and quiet of the

neighborhoods in which medical marijuana dispensaries operate and medical marijuana is cultivated, and in providing compassionate access to medical marijuana to its seriously ill residents; and

WHEREAS, the California Constitution grants local governments in Article XI, Section 7 the authority under their police powers to regulate land use; and

WHEREAS, the proposed ordinance has been reviewed by City staff in accordance with the Environmental Checklist Form (Appendix G of the CEQA Guidelines) to determine if there would be any possibility that the proposed ordinance would have the possibility of creating any environmental impacts, and City staff has determined that the establishment of regulations for medical marijuana businesses does not meet any of the thresholds contained in the Checklist that would trigger an environmental impact, and thus according to the “general rule exemption” (Section 15061(b)(3)) of the CEQA Guidelines, projects which have no potential for causing a significant effect on the environment are not subject to CEQA, no further environmental analysis is required, and a notice of exemption will be filed;

WHEREAS, the City Council desires to submit to the voters of the City, at a General Municipal Election to be held on November 8, 2016 proposed Ordinance No. 14-XX to establish regulation of medical marijuana dispensaries and regulation of medical marijuana cultivation;

WHEREAS, the City Council is authorized by the law of the State of California to submit the proposed ordinance to the voters;

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

SECTION 1. The foregoing recitals are true, correct, and adopted by the City Council as if set forth in full.

SECTION 2. 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 Costa Mesa, California on November 8, 2016, a General Municipal Election for the purpose of submitting the following proposed ordinance:

Measure __: Establish Regulation of Medical Marijuana Dispensaries and Regulation of Medical Marijuana Cultivation	Response	Vote
Shall the ordinance, to allow general operation of medical marijuana businesses with: required dispensary permits; required cultivator permits; requirement to allow City inspections; mandatory security cameras; requirement to maintain business records; City Office of Cultivation Standards and Quality Control; regulations subject to amendment by City Council; and locations limited to commercial and industrial areas, be adopted?	Yes	
	No	

SECTION 3. That the proposed complete text of the ordinance submitted to the voters is attached, being Ordinance No. 14-XX.

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

SECTION 5. That the City Clerk is authorized, instructed, and directed to coordinate with the County of Orange Registrar of Voters to procure and furnish any and all official ballots, notices, printed matter, and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 6. That the polls for the election shall be open at 7 a.m. of the day of the election and shall remain open continuously from that time until 8 p.m. of the same

day when said polls shall be closed, pursuant to Election Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 7. That the Orange County Registrar of Voters is authorized to canvass the returns of the General Municipal Election.

SECTION 8. The ballot measure shall not take effect, unless and until the ballot measure receives the approval of a majority of the votes cast by the voters of the City voting upon the ballot measure at the November 8, 2016 general municipal election.

SECTION 9. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law and in accordance with the provisions of law regulating the statewide election.

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 further or additional notice of the election, in time, form and manner as required by law.

SECTION 11. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Costa Mesa on this 9th day of December, 2014.

Stephen Mensinger, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that foregoing Resolution No. 14-XX was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 9th day of December, 2014, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 9th day of December, 2014.

Brenda Green, City Clerk

RESOLUTION NO. 14-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A CITY MEASURE RELATING TO A PROPOSED ORDINANCE TO ESTABLISH REGULATION OF MEDICAL MARIJUANA DISPENSARIES AND REGULATION OF MEDICAL MARIJUANA CULTIVATION; AND, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS FOR THE SAME CITY MEASURE

WHEREAS, a General Municipal Election is to be held in the City of Costa Mesa, California, on November 8, 2016 at which there will be submitted to the voters the following measure:

Measure __: Establish Regulation of Medical Marijuana Dispensaries and Regulation of Medical Marijuana Cultivation	Response	Vote
Shall the ordinance, to allow general operation of medical marijuana businesses with: required dispensary permits; required cultivator permits; requirement to allow City inspections; mandatory security cameras; requirement to maintain business records; City Office of Cultivation Standards and Quality Control; regulations subject to amendment by City Council; and locations limited to commercial and industrial areas, be adopted?	Yes	
	No	

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

SECTION 1. That the City Council authorizes ALL members of the City Council to file written arguments in Favor of or Against City measures not exceeding 300 words, accompanied by the printed names and signatures of the authors submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California. The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the City measures may be submitted to the City Clerk.

The arguments shall be filed with the City Clerk, signed, with the printed name(s) and 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 signature of at least one of its principal officers who is the author of the argument. The arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument.

SECTION 2. If more than one argument for a measure is received from individuals or groups with the same preference and priority, the authors will be asked to witness a random drawing by a designee of the city elections official to determine which argument will be published.

SECTION 3. That the City Council directs the City Clerk to transmit a copy of the measures to the City Attorney, unless the organization or salaries of the office of the City Attorney is affected. The City Attorney shall prepare an impartial analysis of a City measure which relates to a proposed ordinance to establish regulation of medical marijuana dispensaries and medical marijuana cultivation, not exceeding 500 words showing the effect of the measure on existing law and the operation of the measure. If a measure affects the organization or salaries of the office of the City Attorney, the City Clerk shall prepare the impartial analysis. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city. In the event the entire text of the proposed Ordinance is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-point type, the following: "The above statement is an impartial analysis of Ordinance or Measure __. If you desire a copy of the ordinance or measure, please call the election official's office at 714-754-5225 and a copy will be mailed at no

cost to you. The impartial analysis for the measure shall be filed with the City Clerk by _____5:00 p.m.

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, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Costa Mesa on this 9th day of December, 2014.

Stephen Mensinger, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that foregoing Resolution No. 14-XX was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 9th day of December, 2014, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 9th day of December, 2014.

Brenda Green, City Clerk

RESOLUTION NO. 14 - XX

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

WHEREAS, §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 measures submitted at municipal elections.

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

SECTION 1. That pursuant to Section 9285 of the Elections Code of the State of California, when the elections official has selected the arguments for and against the measure which will be printed and distributed to the voters, the elections official shall send a copy of an argument in favor of the proposition 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 proposed measure may prepare and submit a rebuttal argument not exceeding 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 authors. If more than five authors provide a signature to the rebuttal, then only the signatures of the first five authors shall be printed to the exclusion of the excess signatures.

The rebuttal arguments shall be filed with the City Clerk, signed, with the printed
Resolution No. 14-XX Page 1 of 4

name(s) and 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 signature of at least one of its principal officers, not more than 10 days after the final date for filing direct arguments. The rebuttal arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument (Attachment 1). The rebuttal arguments shall be filed by _____.

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

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

SECTION 3. That the provisions of Section 1 shall apply only to the election to be held on _____, and shall then be repealed.

SECTION 4. That the City Clerk is hereby directed to submit the rebuttal arguments, as described herein, in compliance with State law and to perform all duties required of the elections official for the City of Costa Mesa.

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

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council

of the City of Costa Mesa on this 9th day of December, 2014.

Stephen Mensinger, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that foregoing Resolution No. 14-XX was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 9th day of December, 2014, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 9th day of December, 2014.

Brenda Green, City Clerk

**FORM OF STATEMENT TO BE FILED BY
AUTHORS OF ARGUMENTS**

All arguments concerning measures filed pursuant to Division 9, Chapter 3 (beginning with § 9200) of the Elections Code shall be accompanied by the following form statement **to be signed** by each proponent, and by each author, if different, of the argument:

The undersigned proponent (s) or author(s) of the (primary/rebuttal) argument (in favor of/against) ballot proposition (name or number) at the Special Municipal election for the City of Costa Mesa to be held on _____, hereby state that the argument is true and correct to the best of (his/her/their) knowledge and belief.

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

Print Name _____ Signature _____

Title _____ Date _____

<p>Editor's Notes:</p> <p style="text-align: center;">All Authors must print his/her name <u>and sign this form</u> (EC 9600) AND Print his/her name <u>and sign the Argument itself</u> (EC 9283) AND Print his/her name <u>and sign the Rebuttal Argument itself</u> (EC 9285)</p> <p>Further, pursuant to Election Code § 9282, printed arguments submitted to the voters shall be titled either "Argument In Favor Of Measure ___" or "Argument Against Measure ___".</p> <p>Likewise, printed rebuttal arguments submitted pursuant to Election Code § 9285 shall be titled either "Rebuttal To Argument In Favor Of Measure ___" or "Rebuttal to Argument Against Measure ___".</p>
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