



CITY COUNCIL AGENDA REPORT

MEETING DATE: June 7, 2016

ITEM NUMBER: NB-3

SUBJECT: SUBMISSION TO THE VOTERS AT THE NOVEMBER 8, 2016 GENERAL MUNICIPAL ELECTION A PROPOSED ORDINANCE QUALIFIED BY VOTER INITIATIVE TO REQUIRE VOTER APPROVAL ON CERTAIN DEVELOPMENT PROJECTS

DATE: May 27, 2016

FROM: Brenda Green, City Clerk
Tarquin Preziosi, Deputy City Attorney

PRESENTATION BY: Tarquin Preziosi, Deputy City Attorney

FOR FURTHER INFORMATION CONTACT: Brenda Green, City Clerk, 714-754-5221

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution 2016-35: 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 entitled, "An Initiative To Require Voter Approval On Certain Development Projects"; and
2. Adopt Resolution 2016-36: Requesting the Orange County Board of Supervisors to Consolidate a General Municipal election to be held on November 8, 2016, for the purpose of submitting to the voters of the City of Costa Mesa a question relating to the adoption of a proposed ordinance entitled, "An Initiative To Require Voter Approval On Certain Development Projects": and
3. Adopt Resolution 2016-37: Authorizing written arguments for or against the proposed ordinance to Require Voter Approval On Certain Development Projects, setting priorities for filing written arguments, determining the authors of the written arguments, and directing the City Attorney to prepare an impartial analysis.

BACKGROUND

On June 29, 2015 the City of Costa Mesa, City Clerk, received a voter initiative petition by its proponents (Proponents) "To Require Voter Approval On Certain Development Projects". As required by the California Elections Code, the City Attorney's Office provided a title and summary.

The Proponents of the initiative published the Notice of Intent to Circulate and were legally permitted to circulate the petition June 17, 2015 to January 6, 2016. The petition required 4,995 valid signatures to qualify for the 2016 General Election ballot.

On January 4, 2016, the Proponents of the initiative petition filed the signed petitions. The City Clerk conducted a prima facie review and determined there was a sufficient number of signatures to proceed: 6908 total tally. On January 5, 2016, the petition was delivered to the County of Orange Registrar of Voters Office for signature verification. The Orange County Registrar of Voters examined the records of voter registration for the City of Costa Mesa and determined that the initiative petition had been signed by no less than 10 percent of City of Costa Mesa registered voters. Therefore the initiative petition was sufficient to be certified to the City Council.

On March 15, 2016 City Council accepted the Certification and ordered a report pursuant to Elections Code Section 9212. City staff retained the services of Keyser Marston Associates, Inc. to prepare the Elections Code Section 9212 report.

The City Council met on April 5, 2016 to discuss the report and approved June 7, 2016, as the date to agendize the resolutions to order the initiative to be placed on the November 8, 2016 ballot.

FISCAL IMPACT OF PLACING MEASURE ON BALLOT

The cost to place the initiative on the November 2016 ballot is estimated at \$10,000.00, and is included in the Fiscal Year 2016-17 preliminary budget, Elections Consulting.

LEGAL REVIEW

The City Attorney's office has reviewed the report and approved as to form.

CONCLUSION

Adoption of the proposed Resolutions ensures compliance with the California Elections Code which mandates the process for placement of the initiative on the November 8, 2016 ballot.

BRENDA GREEN
City Clerk

TARQUIN PREZIOSI
Deputy City Attorney

RICHARD L. FRANCIS
Assistant Chief Executive Officer

Attachments:

1. [Resolution 2016-35](#)
2. [Resolution 2016-36](#)
3. [Resolution 2016-37](#)