RESOLUTION NO. 16-43 ATTACHMENT 5

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA AUTHORIZING WRITTEN ARGUMENTS FOR OR AGAINST THE PROPOSED MEASURE REQUIRING CHANGES IN USE AT FAIRVIEW PARK BE SUBJECT TO VOTER APPROVAL

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 __: An Initiative Requiring Changes in Use at Fairview Park be Subject to Voter Approval	**Response**	**Vote**
Shall an ordinance requiring voter approval for 1) construction of playgrounds, athletic fields, platforms/retaining walls for vista overlook, stairways to provide access to bluffs, new restrooms, parking lots, museum/multipurpose building, boardwalk and pedestrian bridges; 2) extended park hours for community events; 3) installation of parking lot lighting; or 4) other permanent structures at Fairview Park 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 Section 9282(a) may file a written argument in favor of the ordinance, not exceeding 300 words, and the legislative body may submit an argument against the ordinance.

SECTION 2. That the City Council authorizes the following member(s) of it's body

_____(Mayor Against)
_____(Mayor Pro Tem Member Against)
_____(Council Member Against)
_____(Council Member Against)
_____(Council Member Against)

to file a written argument 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 The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk.

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 3. 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.

a. 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.
b. 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.
c. 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.
d. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

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 ON JULY 5, 2016.

_____
Stephen M. Mensinger, Mayor

ATTEST:

_____
Brenda Green, City Clerk

APPROVED AS TO FORM:

_____
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. 16-43 was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 5th day of July, 2016, 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 6th day of July, 2016.

_____
BRENDA GREEN, CITY CLERK