

RESOLUTION NO. 16-59

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TUESDAY, NOVEMBER 8, 2016 FOR THE SUBMISSION TO THE VOTERS OF A QUESTION RELATING TO ESTABLISHING BY-DISTRICT ELECTIONS WITH A DIRECTLY ELECTED MAYOR**

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

WHEREAS, the City of Costa Mesa, currently has a City Council consisting of five members elected by all voters in the City. This type of system is referred to as an "at-large" system of voting; and

WHEREAS, the law in California allows a city to place a measure on the ballot to change from at-large voting to from-district or by-district voting. By-district voting is a system that divides the city into geographical districts of roughly equal population and the voters from a particular district elect only a person who resides in that district to represent them on the City Council; and

WHEREAS, the California Voting Rights Act allows for a legal challenge to at-large elections, but not to by-district election systems; and

WHEREAS, the City Council has held numerous public meetings and public hearings to gather information and input regarding selection of a map for use in a by-district election system, and has selected a map to include in a ballot measure, which is attached to the proposed measure and the proposed ordinance; and

WHEREAS, the selected map would establish six districts, the boundaries and numbering of which are described in the attached map and a directly elected mayor who would be subject to term limits of two consecutive two year terms; and

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, the City of Costa Mesa shall hold a General Municipal Election on November 8, 2016 to submit to the voters a question relating to establishing By-District Elections for the Costa Mesa City Council.

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

SECTION 1. Pursuant to the requirements of the laws of the State of California relating to General Law Cities, the City Council calls and orders a General Municipal Election held in the City of Costa Mesa, California, on Tuesday, November 8, 2016.

SECTION 2. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following question:

Measure __: Voter Districts Formation	Response	Vote
Shall members of the legislative body of the City of Costa Mesa be elected by district as described in Ordinance No. 16-05, establishing six equal, geographically based districts, and the Mayor of the City of Costa Mesa elected on a citywide basis for a term of two years by the voters of the entire city, for a maximum of two terms?	Yes	
	No	

SECTION 3. That the proposed complete text of the measure submitted to the voters is attached as Exhibit 1 and the proposed ordinance to be enacted is attached as Exhibit 2.

SECTION 4. The measure requires a majority 50% + 1 of the votes cast to pass.

SECTION 5. The ballots used at the election shall be in form and content as required by law.

SECTION 6. The City Council authorizes, instructs and directs the City Clerk 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 necessary in order to properly and lawfully conduct the election.

SECTION 7. The polls for the election shall 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 close, pursuant to Election Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 8. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 9. Notice of the time and place of holding the election is given and the City Council authorizes, instructs and directs the City Clerk to give further or additional notice of the election in time, form and manner as required by law.

SECTION 10. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 11. The City Council authorizes the City Clerk to administer said election and the

City shall pay all reasonable and actual election expenses upon presentation of a properly submitted bill.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Costa Mesa on this 12<sup>th</sup> day of July, 2016.

\_\_\_\_\_  
Stephen M. 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. 16-59 was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 12<sup>th</sup> 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 13<sup>th</sup> day of July, 2016.

\_\_\_\_\_  
BRENDA GREEN, CITY CLERK

FULL TEXT OF MEASURE \_\_\_\_  
CITY OF COSTA MESA

The People of the City of Costa Mesa do ordain as follows:

Title 2 Chapter II entitled "City Council Generally" shall be amended to allow for election of six (6) council members elected by-district and a mayor elected by voters city-wide. This ordinance enumerates residency requires for council members elected by district along with requirements for filling vacancies; describes the initial boundaries to elect council members by district as set forth on the map attached hereto as Exhibit A; and provides a sequence of electing council members to staggered terms.

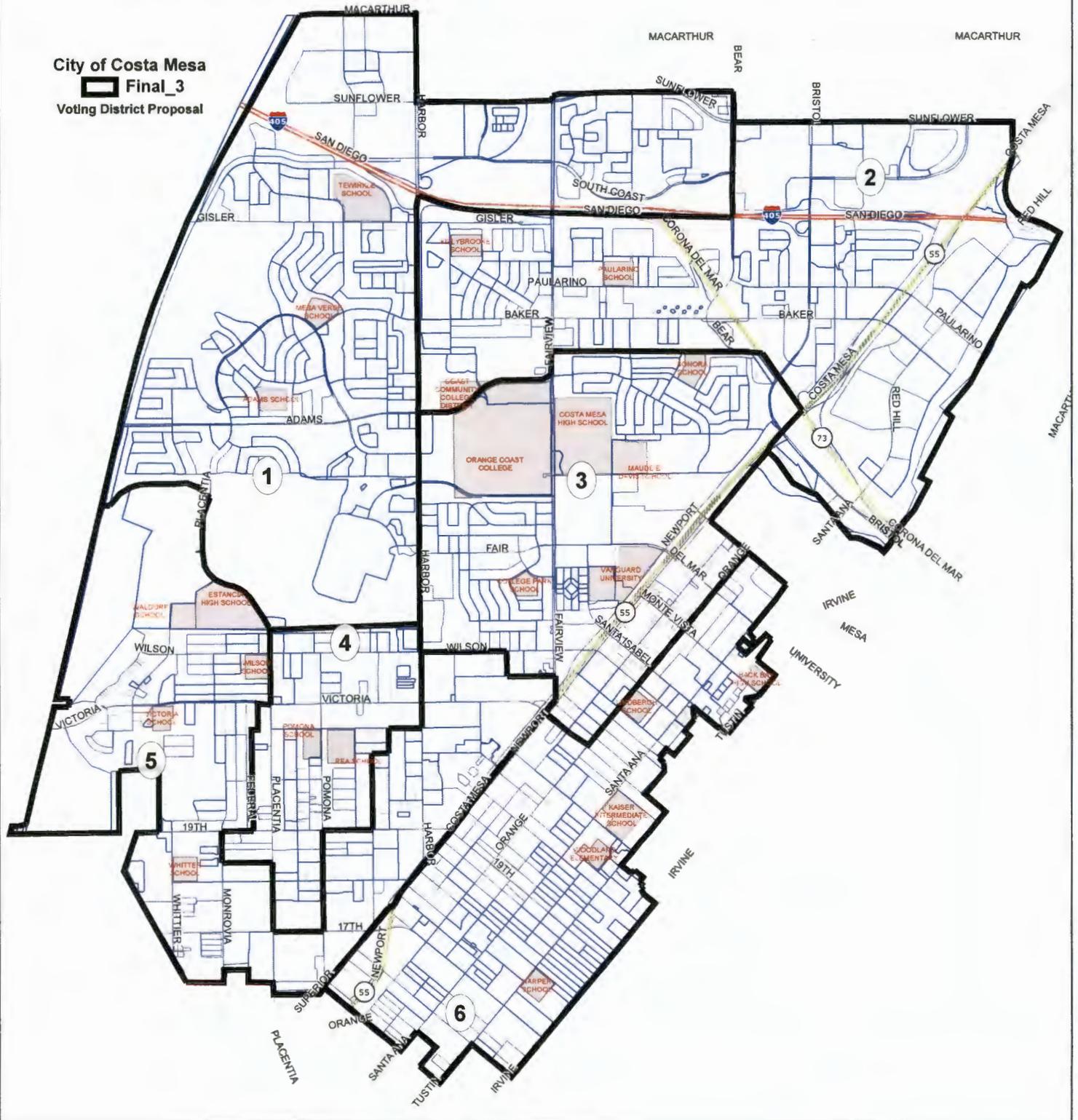
This ordinance would maintain existing term limits for city council members elected by district but add term limits for a directly elected mayor to two (2) consecutive terms of two (2) years each.

Under this ordinance, a change in the boundaries of council districts shall be evaluated within at least one (1) year subsequent to the availability of the information from each decennial United States census, as made necessary by a change in the City's boundaries or by a four-sevenths (4/7) vote of all its members provided that the number of times a change in boundaries may occur shall be limited to once in any two-year period and no such change shall be made within the period of one hundred eighty (180) days preceding a general municipal election.

This ordinance provides that all five members of the city council in office at the time this section takes effect shall continue in office until their terms expire.

**IF YOU DESIRE A COPY OF THE DISTRICT ELECTIONS ORDINANCE NO. 16-05, PLEASE CALL THE CITY CLERK'S OFFICE AT (714) \_\_\_\_\_, AND A COPY WILL BE MAILED AT NO COST TO YOU.**

City of Costa Mesa  
Final\_3  
Voting District Proposal



ORDINANCE NO. 16-05

AN ORDINANCE OF THE PEOPLE OF THE CITY OF  
COSTA MESA AMENDING THE COSTA MESA MUNICIPAL  
CODE TO ESTABLISH A DIRECTLY ELECTED MAYOR  
WITH TERM LIMITS AND BY-DISTRICT ELECTION OF SIX  
COUNCIL MEMBERS

WHEREAS, the City of Costa Mesa ("City") is a general law city currently governed by a five (5) member city council elected at-large by all voters within the City; and

WHEREAS, a general law city with a population of more than 100,000 can change to a by-district election system by placing a measure on the ballot for voters to decide whether to elect city council members by-district based on a map delineating boundaries of proposed districts; and

WHEREAS, under the California Voting Rights Act, district based elections are required if it can be shown that an at-large election system prevents minority voters from electing their chosen candidate or influencing elections; and

WHEREAS, pursuant to a Settlement Agreement entered into with concerned citizens, the City agreed to submit the question to voters whether to elect its city councilmembers by district; and

WHEREAS, in accordance Elections Code Section 10010, the City Council held two (2) public hearings prior to the public hearing to select the final district map and place the measure on the November 8, 2016 general election ballot in addition to multiple community meetings; and

WHEREAS, the City of Costa Mesa Municipal Code, Title 2 Chapter II entitled "City Council Generally" provides for a five member city council, appointment of mayor and mayor pro tempore and term limits (enacted by voters) for elected city council members.

NOW THEREFORE THE PEOPLE OF THE CITY OF COSTA MESA, CALIFORNIA DO ORDAIN AS FOLLOWS:

SECTION 1. Costa Mesa Municipal Code Section 2-20 is repealed and replaced in its entirety as follows:

Sec. 2-20. – City Elected Officials; By-District Elections.

- A. City Council and Mayor. The elected officers of the City shall constitute a city council consisting of six (6) council members elected by-district at the times and in the manner provided in this ordinance, each of whom shall serve for a term of four years and until their respective successors qualify, and a directly elected mayor to serve a two year term, until his or her respective successor qualifies.

Candidates for council seats shall be nominated and elected by such district and shall reside in such district. Candidates for mayor may reside in any district within the City and shall be elected by the voters city-wide.

- B. Residency in Districts. Except for the directly elected Mayor, each member of the Council must also be a resident of the council district from which the member is nominated at the time the member is nominated and elected. In the event any member of the Council shall cease to be a resident of the district from which the member (or, in the case of an appointee, a predecessor) was nominated, the office shall immediately become vacant and shall be filled in the same manner as herein provided for other vacancies. If a member of the Council ceases to be a resident of the district from which the member (or, in the case of an appointee, a predecessor) was nominated solely because of a change in the boundaries of any district as in this code provided, the member shall not lose office during that term by reason of such change.
- C. Districts. The City is hereby divided into six (6) Council districts. The six districts shall be as described in section 2-20.5.
- D. Changes in Boundaries of Council Districts. The boundaries of said Council districts, but not the number thereof, may be changed by ordinance adopted by the Council by a four-sevenths (4/7) vote of all its members; provided, that districts established by the Council shall be as nearly equal in population and as geographically compact as practical. Boundaries shall be evaluated within at least one (1) year subsequent to the availability of the information from each decennial United States census or on another basis adopted by four-sevenths (4/7) vote of the total membership of the Council, and as provided in California Elections Code sections 21620 and 21621. However, the Council shall not change the boundaries of districts more than once in any two-year period and no such change shall be made within the period of one hundred eighty (180) days preceding a general municipal election. The preceding limitations shall not apply to changes made necessary by changes to the City boundaries. After the Council has exercised its power to change the boundaries of districts, these changes shall immediately be reflected in the district boundaries specified by ordinance adopted by the Council.
- E. Current Office Holders. The five members of the city council in office at the time this section takes effect shall continue in office until their terms expire.
- F. Council Elections Sequenced. The Mayor shall serve a two year term and the position of Mayor shall be elected commencing in the year 2018, and every two years thereafter. The members of the Council of the third, fourth and fifth Council districts shall be elected commencing in the year 2018 to the Council seats then open, and in each fourth year thereafter. The members of the Council of the first, second and sixth Council districts shall be elected commencing in the year 2020 to the Council seats then open, and in each fourth year thereafter.

SECTION 2. Section 2-20.5 of the Costa Mesa Municipal Code is hereby added:

2-20.5 -- District Boundaries.

The council member districts of the city shall have the following initial legal boundaries:

First District.

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and Bear St, and proceeding southerly along Bear St to I-405, and proceeding westerly along I-405 to Harbor Blvd, and proceeding southerly along Harbor Blvd to Census Block 060590638072010 southern Boundary, and proceeding westerly along said Block Boundary to Placentia Ave, and proceeding northerly along Placentia Ave to Flood Control Channel, and proceeding westerly along Flood Control Channel to City Boundary, and proceeding northerly along City Boundary to the point of beginning.

Second District.

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and Bear St, and proceeding easterly along City Boundary to Highway 55, and proceeding northerly along Highway 55 to Highway 73, and proceeding northerly along Highway 73 to Flood Control Channel, and proceeding westerly along Flood Control Channel to Fairview Rd, and proceeding southerly along Fairview Rd to Adams Ave, and proceeding westerly along Adams Ave to Harbor Blvd, and proceeding northerly along Harbor Blvd to I-405, and proceeding easterly along I-405 to Bear St, and proceeding northerly along Bear St to the point of beginning.

Third District.

The region bounded and described as follows: Beginning at the point of intersection of Flood Control Channel and Fairview Rd, and proceeding easterly along Flood Control Channel to Highway 73, and proceeding southerly along Highway 73 to Highway 55, and proceeding southerly along Highway 55 to City Boundary, and proceeding southerly along City Boundary to Orange Ave, and proceeding southerly along Orange Ave to 22nd St, and proceeding westerly along 22nd St to Costa Mesa Freeway, and proceeding northerly along Costa Mesa Freeway to Fairview Rd, and proceeding northerly along Fairview Rd to Avocado St, and proceeding westerly along Avocado St to Census Block 060590639062000 western Boundary, and proceeding northerly along said Block Boundary to W Wilson St, and proceeding westerly along W

Wilson St to Harbor Blvd, and proceeding northerly along Harbor Blvd to Adams Ave, and proceeding easterly along Adams Ave to Fairview Rd, and proceeding northerly along Fairview Rd to the point of beginning.

#### Fourth District.

The region bounded and described as follows: Beginning at the point of intersection of Harbor Blvd and Census Block 060590638072010 southern Boundary, and proceeding southerly along Harbor Blvd to Hamilton St, and proceeding westerly along Hamilton St to Maple Ave, and proceeding southerly along Maple Ave to W Bay St, and proceeding westerly along W Bay St to Anaheim Ave, and proceeding southerly along Anaheim Ave to W 19th St, and proceeding westerly along W 19th St to Pomona Ave, and proceeding southerly along Pomona Ave to W 17th St, and proceeding westerly along W 17th St to Placentia Ave, and proceeding northerly along Placentia Ave to Towne St, and proceeding westerly along Towne St to Monrovia Ave, and proceeding northerly along Monrovia Ave to W 19th St, and proceeding easterly along W 19th St to Parcel Boundary(West of Placentia Ave), and proceeding northerly along Parcel Boundaries to Victoria St, and proceeding easterly along Victoria St to Placentia Ave, and proceeding northerly along Placentia Ave to Census Block 060590638072010 southern Boundary, and proceeding easterly along said Block Boundary to the point of beginning.

#### Fifth District.

The region bounded and described as follows: Beginning at the point of intersection of Flood Control Channel and City Boundary (in Fairview Park), and proceeding westerly along Flood Control Channel to Placentia Ave, and proceeding southerly along Placentia Ave to Victoria St, and proceeding westerly along Victoria St to Parcel Boundary (West of Placentia), and proceeding southerly along Parcel Boundaries to W 19th St, and proceeding westerly along W 19th St to Monrovia Ave, and proceeding southerly along Monrovia Ave to Towne St, and proceeding easterly along Towne St to Placentia Ave, and proceeding southerly along Placentia Ave to W 17th St, and proceeding easterly along W 17th St to Pomona Ave, and proceeding northerly along Pomona Ave to W 19th St, and proceeding easterly along W 19th St to Anaheim Ave, and proceeding northerly along Anaheim Ave to W Bay St, and proceeding easterly along W Bay St to Maple Ave, and proceeding northerly along Maple Ave to Hamilton St, and proceeding easterly along Hamilton St to Harbor Blvd, and proceeding northerly along Harbor Blvd to W Wilson St, and proceeding easterly along W Wilson St to Census Block 060590639062000 western Boundary, and proceeding southerly along said Block Boundary to Avocado St, and proceeding easterly along Avocado St to Fairview Rd, and proceeding southerly along Fairview Rd to State Hwy 55, and proceeding southerly along State Hwy 55 to Newport Blvd, and

proceeding southerly along Newport Blvd to Superior Ave, and proceeding westerly along Superior Ave to City Boundary, and proceeding easterly along City Boundary to the point of beginning.

Sixth District.

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and Orange Ave, and proceeding easterly along City Boundary to Superior Ave, and proceeding northerly along Superior Ave to Newport Blvd, and proceeding northerly along Newport Blvd to State Hwy 55, and proceeding northerly along State Hwy 55 to 22nd St, and proceeding easterly along 22nd St to Orange Ave, and proceeding northerly along Orange Ave to the point of beginning.

These district boundaries are depicted on a boundary map attached hereto as Exhibit A. These boundaries will remain in effect until amended by ordinance as provided in section 2-20.D.

SECTION 3. Section 2-22 of the Costa Mesa Municipal Code is repealed and replaced in its entirety as follows:

A. Mayor. One of the four City Council seats open at the first municipal election following the date on which this section takes effect shall be designated as the office of mayor, to be filled at the election. The person elected at the election as mayor shall hold office from the Tuesday succeeding his or her election, and until his or her successor is elected and qualifies. Candidates for mayor may reside in any council district of the City, and all qualified voters of the city shall be able to vote for the office of Mayor. The elected mayor is a member of the city council and has all the powers and duties of a member of the city council.

The mayor may make and second motions and shall have a voice and vote in all its proceedings. He or she shall be the official head of the city for all ceremonial purposes. He or she shall perform such other duties consistent with the office as may be prescribed by the city council.

The provisions of section 2-24 shall not apply to the position of directly elected mayor.

B. Mayor Pro Tem. At the meeting at which the declaration of the municipal election results and the installation of the new elected officers is made pursuant to Sections 10262 and 10264 of the Elections Code, following the declaration of the election results, the city council shall meet and shall elect one of its members as mayor pro tempore, who shall serve in such capacity for a period of two (2) years from the date of appointment. The mayor pro tempore shall perform the duties of the mayor during his or her absence or disability.

SECTION 4. Section 2-25 is hereby added to the Costa Mesa Municipal Code:

Section 2-25 – Directly Elected Mayor Term Limits

The number of terms a directly elected mayor may serve on the city council shall be limited to two (2) consecutive terms of two (2) years each, which shall be in addition to any four year terms served on the city council subject to section 2-24.

SECTION 5. Should any section, subsection, clause or provision of this ordinance for any reason be held to be invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance, it being hereby expressly declared that this ordinance, and each and every section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, approved, adopted and/or ratified irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases of this ordinance be declared invalid.

SECTION 6. After this ordinance is approved by a majority vote of the voters, the Mayor and City Clerk shall certify that the ordinance was submitted to the voters of the city and that it was approved by a majority vote. The City Clerk shall file one copy of the approved ordinance with the Orange County Clerk-Recorder's office, one copy with the Orange County Registrar of Voters keep one copy in the City's archive. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner required by law.

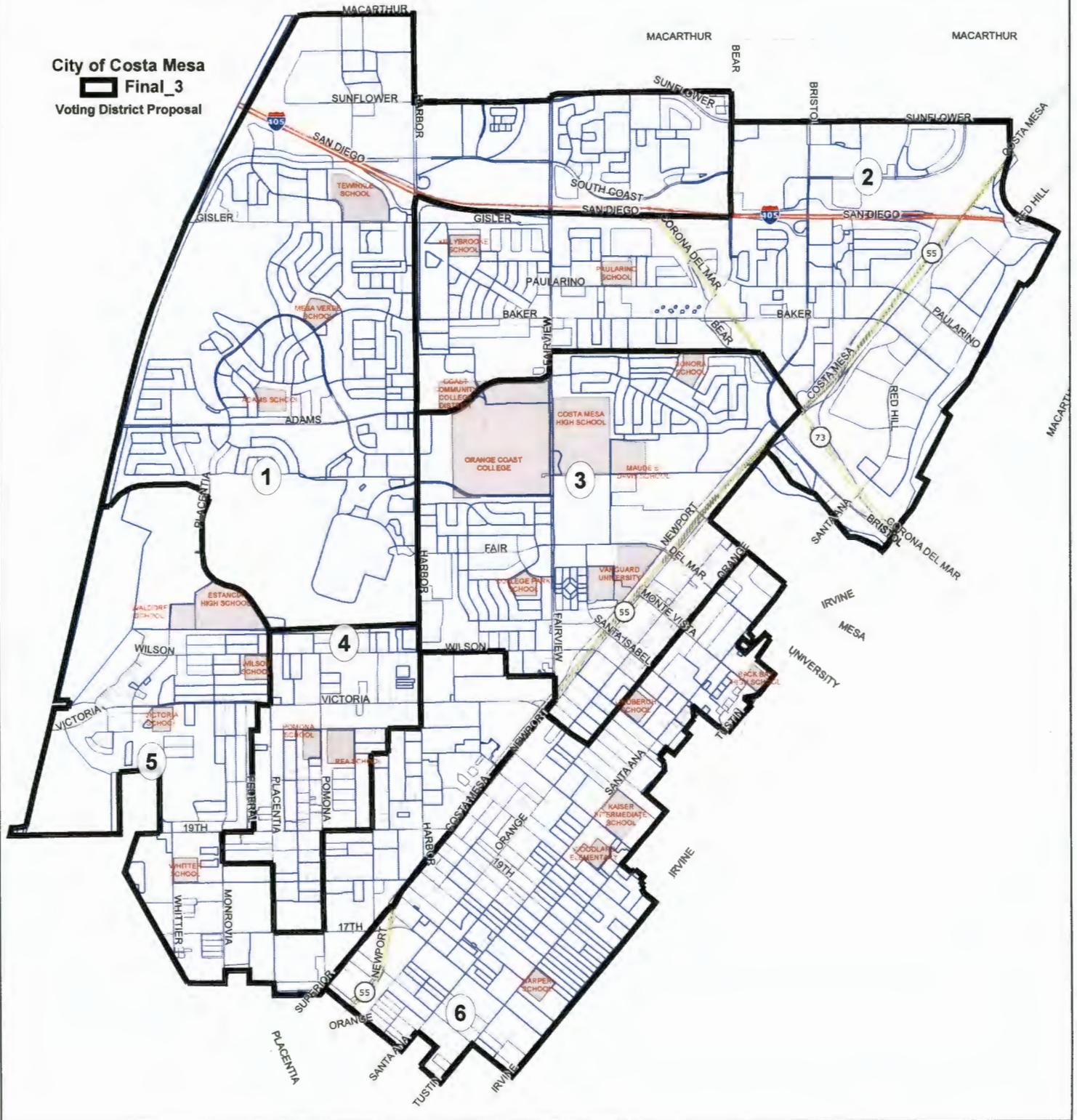
PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
\_\_\_\_\_, Mayor

Attest:

\_\_\_\_\_  
City Clerk

City of Costa Mesa  
Final\_3  
Voting District Proposal



**RESOLUTION NO. 2016-60**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REQUESTING THE ORANGE COUNTY BOARD OF SUPERVISORS TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 8, 2016, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE**

WHEREAS, the City Council of the City of Costa Mesa called a General Municipal Election to be held on November 8, 2016 for the purpose of submitting a proposed ordinance to the voters of the City of Costa Mesa for their consideration; and

WHEREAS, the City Council of the City of Costa Mesa is submitting to the voters of the City of Costa Mesa a question relating to establishment of By-District Elections for the City Council with a Directly Elected Mayor; and

WHEREAS, the City of Costa Mesa desires that the General Municipal Election be consolidated with the Statewide General election to be held on the same date and that within the city, the precincts, polling places, and election officers of the two elections be the same, and that the Registrar of Voters of the County of Orange canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election;

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

SECTION 1. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Orange is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, 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.

SECTION 2. That the following measure is to appear on the ballot as follows:

Measure __: Voter Districts Formation	Response	Vote
Shall members of the legislative body of the City of Costa Mesa be elected by district as described in Ordinance No. 16-05, establishing six equal, geographically based districts, and the Mayor of the City of Costa Mesa elected on a citywide basis for a term of two years by the voters of the entire city, for a maximum of two terms?	Yes	
	No	

SECTION 3. That the proposed complete text of the measure submitted to the voters is attached as Exhibit 1, and the proposed ordinance to be enacted is attached as Exhibit 2.

SECTION 4. That the vote requirement for the measures to pass is a majority (50% +1) of the votes cast.

SECTION 5. That the County of Orange Registrar of Voters is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide or special election.

SECTION 6. That the Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary to hold the consolidated election.

SECTION 7. That the City of Costa Mesa recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 8. That the City Clerk is directed to file a certified copy of this Resolution with the Board of Supervisors and the county election department of the County of Orange.

SECTION 9. 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 this 12th day of July, 2016.

\_\_\_\_\_  
Stephen M. Mensinger

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. 16-60 was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 12<sup>th</sup> 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 13<sup>th</sup> day of July, 2016.

\_\_\_\_\_  
BRENDA GREEN, CITY CLERK

Attachments:

1. Exhibit 1 – Proposed complete text of the measure submitted to the voters.
2. Exhibit 2 – Proposed Ordinance to be enacted.

FULL TEXT OF MEASURE \_\_\_\_  
CITY OF COSTA MESA

The People of the City of Costa Mesa do ordain as follows:

Title 2 Chapter II entitled "City Council Generally" shall be amended to allow for election of six (6) council members elected by-district and a mayor elected by voters city-wide. This ordinance enumerates residency requirements for council members elected by district along with requirements for filling vacancies; describes the initial boundaries to elect council members by district as set forth on the map attached hereto as Exhibit A; and provides a sequence of electing council members to staggered terms.

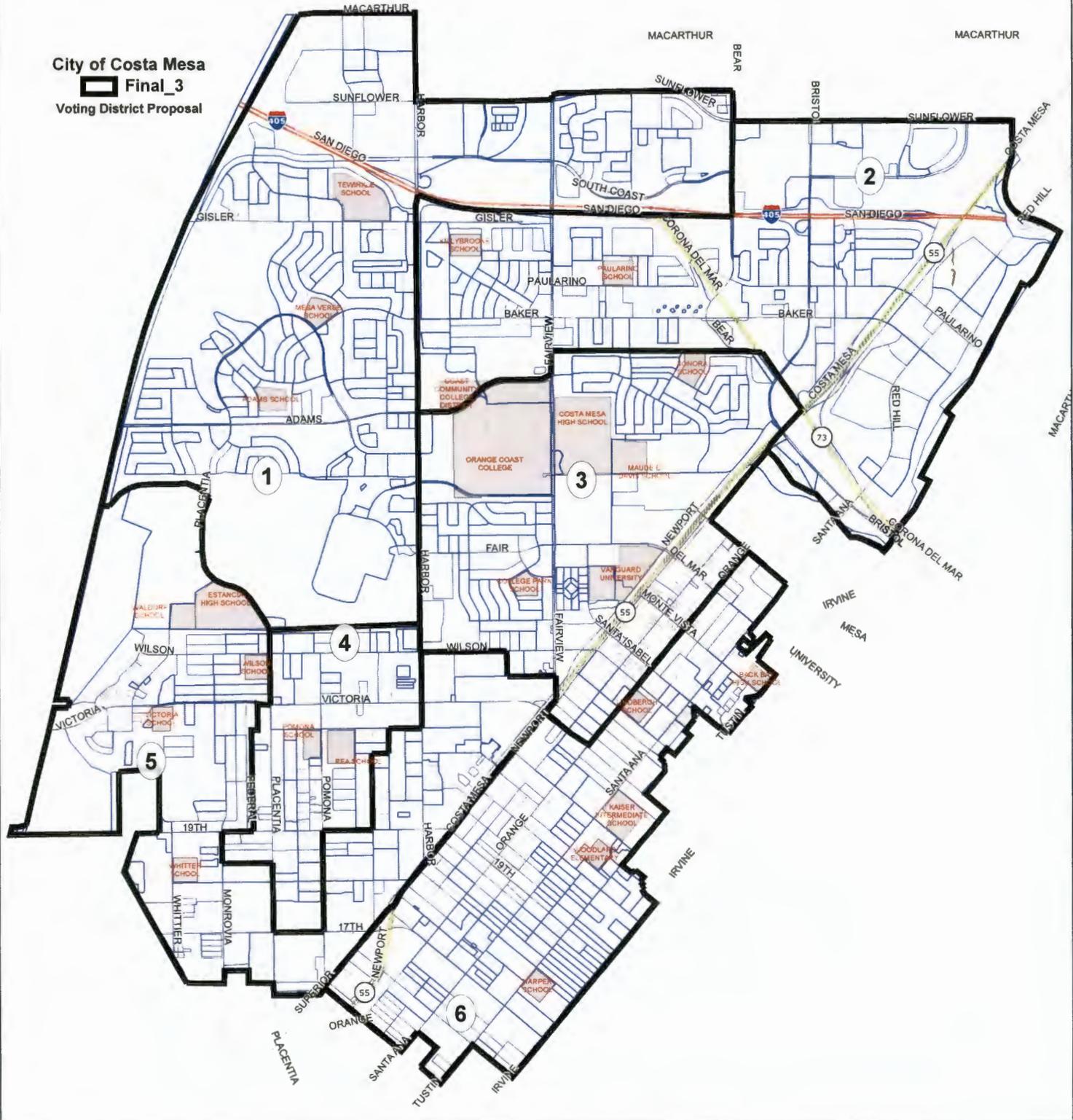
This ordinance would maintain existing term limits for city council members elected by district but add term limits for a directly elected mayor to two (2) consecutive terms of two (2) years each.

Under this ordinance, a change in the boundaries of council districts shall be evaluated within at least one (1) year subsequent to the availability of the information from each decennial United States census, as made necessary by a change in the City's boundaries or by a four-sevenths (4/7) vote of all its members provided that the number of times a change in boundaries may occur shall be limited to once in any two-year period and no such change shall be made within the period of one hundred eighty (180) days preceding a general municipal election.

This ordinance provides that all five members of the city council in office at the time this section takes effect shall continue in office until their terms expire.

**IF YOU DESIRE A COPY OF THE DISTRICT ELECTIONS ORDINANCE NO. 16-05, PLEASE CALL THE CITY CLERK'S OFFICE AT (714) \_\_\_\_\_, AND A COPY WILL BE MAILED AT NO COST TO YOU.**

City of Costa Mesa  
Final\_3  
Voting District Proposal



ORDINANCE NO. 16-05

AN ORDINANCE OF THE PEOPLE OF THE CITY OF  
COSTA MESA AMENDING THE COSTA MESA MUNICIPAL  
CODE TO ESTABLISH A DIRECTLY ELECTED MAYOR  
WITH TERM LIMITS AND BY-DISTRICT ELECTION OF SIX  
COUNCIL MEMBERS

WHEREAS, the City of Costa Mesa ("City") is a general law city currently governed by a five (5) member city council elected at-large by all voters within the City; and

WHEREAS, a general law city with a population of more than 100,000 can change to a by-district election system by placing a measure on the ballot for voters to decide whether to elect city council members by-district based on a map delineating boundaries of proposed districts; and

WHEREAS, under the California Voting Rights Act, district based elections are required if it can be shown that an at-large election system prevents minority voters from electing their chosen candidate or influencing elections; and

WHEREAS, pursuant to a Settlement Agreement entered into with concerned citizens, the City agreed to submit the question to voters whether to elect its city councilmembers by district; and

WHEREAS, in accordance Elections Code Section 10010, the City Council held two (2) public hearings prior to the public hearing to select the final district map and place the measure on the November 8, 2016 general election ballot in addition to multiple community meetings; and

WHEREAS, the City of Costa Mesa Municipal Code, Title 2 Chapter II entitled "City Council Generally" provides for a five member city council, appointment of mayor and mayor pro tempore and term limits (enacted by voters) for elected city council members.

NOW THEREFORE THE PEOPLE OF THE CITY OF COSTA MESA, CALIFORNIA DO ORDAIN AS FOLLOWS:

SECTION 1. Costa Mesa Municipal Code Section 2-20 is repealed and replaced in its entirety as follows:

Sec. 2-20. – City Elected Officials; By-District Elections.

- A. City Council and Mayor. The elected officers of the City shall constitute a city council consisting of six (6) council members elected by-district at the times and in the manner provided in this ordinance, each of whom shall serve for a term of four years and until their respective successors qualify, and a directly elected mayor to serve a two year term, until his or her respective successor qualifies.

Candidates for council seats shall be nominated and elected by such district and shall reside in such district. Candidates for mayor may reside in any district within the City and shall be elected by the voters city-wide.

- B. Residency in Districts. Except for the directly elected Mayor, each member of the Council must also be a resident of the council district from which the member is nominated at the time the member is nominated and elected. In the event any member of the Council shall cease to be a resident of the district from which the member (or, in the case of an appointee, a predecessor) was nominated, the office shall immediately become vacant and shall be filled in the same manner as herein provided for other vacancies. If a member of the Council ceases to be a resident of the district from which the member (or, in the case of an appointee, a predecessor) was nominated solely because of a change in the boundaries of any district as in this code provided, the member shall not lose office during that term by reason of such change.
- C. Districts. The City is hereby divided into six (6) Council districts. The six districts shall be as described in section 2-20.5.
- D. Changes in Boundaries of Council Districts. The boundaries of said Council districts, but not the number thereof, may be changed by ordinance adopted by the Council by a four-sevenths (4/7) vote of all its members; provided, that districts established by the Council shall be as nearly equal in population and as geographically compact as practical. Boundaries shall be evaluated within at least one (1) year subsequent to the availability of the information from each decennial United States census or on another basis adopted by four-sevenths (4/7) vote of the total membership of the Council, and as provided in California Elections Code sections 21620 and 21621. However, the Council shall not change the boundaries of districts more than once in any two-year period and no such change shall be made within the period of one hundred eighty (180) days preceding a general municipal election. The preceding limitations shall not apply to changes made necessary by changes to the City boundaries. After the Council has exercised its power to change the boundaries of districts, these changes shall immediately be reflected in the district boundaries specified by ordinance adopted by the Council.
- E. Current Office Holders. The five members of the city council in office at the time this section takes effect shall continue in office until their terms expire.
- F. Council Elections Sequenced. The Mayor shall serve a two year term and the position of Mayor shall be elected commencing in the year 2018, and every two years thereafter. The members of the Council of the third, fourth and fifth Council districts shall be elected commencing in the year 2018 to the Council seats then open, and in each fourth year thereafter. The members of the Council of the first, second and sixth Council districts shall be elected commencing in the year 2020 to the Council seats then open, and in each fourth year thereafter.

SECTION 2. Section 2-20.5 of the Costa Mesa Municipal Code is hereby added:

2-20.5 -- District Boundaries.

The council member districts of the city shall have the following initial legal boundaries:

First District.

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and Bear St, and proceeding southerly along Bear St to I-405, and proceeding westerly along I-405 to Harbor Blvd, and proceeding southerly along Harbor Blvd to Census Block 060590638072010 southern Boundary, and proceeding westerly along said Block Boundary to Placentia Ave, and proceeding northerly along Placentia Ave to Flood Control Channel, and proceeding westerly along Flood Control Channel to City Boundary, and proceeding northerly along City Boundary to the point of beginning.

Second District.

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and Bear St, and proceeding easterly along City Boundary to Highway 55, and proceeding northerly along Highway 55 to Highway 73, and proceeding northerly along Highway 73 to Flood Control Channel, and proceeding westerly along Flood Control Channel to Fairview Rd, and proceeding southerly along Fairview Rd to Adams Ave, and proceeding westerly along Adams Ave to Harbor Blvd, and proceeding northerly along Harbor Blvd to I-405, and proceeding easterly along I-405 to Bear St, and proceeding northerly along Bear St to the point of beginning.

Third District.

The region bounded and described as follows: Beginning at the point of intersection of Flood Control Channel and Fairview Rd, and proceeding easterly along Flood Control Channel to Highway 73, and proceeding southerly along Highway 73 to Highway 55, and proceeding southerly along Highway 55 to City Boundary, and proceeding southerly along City Boundary to Orange Ave, and proceeding southerly along Orange Ave to 22nd St, and proceeding westerly along 22nd St to Costa Mesa Freeway, and proceeding northerly along Costa Mesa Freeway to Fairview Rd, and proceeding northerly along Fairview Rd to Avocado St, and proceeding westerly along Avocado St to Census Block 060590639062000 western Boundary, and proceeding northerly along said Block Boundary to W Wilson St, and proceeding westerly along W

Wilson St to Harbor Blvd, and proceeding northerly along Harbor Blvd to Adams Ave, and proceeding easterly along Adams Ave to Fairview Rd, and proceeding northerly along Fairview Rd to the point of beginning.

#### Fourth District.

The region bounded and described as follows: Beginning at the point of intersection of Harbor Blvd and Census Block 060590638072010 southern Boundary, and proceeding southerly along Harbor Blvd to Hamilton St, and proceeding westerly along Hamilton St to Maple Ave, and proceeding southerly along Maple Ave to W Bay St, and proceeding westerly along W Bay St to Anaheim Ave, and proceeding southerly along Anaheim Ave to W 19th St, and proceeding westerly along W 19th St to Pomona Ave, and proceeding southerly along Pomona Ave to W 17th St, and proceeding westerly along W 17th St to Placentia Ave, and proceeding northerly along Placentia Ave to Towne St, and proceeding westerly along Towne St to Monrovia Ave, and proceeding northerly along Monrovia Ave to W 19th St, and proceeding easterly along W 19th St to Parcel Boundary(West of Placentia Ave), and proceeding northerly along Parcel Boundaries to Victoria St, and proceeding easterly along Victoria St to Placentia Ave, and proceeding northerly along Placentia Ave to Census Block 060590638072010 southern Boundary, and proceeding easterly along said Block Boundary to the point of beginning.

#### Fifth District.

The region bounded and described as follows: Beginning at the point of intersection of Flood Control Channel and City Boundary (in Fairview Park), and proceeding westerly along Flood Control Channel to Placentia Ave, and proceeding southerly along Placentia Ave to Victoria St, and proceeding westerly along Victoria St to Parcel Boundary (West of Placentia), and proceeding southerly along Parcel Boundaries to W 19th St, and proceeding westerly along W 19th St to Monrovia Ave, and proceeding southerly along Monrovia Ave to Towne St, and proceeding easterly along Towne St to Placentia Ave, and proceeding southerly along Placentia Ave to W 17th St, and proceeding easterly along W 17th St to Pomona Ave, and proceeding northerly along Pomona Ave to W 19th St, and proceeding easterly along W 19th St to Anaheim Ave, and proceeding northerly along Anaheim Ave to W Bay St, and proceeding easterly along W Bay St to Maple Ave, and proceeding northerly along Maple Ave to Hamilton St, and proceeding easterly along Hamilton St to Harbor Blvd, and proceeding northerly along Harbor Blvd to W Wilson St, and proceeding easterly along W Wilson St to Census Block 060590639062000 western Boundary, and proceeding southerly along said Block Boundary to Avocado St, and proceeding easterly along Avocado St to Fairview Rd, and proceeding southerly along Fairview Rd to State Hwy 55, and proceeding southerly along State Hwy 55 to Newport Blvd, and

proceeding southerly along Newport Blvd to Superior Ave, and proceeding westerly along Superior Ave to City Boundary, and proceeding easterly along City Boundary to the point of beginning.

#### Sixth District.

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and Orange Ave, and proceeding easterly along City Boundary to Superior Ave, and proceeding northerly along Superior Ave to Newport Blvd, and proceeding northerly along Newport Blvd to State Hwy 55, and proceeding northerly along State Hwy 55 to 22nd St, and proceeding easterly along 22nd St to Orange Ave, and proceeding northerly along Orange Ave to the point of beginning.

These district boundaries are depicted on a boundary map attached hereto as Exhibit A. These boundaries will remain in effect until amended by ordinance as provided in section 2-20.D.

SECTION 3. Section 2-22 of the Costa Mesa Municipal Code is repealed and replaced in its entirety as follows:

A. Mayor. One of the four City Council seats open at the first municipal election following the date on which this section takes effect shall be designated as the office of mayor, to be filled at the election. The person elected at the election as mayor shall hold office from the Tuesday succeeding his or her election, and until his or her successor is elected and qualifies. Candidates for mayor may reside in any council district of the City, and all qualified voters of the city shall be able to vote for the office of Mayor. The elected mayor is a member of the city council and has all the powers and duties of a member of the city council.

The mayor may make and second motions and shall have a voice and vote in all its proceedings. He or she shall be the official head of the city for all ceremonial purposes. He or she shall perform such other duties consistent with the office as may be prescribed by the city council.

The provisions of section 2-24 shall not apply to the position of directly elected mayor.

B. Mayor Pro Tem. At the meeting at which the declaration of the municipal election results and the installation of the new elected officers is made pursuant to Sections 10262 and 10264 of the Elections Code, following the declaration of the election results, the city council shall meet and shall elect one of its members as mayor pro tempore, who shall serve in such capacity for a period of two (2) years from the date of appointment. The mayor pro tempore shall perform the duties of the mayor during his or her absence or disability.

SECTION 4. Section 2-25 is hereby added to the Costa Mesa Municipal Code:

Section 2-25 – Directly Elected Mayor Term Limits

The number of terms a directly elected mayor may serve on the city council shall be limited to two (2) consecutive terms of two (2) years each, which shall be in addition to any four year terms served on the city council subject to section 2-24.

SECTION 5. Should any section, subsection, clause or provision of this ordinance for any reason be held to be invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance, it being hereby expressly declared that this ordinance, and each and every section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, approved, adopted and/or ratified irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases of this ordinance be declared invalid.

SECTION 6. After this ordinance is approved by a majority vote of the voters, the Mayor and City Clerk shall certify that the ordinance was submitted to the voters of the city and that it was approved by a majority vote. The City Clerk shall file one copy of the approved ordinance with the Orange County Clerk-Recorder's office, one copy with the Orange County Registrar of Voters keep one copy in the City's archive. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner required by law.

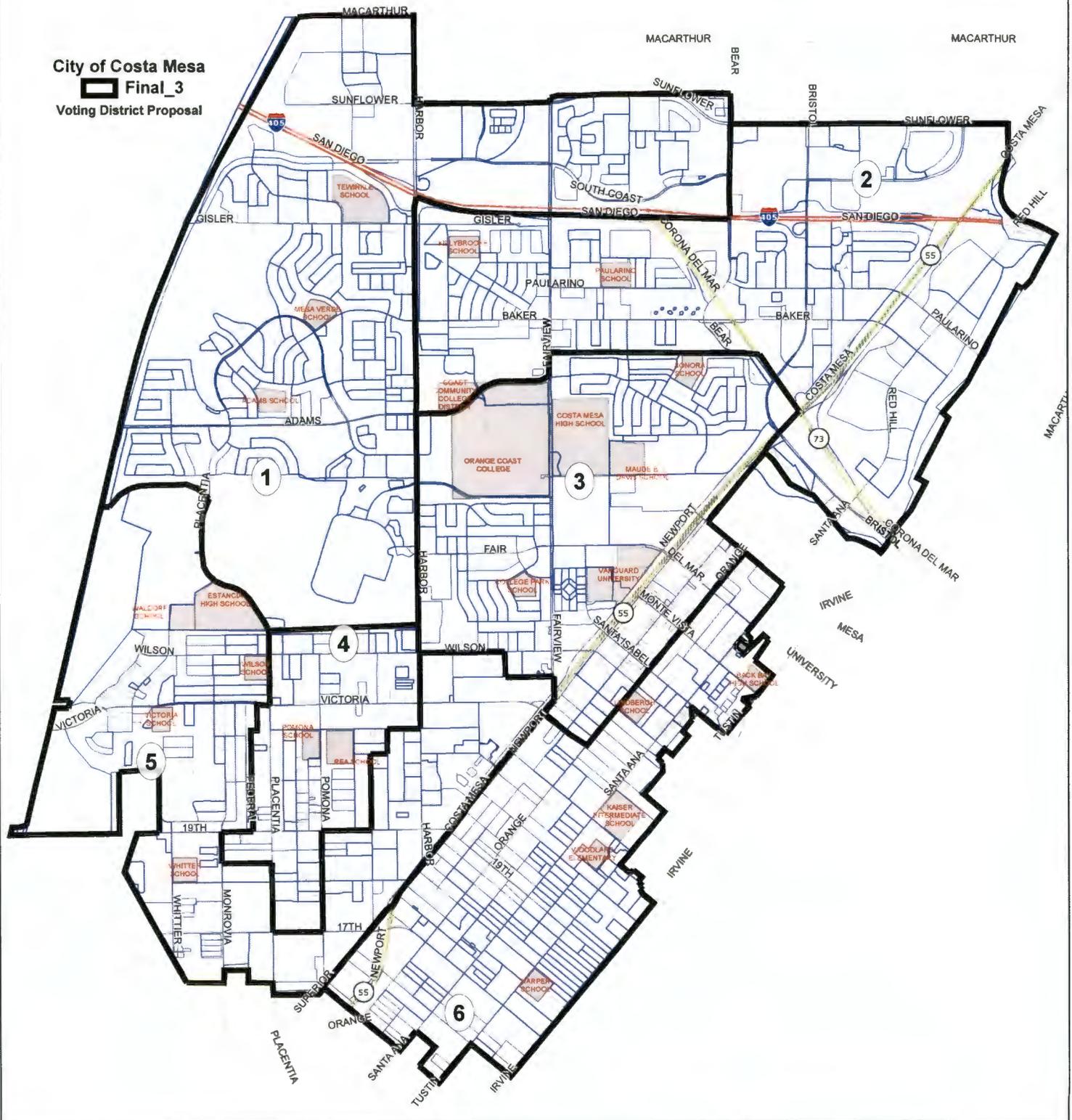
PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
\_\_\_\_\_, Mayor

Attest:

\_\_\_\_\_  
City Clerk

City of Costa Mesa  
Final\_3  
Voting District Proposal



**RESOLUTION NO. 16-61**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

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

Measure __: Voter Districts Formation	Response	Vote
Shall members of the legislative body of the City of Costa Mesa be elected by district as described in Ordinance No. 16-05, establishing six equal, geographically based districts, and the Mayor of the City of Costa Mesa elected on a citywide basis for a term of two years by the voters of the entire city, for a maximum of two terms?	Response Yes	Vote
	No	

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

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

- \_\_\_\_\_ (Mayor In Favor)
- \_\_\_\_\_ (Mayor Pro Tem In Favor)
- \_\_\_\_\_ (Council Member In Favor)
- \_\_\_\_\_ (Council Member In Favor)
- \_\_\_\_\_ (Council Member In Favor)

to file a written argument In Favor of the City measure, 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 the 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 12, 2016.

\_\_\_\_\_  
Stephen M. 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. 16-61 was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 12<sup>th</sup> 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 13<sup>th</sup> day of July, 2016.

---

BRENDA GREEN, CITY CLERK

**RESOLUTION NO. 16-59**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TUESDAY, NOVEMBER 8, 2016 FOR THE SUBMISSION TO THE VOTERS OF A QUESTION RELATING TO ESTABLISHING BY-DISTRICT ELECTIONS WITH A DIRECTLY ELECTED MAYOR AND A QUESTION RELATING TO ESTABLISHING TERM LIMITS FOR DIRECTLY ELECTED MAYOR**

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

WHEREAS, the City of Costa Mesa, currently has a City Council consisting of five members elected by all voters in the City. This type of system is referred to as an "at-large" system of voting; and

WHEREAS, the law in California allows a city to place a measure on the ballot to change from at-large voting to from-district or by-district voting. By-district voting is a system that divides the city into geographical districts of roughly equal population and the voters from a particular district elect only a person who resides in that district to represent them on the City Council; and

WHEREAS, California Government Code section 34877 allows a city to include in a proposed districting measure establishment of a directly elected mayor, who may serve either a two year or a four year term; and

WHEREAS, the California Voting Rights Act allows for a legal challenge to at-large elections, but not to by-district election systems; and

WHEREAS, California Government Code Section 36502 authorizes voters to limit the number of terms that may be served by members of the city council and/or an elected mayor; and

WHEREAS, the City Council has held numerous public meetings and public hearings to gather information and input regarding selection of a map for use in a by-district election system, and has selected a map to include in a by-district ballot measure, which is attached to the proposed measure and the proposed ordinance; and

WHEREAS, the selected map would establish six districts, the boundaries and numbering of which are described in the attached map and a directly elected mayor who would serve two year terms; and

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, the City of Costa Mesa shall hold a General Municipal Election on November 8, 2016 to submit to the voters a question relating to establishing By-District Elections for the Costa Mesa City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA,  
Resolution No. 16-59 Page 1

CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. Pursuant to the requirements of the laws of the State of California relating to General Law Cities, the City Council calls and orders a General Municipal Election held in the City of Costa Mesa, California, on Tuesday, November 8, 2016.

SECTION 2. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following question:

Measure __: Voter Districts Formation	Response	Vote
Shall members of the legislative body of the City of Costa Mesa be elected by district as described in Ordinance No. 16-06, establishing six equal, geographically based districts, and the Mayor of the City of Costa Mesa elected on a citywide basis for a term of two years by the voters of the entire city?	Yes	
	No	

SECTION 3. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following question:

Measure __: Mayoral Term Limits	Response	Vote
Shall the directly elected Mayor of the City of Costa Mesa be limited to two (2) terms of two (2) years each, separate from city council member term limits if Ordinance No. 16-06 passes.	Yes	
	No	

SECTION 4. That the proposed complete text of the district formation measure submitted to the voters is attached as Exhibit 1 and the proposed ordinance to be enacted is attached as Exhibit 2.

SECTION 5. That the proposed complete text of the mayoral term limits measure submitted to the voters is attached as Exhibit 3 and the proposed ordinance to be enacted is attached as Exhibit 4.

SECTION 6. The each measure requires a majority 50% + 1 of the votes cast to pass.

SECTION 7. The ballots used at the election shall be in form and content as required by law.

SECTION 8. The City Council authorizes, instructs and directs the City Clerk 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 necessary in order to properly and lawfully conduct the election.

SECTION 9. The polls for the election shall 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 close, pursuant to Election Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 10. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 11. Notice of the time and place of holding the election is given and the City Council authorizes, instructs and directs the City Clerk to give further or additional notice of the election in time, form and manner as required by law.

SECTION 12. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 13. The City Council authorizes the City Clerk to administer said election and the City shall pay all reasonable and actual election expenses upon presentation of a properly submitted bill.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Costa Mesa on this 12<sup>th</sup> day of July, 2016.

\_\_\_\_\_  
Stephen M. 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. 16-59 was duly passed and adopted by the City Council of the City of

Costa Mesa at a regular meeting held on the 12<sup>th</sup> 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 13<sup>th</sup> day of July, 2016.

---

BRENDA GREEN, CITY CLERK

FULL TEXT OF MEASURE \_\_\_\_\_  
CITY OF COSTA MESA

The People of the City of Costa Mesa do ordain as follows:

Title 2 Chapter II entitled "City Council Generally" shall be amended to allow for election of six (6) council members elected by-district and a mayor elected by voters city-wide. This ordinance enumerates residency requires for council members elected by district along with requirements for filling vacancies; describes the initial boundaries to elect council members by district as set forth on the map attached hereto as Exhibit A; and provides a sequence of electing council members to staggered terms.

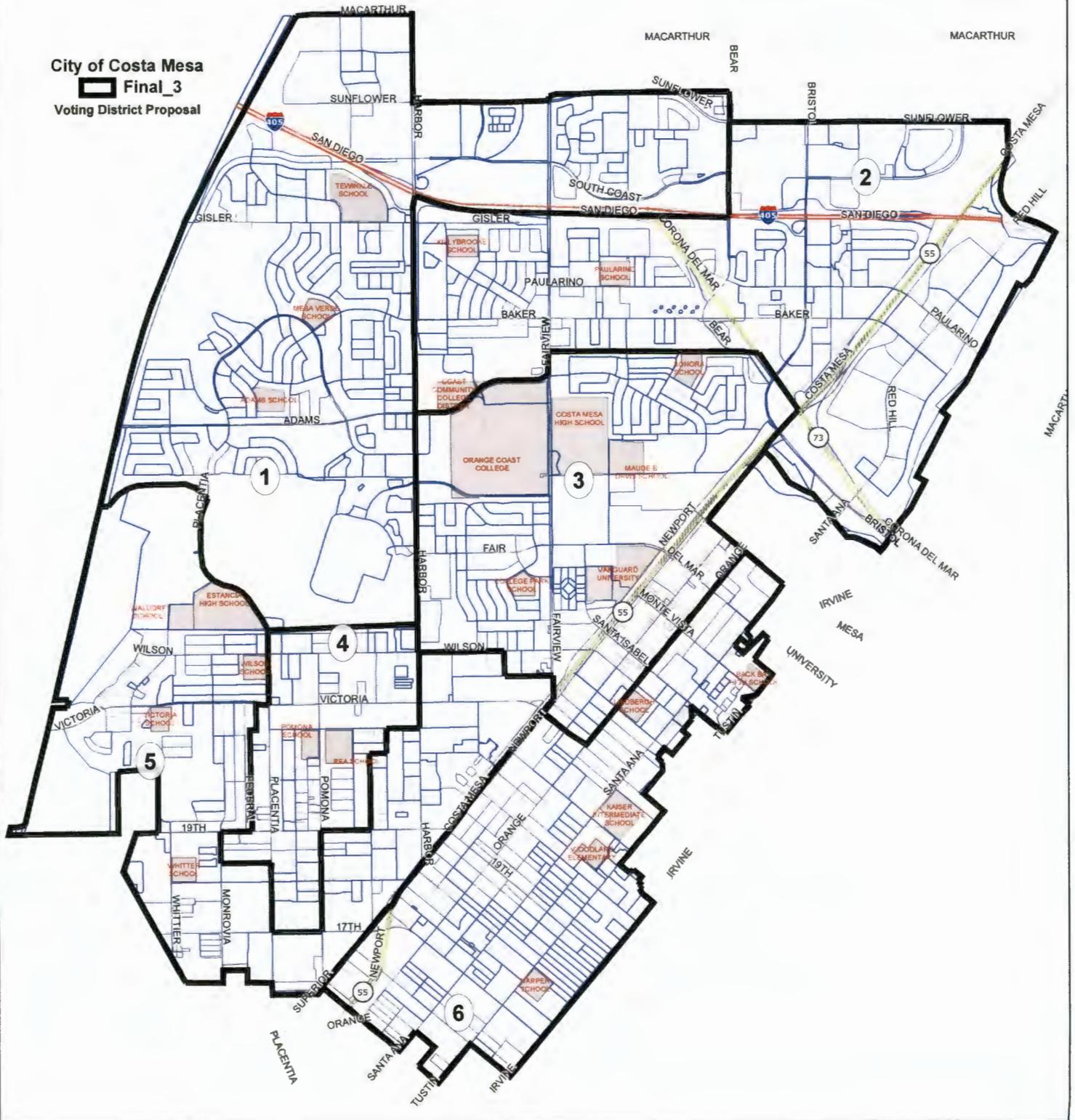
This ordinance establishes a directly elected mayor who will serve a two year term of office, rather than a four year term as other city council members do.

Under this ordinance, a change in the boundaries of council districts shall be evaluated within at least one (1) year subsequent to the availability of the information from each decennial United States census, as made necessary by a change in the City's boundaries or by a four-sevenths (4/7) vote of all its members provided that the number of times a change in boundaries may occur shall be limited to once in any two-year period and no such change shall be made within the period of one hundred eighty (180) days preceding a general municipal election.

This ordinance provides that all five members of the city council in office at the time this section takes effect shall continue in office until their terms expire.

**IF YOU DESIRE A COPY OF THE DISTRICT ELECTIONS ORDINANCE NO. 16-06, PLEASE CALL THE CITY CLERK'S OFFICE AT (714) \_\_\_\_\_, AND A COPY WILL BE MAILED AT NO COST TO YOU.**

City of Costa Mesa  
Final\_3  
Voting District Proposal



ORDINANCE NO. 16-06

AN ORDINANCE OF THE PEOPLE OF THE CITY OF  
COSTA MESA AMENDING THE COSTA MESA MUNICIPAL  
CODE TO ESTABLISH A DIRECTLY ELECTED MAYOR AND  
BY-DISTRICT ELECTION OF SIX COUNCIL MEMBERS

WHEREAS, the City of Costa Mesa ("City") is a general law city currently governed by a five (5) member city council elected at-large by all voters within the City; and

WHEREAS, a general law city with a population of more than 100,000 can change to a by-district election system by placing a measure on the ballot for voters to decide whether to elect city council members by-district based on a map delineating boundaries of proposed districts; and

WHEREAS, under the California Voting Rights Act, district based elections are required if it can be shown that an at-large election system prevents minority voters from electing their chosen candidate or influencing elections; and

WHEREAS, pursuant to a Settlement Agreement entered into with concerned citizens, the City agreed to submit the question to voters whether to elect its city councilmembers by district; and

WHEREAS, in accordance Elections Code Section 10010, the City Council held two (2) public hearings prior to the public hearing to select the final district map and place the measure on the November 8, 2016 general election ballot in addition to multiple community meetings; and

WHEREAS, the City of Costa Mesa Municipal Code, Title 2 Chapter II entitled "City Council Generally" provides for a five member city council, appointment of mayor and mayor pro tempore and term limits (enacted by voters) for elected city council members.

NOW THEREFORE THE PEOPLE OF THE CITY OF COSTA MESA, CALIFORNIA DO ORDAIN AS FOLLOWS:

SECTION 1. Costa Mesa Municipal Code Section 2-20 is repealed and replaced in its entirety as follows:

Sec. 2-20. – City Elected Officials; By-District Elections.

- A. City Council and Mayor. The elected officers of the City shall constitute a city council consisting of six (6) council members elected by-district at the times and in the manner provided in this ordinance, each of whom shall serve for a term of four years and until their respective successors qualify, and a directly elected mayor to serve a two year term, until his or her respective successor qualifies. Candidates for council seats shall be nominated and elected by such district and

shall reside in such district. Candidates for mayor may reside in any district within the City and shall be elected by the voters city-wide.

- B. Residency in Districts. Except for the directly elected Mayor, each member of the Council must also be a resident of the council district from which the member is nominated at the time the member is nominated and elected. In the event any member of the Council shall cease to be a resident of the district from which the member (or, in the case of an appointee, a predecessor) was nominated, the office shall immediately become vacant and shall be filled in the same manner as herein provided for other vacancies. If a member of the Council ceases to be a resident of the district from which the member (or, in the case of an appointee, a predecessor) was nominated solely because of a change in the boundaries of any district as in this code provided, the member shall not lose office during that term by reason of such change.
- C. Districts. The City is hereby divided into six (6) Council districts. The six districts shall be as described in section 2-20.5.
- D. Changes in Boundaries of Council Districts. The boundaries of said Council districts, but not the number thereof, may be changed by ordinance adopted by the Council by a four-sevenths (4/7) vote of all its members; provided, that districts established by the Council shall be as nearly equal in population and as geographically compact as practical. Boundaries shall be evaluated within at least one (1) year subsequent to the availability of the information from each decennial United States census or on another basis adopted by four-sevenths (4/7) vote of the total membership of the Council, and as provided in California Elections Code sections 21620 and 21621. However, the Council shall not change the boundaries of districts more than once in any two-year period and no such change shall be made within the period of one hundred eighty (180) days preceding a general municipal election. The preceding limitations shall not apply to changes made necessary by changes to the City boundaries. After the Council has exercised its power to change the boundaries of districts, these changes shall immediately be reflected in the district boundaries specified by ordinance adopted by the Council.
- E. Current Office Holders. The five members of the city council in office at the time this section takes effect shall continue in office until their terms expire.
- F. Council Elections Sequenced. The Mayor shall serve a two year term and the position of Mayor shall be elected commencing in the year 2018, and every two years thereafter. The members of the Council of the third, fourth and fifth Council districts shall be elected commencing in the year 2018 to the Council seats then open, and in each fourth year thereafter. The members of the Council of the first, second and sixth Council districts shall be elected commencing in the year 2020 to the Council seats then open, and in each fourth year thereafter.

SECTION 2. Section 2-20.5 of the Costa Mesa Municipal Code is hereby added:

2-20.5 -- District Boundaries.

The council member districts of the city shall have the following initial legal boundaries:

First District.

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and Bear St, and proceeding southerly along Bear St to I-405, and proceeding westerly along I-405 to Harbor Blvd, and proceeding southerly along Harbor Blvd to Census Block 060590638072010 southern Boundary, and proceeding westerly along said Block Boundary to Placentia Ave, and proceeding northerly along Placentia Ave to Flood Control Channel, and proceeding westerly along Flood Control Channel to City Boundary, and proceeding northerly along City Boundary to the point of beginning.

Second District.

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and Bear St, and proceeding easterly along City Boundary to Highway 55, and proceeding northerly along Highway 55 to Highway 73, and proceeding northerly along Highway 73 to Flood Control Channel, and proceeding westerly along Flood Control Channel to Fairview Rd, and proceeding southerly along Fairview Rd to Adams Ave, and proceeding westerly along Adams Ave to Harbor Blvd, and proceeding northerly along Harbor Blvd to I-405, and proceeding easterly along I-405 to Bear St, and proceeding northerly along Bear St to the point of beginning.

Third District.

The region bounded and described as follows: Beginning at the point of intersection of Flood Control Channel and Fairview Rd, and proceeding easterly along Flood Control Channel to Highway 73, and proceeding southerly along Highway 73 to Highway 55, and proceeding southerly along Highway 55 to City Boundary, and proceeding southerly along City Boundary to Orange Ave, and proceeding southerly along Orange Ave to 22nd St, and proceeding westerly along 22nd St to Costa Mesa Freeway, and proceeding northerly along Costa Mesa Freeway to Fairview Rd, and proceeding northerly along Fairview Rd to Avocado St, and proceeding westerly along Avocado St to Census Block 060590639062000 western Boundary, and proceeding northerly along said Block Boundary to W Wilson St, and proceeding westerly along W Wilson St to Harbor Blvd, and proceeding northerly along Harbor Blvd to Adams Ave,

and proceeding easterly along Adams Ave to Fairview Rd, and proceeding northerly along Fairview Rd to the point of beginning.

#### Fourth District.

The region bounded and described as follows: Beginning at the point of intersection of Harbor Blvd and Census Block 060590638072010 southern Boundary, and proceeding southerly along Harbor Blvd to Hamilton St, and proceeding westerly along Hamilton St to Maple Ave, and proceeding southerly along Maple Ave to W Bay St, and proceeding westerly along W Bay St to Anaheim Ave, and proceeding southerly along Anaheim Ave to W 19th St, and proceeding westerly along W 19th St to Pomona Ave, and proceeding southerly along Pomona Ave to W 17th St, and proceeding westerly along W 17th St to Placentia Ave, and proceeding northerly along Placentia Ave to Towne St, and proceeding westerly along Towne St to Monrovia Ave, and proceeding northerly along Monrovia Ave to W 19th St, and proceeding easterly along W 19th St to Parcel Boundary(West of Placentia Ave), and proceeding northerly along Parcel Boundaries to Victoria St, and proceeding easterly along Victoria St to Placentia Ave, and proceeding northerly along Placentia Ave to Census Block 060590638072010 southern Boundary, and proceeding easterly along said Block Boundary to the point of beginning.

#### Fifth District.

The region bounded and described as follows: Beginning at the point of intersection of Flood Control Channel and City Boundary (in Fairview Park), and proceeding westerly along Flood Control Channel to Placentia Ave, and proceeding southerly along Placentia Ave to Victoria St, and proceeding westerly along Victoria St to Parcel Boundary (West of Placentia), and proceeding southerly along Parcel Boundaries to W 19th St, and proceeding westerly along W 19th St to Monrovia Ave, and proceeding southerly along Monrovia Ave to Towne St, and proceeding easterly along Towne St to Placentia Ave, and proceeding southerly along Placentia Ave to W 17th St, and proceeding easterly along W 17th St to Pomona Ave, and proceeding northerly along Pomona Ave to W 19th St, and proceeding easterly along W 19th St to Anaheim Ave, and proceeding northerly along Anaheim Ave to W Bay St, and proceeding easterly along W Bay St to Maple Ave, and proceeding northerly along Maple Ave to Hamilton St, and proceeding easterly along Hamilton St to Harbor Blvd, and proceeding northerly along Harbor Blvd to W Wilson St, and proceeding easterly along W Wilson St to Census Block 060590639062000 western Boundary, and proceeding southerly along said Block Boundary to Avocado St, and proceeding easterly along Avocado St to Fairview Rd, and proceeding southerly along Fairview Rd to State Hwy 55, and proceeding southerly along State Hwy 55 to Newport Blvd, and proceeding southerly along Newport Blvd to Superior Ave, and proceeding westerly

along Superior Ave to City Boundary, and proceeding easterly along City Boundary to the point of beginning.

Sixth District.

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and Orange Ave, and proceeding easterly along City Boundary to Superior Ave, and proceeding northerly along Superior Ave to Newport Blvd, and proceeding northerly along Newport Blvd to State Hwy 55, and proceeding northerly along State Hwy 55 to 22nd St, and proceeding easterly along 22nd St to Orange Ave, and proceeding northerly along Orange Ave to the point of beginning.

These district boundaries are depicted on a boundary map attached hereto as Exhibit A. These boundaries will remain in effect until amended by ordinance as provided in section 2-20.D.

SECTION 3. Section 2-22 of the Costa Mesa Municipal Code is repealed and replaced in its entirety as follows:

A. Mayor. One of the four City Council seats open at the first municipal election following the date on which this section takes effect shall be designated as the office of mayor, to be filled at the election. The person elected at the election as mayor shall hold office from the Tuesday succeeding his or her election, and until his or her successor is elected and qualifies. Candidates for mayor may reside in any council district of the City, and all qualified voters of the city shall be able to vote for the office of Mayor. The elected mayor is a member of the city council and has all the powers and duties of a member of the city council.

The mayor may make and second motions and shall have a voice and vote in all its proceedings. He or she shall be the official head of the city for all ceremonial purposes. He or she shall perform such other duties consistent with the office as may be prescribed by the city council.

The provisions of section 2-24 shall not apply to the position of directly elected mayor.

B. Mayor Pro Tem. At the meeting at which the declaration of the municipal election results and the installation of the new elected officers is made pursuant to Sections 10262 and 10264 of the Elections Code, following the declaration of the election results, the city council shall meet and shall elect one of its members as mayor pro tempore, who shall serve in such capacity for a period of two (2) years from the date of appointment. The mayor pro tempore shall perform the duties of the mayor during his or her absence or disability.

SECTION 4. Should any section, subsection, clause or provision of this ordinance for any reason be held to be invalid, such invalidity shall not affect the validity of the

remaining portions of this ordinance, it being hereby expressly declared that this ordinance, and each and every section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, approved, adopted and/or ratified irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases of this ordinance be declared invalid.

SECTION 5. After this ordinance is approved by a majority vote of the voters, the Mayor and City Clerk shall certify that the ordinance was submitted to the voters of the city and that it was approved by a majority vote. The City Clerk shall file one copy of the approved ordinance with the Orange County Clerk-Recorder's office, one copy with the Orange County Registrar of Voters keep one copy in the City's archive. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner required by law.

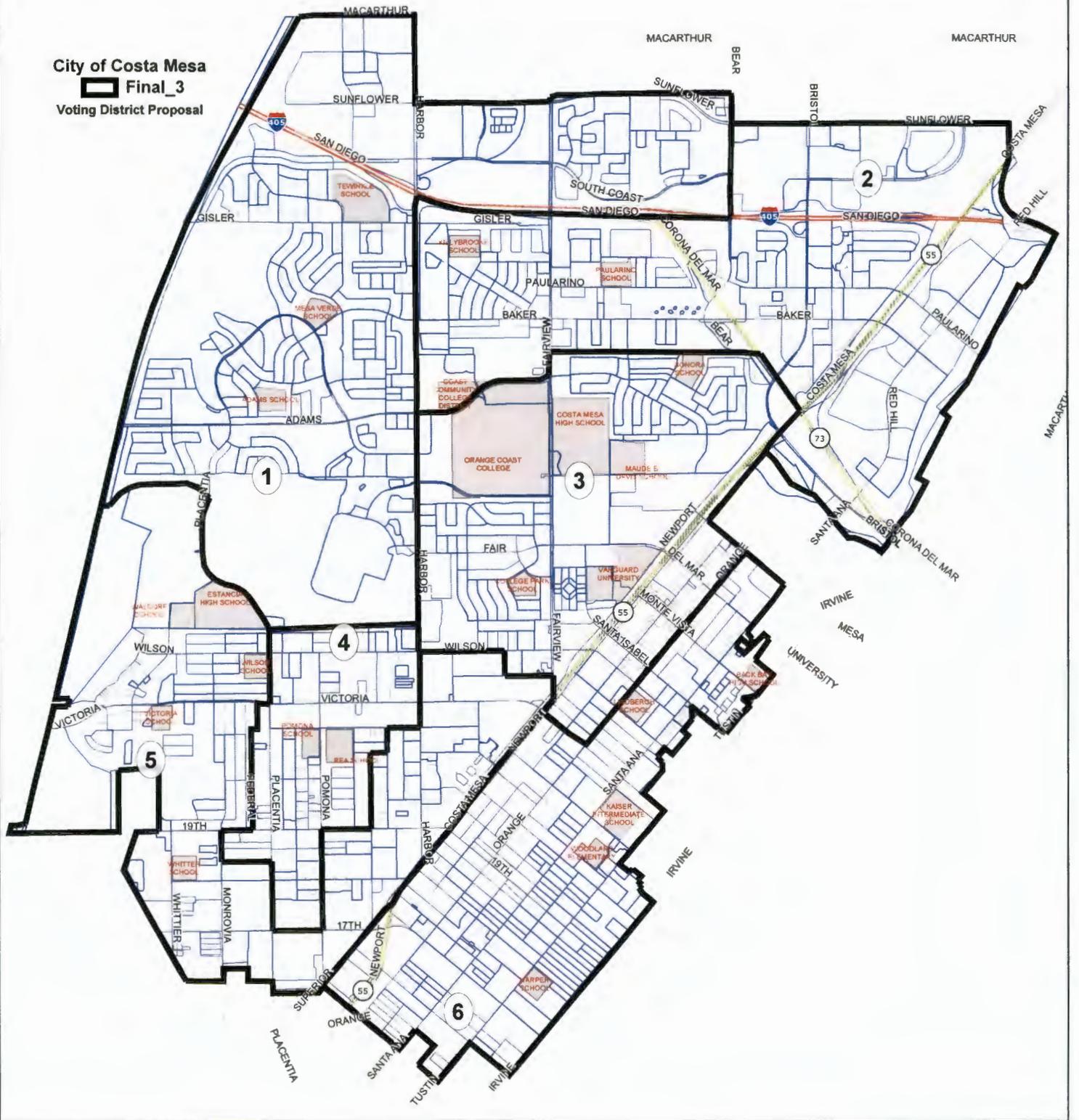
PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
\_\_\_\_\_, Mayor

Attest:

\_\_\_\_\_  
City Clerk

City of Costa Mesa  
Final\_3  
Voting District Proposal



FULL TEXT OF MEASURE \_\_\_\_  
CITY OF COSTA MESA

The People of the City of Costa Mesa do ordain as follows:

This ordinance would establish term limits for a directly elected mayor of two (2) consecutive terms of two (2) years each, which would be in addition to any terms served as a city council member under Costa Mesa Municipal Code section 2-24. This ordinance would not change the term limits for city council members which are two (2) consecutive terms of four (4) year each. This ordinance will only take effect if Ordinance No. 16-06 is approved by the voters of Costa Mesa.

**IF YOU DESIRE A COPY OF THE MAYORAL TERM LIMITS ORDINANCE NO. 16-07, PLEASE CALL THE CITY CLERK'S OFFICE AT (714) \_\_\_\_\_, AND A COPY WILL BE MAILED AT NO COST TO YOU.**

ORDINANCE NO. 16-07

AN ORDINANCE OF THE PEOPLE OF THE CITY OF  
COSTA MESA ADDING SECTION 2-25 OF THE COSTA  
MESA MUNICIPAL CODE ESTABLISHING TERM LIMITS  
FOR A DIRECTLY ELECTED MAYOR

WHEREAS, the City of Costa Mesa ("City") is a general law city currently governed by a five (5) member city council elected at-large by all voters within the City; and

WHEREAS, voters will consider adopting Ordinance No. 16-06 to establish a directly elected mayor and six council members elected by district in accordance with the California Voting Rights Act and California law; and

WHEREAS, California Government Code Section 36502 authorizes voters to limit the number of terms that may be served by members of the city council and/or an elected mayor; and

WHEREAS, Section 2-24 currently provides that the number of terms a member of the city council may serve on the city council shall be limited to two (2) consecutive terms of four (4) years each; and

WHEREAS, this ordinance would add Section 2-25 to limit the number of terms a directly elected mayor may serve on the city council to two (2) consecutive terms of two (2) years each, which shall be separate from and in addition to any four year terms served on the city council.

NOW THEREFORE THE PEOPLE OF THE CITY OF COSTA MESA, CALIFORNIA DO  
ORDAIN AS FOLLOWS:

SECTION 1. Costa Mesa Municipal Code Section 2-25 shall be added:

Section 2-25. Directly Elected Mayor Term Limits.

The number of terms a directly elected mayor may serve on the city council shall be limited to two (2) consecutive terms of two (2) years each, which shall be in addition to any four year terms served on the city council subject to section 2-24.

SECTION 2. This ordinance shall only take effect if Ordinance 16-06 is approved by the voters.

SECTION 3. Should any section, subsection, clause or provision of this ordinance for any reason be held to be invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance, it being hereby expressly declared that this ordinance, and each and every section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, approved, adopted and/or ratified irrespective of

the fact that any one or more section, subsections, sentences, clauses or phrases of this ordinance be declared invalid.

SECTION 4. After this ordinance is approved by a majority vote of the voters, the Mayor and City Clerk shall certify that the ordinance was submitted to the voters of the city and that it was approved by a majority vote. The City Clerk shall file one copy of the approved ordinance with the Orange County Clerk-Recorder's office, one copy with the Orange County Registrar of Voters keep one copy in the City's archive. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner required by law.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
\_\_\_\_\_, Mayor

Attest:

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2016-60**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REQUESTING THE ORANGE COUNTY BOARD OF SUPERVISORS TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 8, 2016, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE**

WHEREAS, the City Council of the City of Costa Mesa called a General Municipal Election to be held on November 8, 2016 for the purpose of submitting two proposed ordinances to the voters of the City of Costa Mesa for their consideration; and

WHEREAS, the City Council of the City of Costa Mesa is submitting to the voters of the City of Costa Mesa a question relating to establishment of By-District Elections for the City Council with a Directly Elected Mayor and a question relating to term limits for a Directly Elected Mayor; and

WHEREAS, the City of Costa Mesa desires that the General Municipal Election be consolidated with the Statewide General election to be held on the same date and that within the city, the precincts, polling places, and election officers of the two elections be the same, and that the Registrar of Voters of the County of Orange canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election;

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

SECTION 1. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Orange is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 8, 2016, for the purpose of submitting to the voters of the City of Costa Mesa two questions relating to the adoption of proposed ordinances.

SECTION 2. That the following measure is to appear on the ballot as follows:

Measure __: Voter Districts Formation	Response	Vote
Shall members of the legislative body of the City of Costa Mesa be elected by district as described in Ordinance No.16-06, establishing six equal, geographically based districts, and the Mayor of the City of Costa Mesa elected on a citywide basis for a term of two years by the voters of the entire city?	Yes	
	No	

That the proposed complete text of the district elections measure submitted to the voters is attached as Exhibit 1, and the proposed ordinance to be enacted is attached as Exhibit 2.

SECTION 3. The following measure is also to appear on the ballot as follows:

Measure __: Mayoral Term Limits	Response	Vote
Shall the directly elected Mayor of the City of Costa Mesa be limited to two (2) terms of two (2) years each, separate from city council member term limits if Ordinance No. 16-06 passes?	Yes	
	No	

That the proposed complete text of the mayoral term limits measure submitted to the voters is attached as Exhibit 3, and the proposed ordinance to be enacted is attached as Exhibit 4.

SECTION 4. That the vote requirement for the measures to pass is a majority (50% +1) of the votes cast.

SECTION 5. That the County of Orange Registrar of Voters is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

Alternative 2

The election will be held and conducted in accordance with the provisions of law regulating the statewide or special election.

SECTION 6. That the Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary to hold the consolidated election.

SECTION 7. That the City of Costa Mesa recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 8. That the City Clerk is directed to file a certified copy of this Resolution with the Board of Supervisors and the county election department of the County of Orange.

SECTION 9. 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 this 12th day of July, 2016.

\_\_\_\_\_  
Stephen M. Mensinger

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. 16-60 was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 12<sup>th</sup> 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 Resolution No. 16-60 Page 3

City of Costa Mesa this 13<sup>th</sup> day of July, 2016.

---

BRENDA GREEN, CITY CLERK

Attachments:

1. Exhibit 1 – Proposed complete text of the measure submitted to the voters.
2. Exhibit 2 – Proposed Ordinance to be enacted.

FULL TEXT OF MEASURE \_\_\_\_  
CITY OF COSTA MESA

The People of the City of Costa Mesa do ordain as follows:

Title 2 Chapter II entitled "City Council Generally" shall be amended to allow for election of six (6) council members elected by-district and a mayor elected by voters city-wide. This ordinance enumerates residency requires for council members elected by district along with requirements for filling vacancies; describes the initial boundaries to elect council members by district as set forth on the map attached hereto as Exhibit A; and provides a sequence of electing council members to staggered terms.

This ordinance establishes a directly elected mayor who will serve a two year term of office, rather than a four year term as other city council members do.

Under this ordinance, a change in the boundaries of council districts shall be evaluated within at least one (1) year subsequent to the availability of the information from each decennial United States census, as made necessary by a change in the City's boundaries or by a four-sevenths (4/7) vote of all its members provided that the number of times a change in boundaries may occur shall be limited to once in any two-year period and no such change shall be made within the period of one hundred eighty (180) days preceding a general municipal election.

This ordinance provides that all five members of the city council in office at the time this section takes effect shall continue in office until their terms expire.

**IF YOU DESIRE A COPY OF THE DISTRICT ELECTIONS ORDINANCE NO. 16-06, PLEASE CALL THE CITY CLERK'S OFFICE AT (714) \_\_\_\_\_, AND A COPY WILL BE MAILED AT NO COST TO YOU.**

ORDINANCE NO. 16-06

AN ORDINANCE OF THE PEOPLE OF THE CITY OF  
COSTA MESA AMENDING THE COSTA MESA MUNICIPAL  
CODE TO ESTABLISH A DIRECTLY ELECTED MAYOR AND  
BY-DISTRICT ELECTION OF SIX COUNCIL MEMBERS

WHEREAS, the City of Costa Mesa ("City") is a general law city currently governed by a five (5) member city council elected at-large by all voters within the City; and

WHEREAS, a general law city with a population of more than 100,000 can change to a by-district election system by placing a measure on the ballot for voters to decide whether to elect city council members by-district based on a map delineating boundaries of proposed districts; and

WHEREAS, under the California Voting Rights Act, district based elections are required if it can be shown that an at-large election system prevents minority voters from electing their chosen candidate or influencing elections; and

WHEREAS, pursuant to a Settlement Agreement entered into with concerned citizens, the City agreed to submit the question to voters whether to elect its city councilmembers by district; and

WHEREAS, in accordance Elections Code Section 10010, the City Council held two (2) public hearings prior to the public hearing to select the final district map and place the measure on the November 8, 2016 general election ballot in addition to multiple community meetings; and

WHEREAS, the City of Costa Mesa Municipal Code, Title 2 Chapter II entitled "City Council Generally" provides for a five member city council, appointment of mayor and mayor pro tempore and term limits (enacted by voters) for elected city council members.

NOW THEREFORE THE PEOPLE OF THE CITY OF COSTA MESA, CALIFORNIA DO ORDAIN AS FOLLOWS:

SECTION 1. Costa Mesa Municipal Code Section 2-20 is repealed and replaced in its entirety as follows:

Sec. 2-20. – City Elected Officials; By-District Elections.

- A. City Council and Mayor. The elected officers of the City shall constitute a city council consisting of six (6) council members elected by-district at the times and in the manner provided in this ordinance, each of whom shall serve for a term of four years and until their respective successors qualify, and a directly elected mayor to serve a two year term, until his or her respective successor qualifies. Candidates for council seats shall be nominated and elected by such district and

shall reside in such district. Candidates for mayor may reside in any district within the City and shall be elected by the voters city-wide.

- B. Residency in Districts. Except for the directly elected Mayor, each member of the Council must also be a resident of the council district from which the member is nominated at the time the member is nominated and elected. In the event any member of the Council shall cease to be a resident of the district from which the member (or, in the case of an appointee, a predecessor) was nominated, the office shall immediately become vacant and shall be filled in the same manner as herein provided for other vacancies. If a member of the Council ceases to be a resident of the district from which the member (or, in the case of an appointee, a predecessor) was nominated solely because of a change in the boundaries of any district as in this code provided, the member shall not lose office during that term by reason of such change.
- C. Districts. The City is hereby divided into six (6) Council districts. The six districts shall be as described in section 2-20.5.
- D. Changes in Boundaries of Council Districts. The boundaries of said Council districts, but not the number thereof, may be changed by ordinance adopted by the Council by a four-sevenths (4/7) vote of all its members; provided, that districts established by the Council shall be as nearly equal in population and as geographically compact as practical. Boundaries shall be evaluated within at least one (1) year subsequent to the availability of the information from each decennial United States census or on another basis adopted by four-sevenths (4/7) vote of the total membership of the Council, and as provided in California Elections Code sections 21620 and 21621. However, the Council shall not change the boundaries of districts more than once in any two-year period and no such change shall be made within the period of one hundred eighty (180) days preceding a general municipal election. The preceding limitations shall not apply to changes made necessary by changes to the City boundaries. After the Council has exercised its power to change the boundaries of districts, these changes shall immediately be reflected in the district boundaries specified by ordinance adopted by the Council.
- E. Current Office Holders. The five members of the city council in office at the time this section takes effect shall continue in office until their terms expire.
- F. Council Elections Sequenced. The Mayor shall serve a two year term and the position of Mayor shall be elected commencing in the year 2018, and every two years thereafter. The members of the Council of the third, fourth and fifth Council districts shall be elected commencing in the year 2018 to the Council seats then open, and in each fourth year thereafter. The members of the Council of the first, second and sixth Council districts shall be elected commencing in the year 2020 to the Council seats then open, and in each fourth year thereafter.

SECTION 2. Section 2-20.5 of the Costa Mesa Municipal Code is hereby added:

2-20.5 -- District Boundaries.

The council member districts of the city shall have the following initial legal boundaries:

First District.

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and Bear St, and proceeding southerly along Bear St to I-405, and proceeding westerly along I-405 to Harbor Blvd, and proceeding southerly along Harbor Blvd to Census Block 060590638072010 southern Boundary, and proceeding westerly along said Block Boundary to Placentia Ave, and proceeding northerly along Placentia Ave to Flood Control Channel, and proceeding westerly along Flood Control Channel to City Boundary, and proceeding northerly along City Boundary to the point of beginning.

Second District.

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and Bear St, and proceeding easterly along City Boundary to Highway 55, and proceeding northerly along Highway 55 to Highway 73, and proceeding northerly along Highway 73 to Flood Control Channel, and proceeding westerly along Flood Control Channel to Fairview Rd, and proceeding southerly along Fairview Rd to Adams Ave, and proceeding westerly along Adams Ave to Harbor Blvd, and proceeding northerly along Harbor Blvd to I-405, and proceeding easterly along I-405 to Bear St, and proceeding northerly along Bear St to the point of beginning.

Third District.

The region bounded and described as follows: Beginning at the point of intersection of Flood Control Channel and Fairview Rd, and proceeding easterly along Flood Control Channel to Highway 73, and proceeding southerly along Highway 73 to Highway 55, and proceeding southerly along Highway 55 to City Boundary, and proceeding southerly along City Boundary to Orange Ave, and proceeding southerly along Orange Ave to 22nd St, and proceeding westerly along 22nd St to Costa Mesa Freeway, and proceeding northerly along Costa Mesa Freeway to Fairview Rd, and proceeding northerly along Fairview Rd to Avocado St, and proceeding westerly along Avocado St to Census Block 060590639062000 western Boundary, and proceeding northerly along said Block Boundary to W Wilson St, and proceeding westerly along W Wilson St to Harbor Blvd, and proceeding northerly along Harbor Blvd to Adams Ave,

and proceeding easterly along Adams Ave to Fairview Rd, and proceeding northerly along Fairview Rd to the point of beginning.

#### Fourth District.

The region bounded and described as follows: Beginning at the point of intersection of Harbor Blvd and Census Block 060590638072010 southern Boundary, and proceeding southerly along Harbor Blvd to Hamilton St, and proceeding westerly along Hamilton St to Maple Ave, and proceeding southerly along Maple Ave to W Bay St, and proceeding westerly along W Bay St to Anaheim Ave, and proceeding southerly along Anaheim Ave to W 19th St, and proceeding westerly along W 19th St to Pomona Ave, and proceeding southerly along Pomona Ave to W 17th St, and proceeding westerly along W 17th St to Placentia Ave, and proceeding northerly along Placentia Ave to Towne St, and proceeding westerly along Towne St to Monrovia Ave, and proceeding northerly along Monrovia Ave to W 19th St, and proceeding easterly along W 19th St to Parcel Boundary(West of Placentia Ave), and proceeding northerly along Parcel Boundaries to Victoria St, and proceeding easterly along Victoria St to Placentia Ave, and proceeding northerly along Placentia Ave to Census Block 060590638072010 southern Boundary, and proceeding easterly along said Block Boundary to the point of beginning.

#### Fifth District.

The region bounded and described as follows: Beginning at the point of intersection of Flood Control Channel and City Boundary (in Fairview Park), and proceeding westerly along Flood Control Channel to Placentia Ave, and proceeding southerly along Placentia Ave to Victoria St, and proceeding westerly along Victoria St to Parcel Boundary (West of Placentia), and proceeding southerly along Parcel Boundaries to W 19th St, and proceeding westerly along W 19th St to Monrovia Ave, and proceeding southerly along Monrovia Ave to Towne St, and proceeding easterly along Towne St to Placentia Ave, and proceeding southerly along Placentia Ave to W 17th St, and proceeding easterly along W 17th St to Pomona Ave, and proceeding northerly along Pomona Ave to W 19th St, and proceeding easterly along W 19th St to Anaheim Ave, and proceeding northerly along Anaheim Ave to W Bay St, and proceeding easterly along W Bay St to Maple Ave, and proceeding northerly along Maple Ave to Hamilton St, and proceeding easterly along Hamilton St to Harbor Blvd, and proceeding northerly along Harbor Blvd to W Wilson St, and proceeding easterly along W Wilson St to Census Block 060590639062000 western Boundary, and proceeding southerly along said Block Boundary to Avocado St, and proceeding easterly along Avocado St to Fairview Rd, and proceeding southerly along Fairview Rd to State Hwy 55, and proceeding southerly along State Hwy 55 to Newport Blvd, and proceeding southerly along Newport Blvd to Superior Ave, and proceeding westerly

along Superior Ave to City Boundary, and proceeding easterly along City Boundary to the point of beginning.

Sixth District.

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and Orange Ave, and proceeding easterly along City Boundary to Superior Ave, and proceeding northerly along Superior Ave to Newport Blvd, and proceeding northerly along Newport Blvd to State Hwy 55, and proceeding northerly along State Hwy 55 to 22nd St, and proceeding easterly along 22nd St to Orange Ave, and proceeding northerly along Orange Ave to the point of beginning.

These district boundaries are depicted on a boundary map attached hereto as Exhibit A. These boundaries will remain in effect until amended by ordinance as provided in section 2-20.D.

SECTION 3. Section 2-22 of the Costa Mesa Municipal Code is repealed and replaced in its entirety as follows:

A. Mayor. One of the four City Council seats open at the first municipal election following the date on which this section takes effect shall be designated as the office of mayor, to be filled at the election. The person elected at the election as mayor shall hold office from the Tuesday succeeding his or her election, and until his or her successor is elected and qualifies. Candidates for mayor may reside in any council district of the City, and all qualified voters of the city shall be able to vote for the office of Mayor. The elected mayor is a member of the city council and has all the powers and duties of a member of the city council.

The mayor may make and second motions and shall have a voice and vote in all its proceedings. He or she shall be the official head of the city for all ceremonial purposes. He or she shall perform such other duties consistent with the office as may be prescribed by the city council.

The provisions of section 2-24 shall not apply to the position of directly elected mayor.

B. Mayor Pro Tem. At the meeting at which the declaration of the municipal election results and the installation of the new elected officers is made pursuant to Sections 10262 and 10264 of the Elections Code, following the declaration of the election results, the city council shall meet and shall elect one of its members as mayor pro tempore, who shall serve in such capacity for a period of two (2) years from the date of appointment. The mayor pro tempore shall perform the duties of the mayor during his or her absence or disability.

SECTION 4. Should any section, subsection, clause or provision of this ordinance for any reason be held to be invalid, such invalidity shall not affect the validity of the

remaining portions of this ordinance, it being hereby expressly declared that this ordinance, and each and every section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, approved, adopted and/or ratified irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases of this ordinance be declared invalid.

SECTION 5. After this ordinance is approved by a majority vote of the voters, the Mayor and City Clerk shall certify that the ordinance was submitted to the voters of the city and that it was approved by a majority vote. The City Clerk shall file one copy of the approved ordinance with the Orange County Clerk-Recorder's office, one copy with the Orange County Registrar of Voters keep one copy in the City's archive. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner required by law.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
\_\_\_\_\_, Mayor

Attest:

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2016-60**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REQUESTING THE ORANGE COUNTY BOARD OF SUPERVISORS TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 8, 2016, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE**

WHEREAS, the City Council of the City of Costa Mesa called a General Municipal Election to be held on November 8, 2016 for the purpose of submitting two proposed ordinances to the voters of the City of Costa Mesa for their consideration; and

WHEREAS, the City Council of the City of Costa Mesa is submitting to the voters of the City of Costa Mesa a question relating to establishment of By-District Elections for the City Council with a Directly Elected Mayor and a question relating to term limits for a Directly Elected Mayor; and

WHEREAS, the City of Costa Mesa desires that the General Municipal Election be consolidated with the Statewide General election to be held on the same date and that within the city, the precincts, polling places, and election officers of the two elections be the same, and that the Registrar of Voters of the County of Orange canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election;

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

SECTION 1. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Orange is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 8, 2016, for the purpose of submitting to the voters of the City of Costa Mesa two questions relating to the adoption of proposed ordinances.

SECTION 2. That the following measure is to appear on the ballot as follows:

Measure : Voter Districts Formation	Response	Vote
Shall members of the legislative body of the City of Costa Mesa be elected by district as described in Ordinance No.16-06, establishing six equal, geographically based districts, and the Mayor of the City of Costa Mesa elected on a citywide basis for a term of two years by the voters of the entire city?	Yes	
	No	

That the proposed complete text of the district elections measure submitted to the voters is attached as Exhibit 1, and the proposed ordinance to be enacted is attached as Exhibit 2.

SECTION 3. The following measure is also to appear on the ballot as follows:

Measure : Mayoral Term Limits	Response	Vote
Shall the directly elected Mayor of the City of Costa Mesa be limited to two (2) terms of two (2) years each, separate from city council member term limits if Ordinance No. 16-06 passes?	Yes	
	No	

That the proposed complete text of the mayoral term limits measure submitted to the voters is attached as Exhibit 3, and the proposed ordinance to be enacted is attached as Exhibit 4.

SECTION 4. That the vote requirement for the measures to pass is a majority (50% +1) of the votes cast.

SECTION 5. That the County of Orange Registrar of Voters is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

Alternative 2

The election will be held and conducted in accordance with the provisions of law regulating the statewide or special election.

SECTION 6. That the Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary to hold the consolidated election.

SECTION 7. That the City of Costa Mesa recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 8. That the City Clerk is directed to file a certified copy of this Resolution with the Board of Supervisors and the county election department of the County of Orange.

SECTION 9. 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 this 12th day of July, 2016.

\_\_\_\_\_  
Stephen M. Mensinger

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. 16-60 was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 12<sup>th</sup> 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 Resolution No. 16-60 Page 3

City of Costa Mesa this 13<sup>th</sup> day of July, 2016.

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BRENDA GREEN, CITY CLERK

Attachments:

1. Exhibit 1 – Proposed complete text of the measure submitted to the voters.
2. Exhibit 2 – Proposed Ordinance to be enacted.

**RESOLUTION NO. 16-61**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

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

Measure __: Voter Districts Formation	Response	Vote
Shall members of the legislative body of the City of Costa Mesa be elected by district as described in Ordinance No. 16-06, establishing six equal, geographically based districts, and the Mayor of the City of Costa Mesa elected on a citywide basis for a term of two years by the voters of the entire city?	Yes	
	No	

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

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

- \_\_\_\_\_ (Mayor In Favor)
- \_\_\_\_\_ (Mayor Pro Tem In Favor)
- \_\_\_\_\_ (Council Member In Favor)
- \_\_\_\_\_ (Council Member In Favor)
- \_\_\_\_\_ (Council Member In Favor)

to file a written argument In Favor of the City measure, 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 the 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 12, 2016.

\_\_\_\_\_  
Stephen M. 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. 16-61 was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 12<sup>th</sup> 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 13<sup>th</sup> day of July, 2016.

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BRENDA GREEN, CITY CLERK

**RESOLUTION NO. 16-62**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

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

Measure : Mayoral Term Limits	Response	Vote
Shall the directly elected Mayor of the City of Costa Mesa be limited to two (2) terms of two (2) years each, separate from city council member term limits if Ordinance No. 16-06 passes?	Yes	
	No	

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

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

- \_\_\_\_\_ (Mayor In Favor)
- \_\_\_\_\_ (Mayor Pro Tem In Favor)
- \_\_\_\_\_ (Council Member In Favor)
- \_\_\_\_\_ (Council Member In Favor)
- \_\_\_\_\_ (Council Member In Favor)

to file a written argument In Favor of the City measure, 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 the 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 12, 2016.

\_\_\_\_\_  
Stephen M. 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. 16-62 was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 12<sup>th</sup> 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 13<sup>th</sup> day of July, 2016.

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BRENDA GREEN, CITY CLERK