

RESOLUTION NO. 2010-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT TO PROVIDE ELECTION SERVICES AND TO CONSOLIDATE THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE.

WHEREAS, the City Council of the City of Eureka called a General Municipal Election to be held on Tuesday, November 2, 2010 for the purpose of submitting to the voters the Marina Center Local Coastal Program Amendment Measure, and

WHEREAS, it is desirable 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

WHEREAS, it is desirable that the Election Department of the County of Humboldt 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 EUREKA, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, 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 Humboldt is hereby requested to consent and agree to consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 2, 2010 that the following measure is to appear on the ballot as follows:

Shall ordinances be adopted amending the City of Eureka Local Coastal Program, including general plan and zoning amendments, to allow retail, office, multi-family residential, light industrial, restaurant, and museum uses on the "Balloon Track" and adjacent properties, as proposed for the 43-acre Marina Center Project; require additional permit approvals for development; prohibit "Discount Superstores;" and authorize the City Council to amend or repeal specific limitations on development after 10 years and following appropriate environmental review?	YES
	NO

SECTION 2. That the Board of Supervisors is requested to issue instructions to the Election Department of the County of Humboldt to take any and all steps necessary for the holding of the consolidated 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.

SECTION 3. That the Election Department of the County of Humboldt is authorized to canvass, or cause to be canvassed, the returns of the General Municipal Election on said elective offices, and to certify such canvass to the City Council.

SECTION 4. That the City of Eureka 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 5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Election Department of the County of Humboldt.

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

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 15th day of June, 2010 by the following vote:

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

VIRGINIA BASS
MAYOR OF THE CITY OF EUREKA

ATTEST:

PAMELA J. POWELL
CITY CLERK

APPROVED AS TO FORM:

APPROVED AS TO ADMINISTRATION:

SHERYL SCHAFFNER
CITY ATTORNEY

DAVID W. TYSON
CITY MANAGER

RESOLUTION NO. 2010-_____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA
SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS
REGARDING A CITY BALLOT MEASURE AND DIRECTING THE CITY
ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS.**

WHEREAS, a General Municipal Election is to be held in the City of Eureka, California, on November 2, 2010, at which there will be submitted to the voters the following ballot measure question:

Shall ordinances be adopted amending the City of Eureka Local Coastal Program, including general plan and zoning amendments, to allow retail, office, multi-family residential, light industrial, restaurant, and museum uses on the "Balloon Track" and adjacent properties, as proposed for the 43-acre Marina Center Project; require additional permit approvals for development; prohibit "Discount Superstores;" and authorize the City Council to amend or repeal specific limitations on development after 10 years and following appropriate environmental review?	YES
	NO

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

SECTION 1. That the City Council authorizes all members of the City Council to file a written argument in favor of the City measure as specified above, accompanied by the printed name(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, and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk.

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 (Attachment A)*.

SECTION 2. 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 are affected. The City Attorney shall prepare an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the

measure. If the measure affects the organization or salaries of the office of the City Attorney, the City Clerk shall prepare the impartial analysis. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 3. 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 by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 15th day of June, 2010 by the following vote:

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

VIRGINIA BASS
MAYOR OF THE CITY OF EUREKA

ATTEST:

PAMELA J. POWELL
CITY CLERK

APPROVED AS TO FORM:

APPROVED AS TO ADMINISTRATION:

SHERYL SCHAFFNER
CITY ATTORNEY

DAVID W. TYSON
CITY MANAGER

FORM OF STATEMENT TO BE FILED BY AUTHOR(S) OF ARGUMENTS

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

The undersigned proponent(s) or author(s) of the (primary/rebuttal) argument (in favor of/against) ballot measure _____ at the General Election for the City of Eureka to be held on November 2, 2010 hereby state that the argument is true and correct to the best of (his/her/their) knowledge and belief.

Sign Name	Print Name	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

All authors must print name and sign this form, the argument, and the rebuttal argument (EC 9600, 9283, and 9285).

RESOLUTION NO. 2010-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA, CALIFORNIA PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS.

WHEREAS, Sections 9220 and 9285 of the Elections Code of the State of California authorize the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments for City measures submitted at municipal elections;

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

SECTION 1. That pursuant to Sections 9220 and 9285 of the Elections Code of the State of California, when the elections official has selected the arguments for and against the measure which will be printed and distributed to the voters, the elections official shall send a copy of the argument in favor of the measure to the authors of any argument against the measure, and a copy of the argument against the measure to the authors of any argument in favor of the measure immediately upon receiving the arguments.

The author or a majority of the authors of an argument relating to a city measure may prepare and submit a rebuttal argument not exceeding 250 words, or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument.

A rebuttal argument may not be signed by more than five persons.

The rebuttal 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, not more than 10 days after the final date for filing direct arguments.

The rebuttal arguments shall be accompanied by the *Form of Statement To Be Filed By Authors(s) of Argument (Attachment A)*.

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

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

SECTION 3. That the provisions of Section 1, shall apply at the next ensuing

municipal election and at each municipal election after that time.

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 by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 15th day of June, 2010 by the following vote:

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

VIRGINIA BASS
MAYOR OF THE CITY OF EUREKA

ATTEST:

PAMELA J. POWELL
CITY CLERK

APPROVED AS TO FORM:

APPROVED AS TO ADMINISTRATION:

SHERYL SCHAFFNER
CITY ATTORNEY

DAVID W. TYSON
CITY MANAGER

FORM OF STATEMENT TO BE FILED BY AUTHOR(S) OF ARGUMENTS

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

The undersigned proponent(s) or author(s) of the (primary/rebuttal) argument (in favor of/against) ballot measure ____ at the General Election for the City of Eureka to be held on November 2, 2010 hereby state that the argument is true and correct to the best of (his/her/their) knowledge and belief.

Sign Name	Print Name	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

All authors must print name and sign this form, the argument, and the rebuttal argument (EC 9600, 9283, and 9285).

Attachment A