



Oceano Community Services District

1655 Front Street, P. O. Box 599, Oceano, CA 93445 (805) 481-6730 FAX (805) 481-6836

OCEANO COMMUNITY SERVICES DISTRICT RESOLUTION NO.: 2012-03

A RESOLUTION CALLING FOR PLACEMENT OF AN INITIATIVE MEASURE REQUIRING THAT AN ELECTION SHALL BE HELD PRIOR TO ANY SALE OF WATER ON A PERMANENT BASIS

WHEREAS, Elections Code § 9301 allows for any proposed ordinance to be submitted to the District by filing an initiative petition with the county elections official; and

WHEREAS, the initiative petition For The Enactment Of An Ordinance By The Oceano Community Services District Requiring That An Election Shall Be Held Prior To Any Sale Of Water On A Permanent Basis was filed with the county elections official on January 24th, 2011 (Petition attached hereto as Attachment 1); and

WHEREAS, the Elections Division of the County Clerk-Recorder's Office conducted a random sample verification of the signatures on that petition, and determined that the number of valid signatures was more than the number required to certify the petition; and

WHEREAS, on February 23, 2011 the County Clerk-Recorder presented a certificate of sufficiency to the OCSD Board of Directors for the petition; and

WHEREAS, pursuant to Elections Code § 9311, the OCSD Board of Directors has decided to submit to the voters of Oceano the question of whether to require an election before making any sale of water on a permanent basis; and

WHEREAS, pursuant to Elections Code § 1405(b) the election for a local initiative that qualifies pursuant to Elections Code § 9311 shall be held at the next statewide election occurring not less than 88 days after the date of the order of election; and

WHEREAS, the next statewide election date after the order is the General Election on November 6, 2012;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the Oceano Community Services District, as follows:

1. The question of whether to require an election before making any sale of water on a permanent basis, as set forth in Attachment 1, will be placed on the November 6, 2012 General Election ballot as follows:

OCEANO COMMUNITY SERVICES DISTRICT ORDINANCE NO. _____	YES
Must an election be held prior to any permanent sale of water to any entity outside the Oceano Community Services District?	NO

2. The full text of the measure will not be printed in the sample ballot booklet. The full text will be posted on the OCSD website and on the County Clerk-Recorder's website, and a copy of the full text will be mailed to any voter upon request. The statements required by Election Code § 9313 shall be printed in the sample ballot booklet.

On motion by President Guerrero, seconded by Director Hurdle, and carried on the following roll call vote, to wit:

AYES: President Guerrero, Director Hurdle, Director Angello,
VP Lucey

NOES:

ABSENT: Director Searcy

ABSTAIN:

the foregoing Resolution is hereby passed and adopted this 9th day of May, 2012.

ATTEST:


MATTHEW GUERRERO, PRESIDENT


TOM GEASLEN, DEPUTY BOARD SECRETARY

ATTACHMENT 1

AN INITIATIVE MEASURE FOR THE ENACTMENT OF AN ORDINANCE BY THE OCEANO COMMUNITY SERVICES DISTRICT

AN ORDINANCE OF THE BOARD OF DIRECTORS REQUIRING THAT AN ELECTION SHALL BE HELD PRIOR TO ANY SALE OF WATER ON A PERMANENT BASIS.

WHEREAS, Oceano's water supply is of critical importance to the welfare, sustainability and growth of Oceano; and
WHEREAS, the ratepayers of the district should be included in decisions of this magnitude;

NOW, THEREFORE BE IT ORDAINED, by the Board of Directors of the Oceano Community Services District as follows:

An election shall be held prior to any permanent sale of water to any entity outside the Oceano Community Services District. All details of any proposed sale including impacts to Oceano, shall be presented in a report prepared by a registered water engineer and a certified public accountant. The conclusions of these reports shall be mailed to every registered voter residing in the district no later than 60 days prior to the election.

NOTICE OF INTENTION TO CIRCULATE AN INITIATIVE PETITION

Notice is hereby given of the intention of the persons whose names appear hereon of their intention to circulate the petition with Oceano Community Services District for the purpose of enactment of an ordinance by the District. A statement of the reasons for the proposed action as contemplated in the petition is as follows.

STATEMENT

This initiative is in response to the recent and continuing actions of the OCSD Board regarding the permanent sale of water to developers and entities outside Oceano. These sales are putting Oceano's future growth and sustainability at risk.

Oceano has 1,503AF (acre feet) of reliable water. Oceano currently uses 900AF. Oceano's future demand at present is 1,418AF. The Board is currently proposing water sales of 450AF. This results in a future shortage of 365AF. (Source: OCSD Water Master Plan published in 2009) Equally troubling, the Board is pushing these sales through as quickly as possible without any staff reports or impact studies and without the input of the District's Engineer.

The ratepayers have been paying for these water supplies for years through their bi-monthly water bills. Oceano ratepayers should have the right to be fully informed and the right to vote on water sales that affect our future.

- Greg Jenkins /s/.....1921 Wilmar Ave, Oceano CA 93445
Terry Sweetland /s/.....363 McCarthy Ave, Oceano CA 93445
Pamela Dean /s/.....1921 Wilmar Ave, Oceano Ca 93445
Cathy Young /s/.....1832 Tierra Nueva Lane, Oceano CA 93445
William Smith /s/.....649 Truman, Oceano CA 93445

NOTICE TO PUBLIC

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK

All Signers of this petition must be registered to vote in the Oceano Community Services District (Official Use Only)
01. Print Your Name Signature Residence Address Only City Zip
02. Print Your Name Signature Residence Address Only City Zip

All Signers of this petition must be registered to vote in the Oceano Community Services District (Official Use Only)

<p>03. Print Your Name Signature Residence Address Only City Zip</p>	
<p>04. Print Your Name Signature Residence Address Only City Zip</p>	
<p>05. Print Your Name Signature Residence Address Only City Zip</p>	
<p>06. Print Your Name Signature Residence Address Only City Zip</p>	
<p>07. Print Your Name Signature Residence Address Only City Zip</p>	
<p>08. Print Your Name Signature Residence Address Only City Zip</p>	
<p>09. Print Your Name Signature Residence Address Only City Zip</p>	
<p>10. Print Your Name Signature Residence Address Only City Zip</p>	

DECLARATION OF CIRCULATOR (To be completed in circulator's own hand after the above signatures have been obtained)

I,, (Print Your Full Name) declare;
 My residence address is (Number, Street and City)
 And I am a registered voter in the (Name of District) I personally circulated this petition section and witnessed each of the appended signatures being written on the petition and to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be and the appended signatures were obtained between the dates of(Month, Day, Year) and(Month, Date, Year). I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on(Month, Day, Year) at(Place of Signing)
 Signature of Circulator.....(First, Middle Name or Initial, Last Name)

**ACTIVITY SCHEDULE FOR OCEANO CSD INITIATIVE PETITION MEASURE
Election Code §9316**

<p>February 23, 2011 EC§9309</p>	<p>County Clerk-Recorder presents certificate of sufficiency of the petition to Oceano CSD Board for action.</p>
<p>May 9, 2012 EC §9310</p>	<p>Governing Board adopts resolution calling for and placing the measure on the General Election ballot. The resolutions must contain the FULL TEXT OF THE MEASURE and the EXACT FORM OF THE QUESTION as it is to appear on the ballot. The question cannot exceed 75 words. If the question is the Full Text of the Measure, this needs to be stated in the resolution. File the original resolution with the Elections Official</p>
<p>May 16, 2012 EC §9316</p>	<p>BY THIS DATE the Elections Official shall send the Notice Calling for Submission of arguments FOR or AGAINST the measure to be published.</p>
<p>June 15, 2012 EC Sec 9315-9316, 9600-9601</p>	<p>PRIMARY ARGUMENTS DUE - File with the County Elections Official. LAST DAY for submitter(s) to change or withdraw Primary Arguments. Arguments cannot exceed 300 words.</p>
<p>June 15, 2012 EC § 9313</p>	<p>IMPARTIAL ANALYSIS DUE from County Counsel</p>
<p>June 16- June 25, 2012 EC § 9380, 9509</p>	<p>PUBLIC EXAMINATION PERIOD – Measure question, Primary Arguments & Impartial Analysis.</p>
<p>June 29, 2012 EC § 9317, 9600-9601</p>	<p>REBUTTAL ARGUMENTS DUE - File with the County Elections Official. LAST DAY for submitter(s) to change or withdraw Rebuttal Arguments. Rebuttal arguments cannot exceed 250 words.</p>
<p>June 30-July 9 EC § 9380, 9509</p>	<p>PUBLIC EXAMINATION PERIOD - For Rebuttals Only.</p>

