

# TOWN OF LOOMIS

## RESOLUTION NO. 19 - 09

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS CERTIFYING THE SUFFICIENCY OF REFERENDUM PETITIONS AGAINST TOWN OF LOOMIS ORDINANCES 275 AND 276; CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL ELECTION ON TUESDAY, JUNE 18, 2019 TO SUBMIT MEASURES TO CONSIDER ORDINANCE 275 AND ORDINANCE 276; REQUESTING THE BOARD OF SUPERVISORS TO CONSOLIDATE THIS ELECTION WITH ANY OTHER ELECTION CONDUCTED ON SAID DATE; AUTHORIZING THE TOWN COUNCIL TO PREPARE A WRITTEN ARGUMENT IN SUPPORT OF THE MEASURES; DIRECTING THE TOWN ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURES; AND REQUESTING ELECTION SERVICES BY THE PLACER COUNTY CLERK**

**WHEREAS**, on January 8, 2019, the Town Council adopted Ordinances 275 and 276 related to the Village at Loomis development project; and

**WHEREAS**, February 6, 2019, referendum petitions were submitted to the Town Clerk against Ordinances 275 and 276; and

**WHEREAS**, on February 20, 2019, the Placer County Clerk-Recorder-Registrar of Voters ("Placer County Clerk") certified that the referendum petitions against Ordinance 275 contained 461 verified, sufficient signatures and the referendum petitions against Ordinance 276 contained 451 verified, sufficient signatures; and

**WHEREAS**, California Elections Code Section 9241 requires that a legislative body receiving a certified referendum petition either repeal the ordinance against which the petition was filed, or submit the ordinance to the voters, either at the next regular municipal election occurring not less than 88 days after the order of the legislative body, or at a special election called for that purpose, not less than 88 days after the order of the legislative body; and

**WHEREAS**, the submittal of an ordinance to a vote of the electorate is exempt from California Environmental Quality Act (CEQA) review (CEQA Guidelines Section 15378(b)(3)); and

**WHEREAS**, under the provisions of California Elections Code Section 1000 *et seq.*, a special election can be called within the Town of Loomis on June 18, 2019, for the purpose of submitting a measure to consider an ordinance subject to referendum.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Loomis as follows:

Section 1. That the petitions against Ordinances 275 and 276 submitted February 6, 2019, and found to be sufficient by the Placer County Clerk on February 20, 2019, are hereby certified.

Section 2. That under the provisions of the Elections Code, there is called and

ordered to be held in the Town of Loomis, California, on Tuesday, June 18, 2019 a special municipal election for the purpose of submitting measures to consider Ordinances 275 and 276.

Section 2. The Town Council hereby orders that the following questions be submitted to the voters in the Town of Loomis, California on Tuesday, June 18, 2019 (the "Measures"):

<p><b>Town of Loomis Ordinance 275</b>          Shall Ordinance 275, which rezones the Village at Loomis property, adopts a Preliminary Development Plan, and approves Development Standards for the project, be adopted?</p>	<p>Yes  No</p>
<p><b>Town of Loomis Ordinance 276</b>          Shall Ordinance 276, which approves a Development Agreement for the Village at Loomis project, be adopted?</p>	<p>Yes  No</p>

Section 3. The text of Ordinances 275 and 276 are attached as Exhibits A and B.

Section 4. In lieu of printing the full text of Ordinances 275 or 276 on the ballot, or the voter information portion of the sample ballot, the following legend shall be printed immediately below the impartial analysis of the measure (and may be amended as required by the Placer County Clerk):

"The above statement is an impartial analysis of Town of Loomis Ordinances 275 and 276. If you desire a copy of the ordinance(s), please access the Town of Loomis website at: <http://www.loomis.ca.gov>, or call the Loomis Town Clerk at (916) 652-1840 and a copy will be provided at no cost to you."

Section 5. Pursuant to California Elections Code section 9282, on behalf of the Town Council, the Mayor is hereby authorized to prepare a written argument in favor of the Measures, not to exceed three hundred (300) words each. At the Mayor's discretion, the arguments may also be signed by members of the Town Council or a bona fide association of citizens, or by individual voters who are eligible to vote on the Measures. In the event that an argument is filed against the Measures, the Mayor is also authorized to prepare rebuttal argument(s) on behalf of the Town Council, which may also be signed by members of the Town Council or bona fide association of citizens, or by individual voters who are eligible to vote on the Measures.

Section 6. Pursuant to California Elections Code section 9280, the Town Council hereby directs the Town Clerk to transmit a certified copy of the Measures to the Town Attorney. The Town Attorney shall prepare an impartial analysis of the Measures, each not to exceed five hundred (500) words in length, showing the effect of the Measures on the existing law and the operation of the Measures, and transmit the impartial analyses to the Placer County Clerk.

Section 7. Pursuant to California Election Code section 9285, when the Town Clerk has selected the arguments for and against the Measures, which will be printed and distributed to the voters, the Town Clerk is directed to send copies of the arguments in favor of the Measures

to the authors of the arguments against, and copies of the arguments against to the authors of the arguments in favor.

Section 8. That pursuant to the requirements of Elections Code Section 10403, the Town of Loomis requests the Board of Supervisors of Placer County consolidate the special municipal election with any election contests that may be held on June 18, 2019.

Section 9. That the Placer County Clerk is authorized to canvass the returns of the special municipal election.

Section 10. That 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. That the Town of Loomis agrees to reimburse the Placer County Clerk for actual costs accrued for each Election.

Section 12. That the Town Clerk is directed to file a certified copy of this resolution with the Board of Supervisors and the Placer County Clerk.

**PASSED AND ADOPTED** by the Town Council of the Town of Loomis this 12<sup>th</sup> day of March, 2019 by the following vote:

AYES: Baker, Clark-Crets, Duncan, Morillas, Onderko  
NOES: None  
ABSENT: None  
ABSTAINED: None

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Tim Onderko, Mayor

ATTEST:

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Charleen Strock, Town Clerk