

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA ORDERING AN ELECTION TO BE HELD ON MARCH 3, 2020 TO CONSIDER THE ADOPTION OF A MEASURE ENTITLED THE "OXNARD GOVERNMENT ACCOUNTABILITY AND ETHICS ACT" THAT WOULD PROHIBIT COUNCILMEMBERS AND PLANNING COMMISSIONERS FROM ACCEPTING GIFTS FROM LOBBYISTS AND CITY CONTRACTORS, IMPOSE CONTRIBUTION LIMITS ON CANDIDATES FOR CITY OFFICE, REQUIRE THE POSTING OF SPECIFIC CITY CONTRACTS ON THE CITY'S WEBSITE FOR PUBLIC REVIEW, REQUIRE THE POSTING OF MONTHLY FINANCIAL REORTS ON THE CITY WEBSITE, MODIFY THE LENGTH OF TERM OF OFFICE FOR THE MAYOR, AND IMPOSE TERM LIMITS ON THE MAYOR AND MEMBERS OF THE CITY COUNCIL; AND REQUESTING THE COUNTY CLERK TO CONDUCT THE ELECTION, AND AUTHORIZING THE BOARD OF SUPERVISORS TO CANVASS THE RETURNS

WHEREAS, the City commissioned a recent Resident Satisfaction and Community Priorities Survey to solicit feedback from the community on service priorities, quality of life, and much more; and

WHEREAS, the City highly values the perspectives of the public it serves and seeks to continue to earn the community's trust and confidence in City practices, including institutionalizing good government provisions related to fiscal accountability, ethics and transparency; and

WHEREAS, the City of Oxnard is committed to building confidence in its efforts to maintain strong public ethics and transparency; and

WHEREAS, the Oxnard Government Accountability and Ethics Act would prohibit the Oxnard Mayor, members of the City Council, City Clerk, City Treasurer, and Planning Commissioners from accepting gifts from lobbyists or City contractors, eliminating those types of conflicts of interests; and

WHEREAS, the Oxnard Government Accountability and Ethics Act would impose contribution limits on candidates for Oxnard Mayor, City Council, City Clerk, and City Treasurer, significantly limiting special interest influence; and

WHEREAS, the Oxnard Government Accountability and Ethics Act would require the City to post expensive City contracts on the City's website for public review, expanding transparency and the public's ability to view these types of financial materials; and

WHEREAS, the Oxnard Government Accountability and Ethics Act would require the City to post monthly financial reports on the City's website for public review, expanding transparency and the public's ability to view these financial materials; and

WHEREAS, the Oxnard Government Accountability and Ethics Act would impose term limits to three consecutive four-year terms for the Mayor and City Councilmembers; and

WHEREAS, the Oxnard Government Accountability and Ethics Act does NOT give the City any additional powers, but simply institutionalizes increased ethics, transparency, and fiscally responsible practices while seeking to eliminate special interest influence; and

WHEREAS, the City Council desires to submit a measure entitled the Oxnard Government Accountability and Ethics Act to the voters of the City at a Special Municipal Election to be held on Tuesday, March 3, 2020, and to be consolidated with any other election to be held on that date; and

WHEREAS, the proposed measure entitled the Oxnard Government Accountability and Ethics Act is more completely described in the ordinance attached hereto as Exhibit "A" and incorporated herein by reference (the "Oxnard Government Accountability and Ethics Act").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OXNARD AS FOLLOWS:

SECTION 1. The City Council hereby finds and determines that the foregoing recitals are true and correct.

SECTION 2. The City Council hereby proposes the Oxnard Government Accountability and Ethics Act.

SECTION 3. The City Council hereby calls a Special Municipal Election for Tuesday, March 3, 2020 (the "Election") and orders, pursuant to Elections Code Section 9222, that the Oxnard Government Accountability and Ethics Act be submitted to the voters at that election.

SECTION 4. The ballot question shall be substantially as follows:

<p>OXNARD GOVERNMENT ACCOUNTABILITY AND ETHICS ACT.</p>	<p>YES</p>	
<p>To increase fiscal accountability, prevent special interest influence/political conflicts of interest, improve City ethics, governance, transparency without new City powers, shall Oxnard City Code be amended to prohibit elected officials from accepting gifts from lobbyists/City contractors; impose contribution limits on candidates for all elected office; limit Mayor/Councilmembers to three consecutive four-year terms, require posting monthly financial reports and all expensive City contracts on City’s website for public review?</p>	<p>NO</p>	

SECTION 5. The text of the proposed Oxnard Government Accountability and Ethics Act shall be printed in the ballot materials; a copy of the measure shall be available for public inspection in the City Clerk’s office located at 300 West Third Street, 4th Floor in the City of Oxnard. If not provided in the voter guide, upon request, copies will be sent at the expense of the City. A majority of votes cast is required for the measure to pass.

SECTION 6. This Resolution is adopted pursuant to Elections Code Section 10403 requesting that the Board of Supervisors of Ventura County, pursuant to Elections Code Section 10401, order that this election of the City of Oxnard be consolidated with the statewide general election to be held on March 3, 2020, which consolidated election shall be held and conducted in the manner prescribed in Elections Code Section 10418.

SECTION 7. Pursuant to Elections Code Section 10411, the Board of Supervisors is authorized to canvass the returns of the election to be held within the boundaries of the City of Oxnard on March 3, 2020.

SECTION 8. Pursuant to Elections Code Section 10002, the Board of Supervisors is requested to permit the County Clerk to render the services and supplies shown on Exhibit B, which is attached hereto and made a part hereof, and any and all other services and supplies necessary to complete the election on March 3, 2020. The City shall pay the reasonable cost of services and supplies rendered by the County Clerk.

SECTION 9. The City Manager is authorized to execute all documents and to perform all necessary acts to enter into one or more agreements for the provisions of election services consistent with this Resolution.

SECTION 10. The ballots to be used at the election shall be in the form and content as required by law.

SECTION 11. The City Council directs the City Clerk to transmit a copy of the measure to the City Attorney and directs the City Attorney to prepare an impartial analysis of the measure pursuant to Elections Code Section 9280 in the manner required by law. Any person or persons may file an argument either for or against the ballot measure. An argument for or against the measure shall not exceed 300 words in length. If more than one argument is submitted for the measure, or more than one argument against the measure, the City Clerk shall select the argument to be included with the ballot materials. Rebuttal arguments shall be permitted pursuant to applicable law.

SECTION 12. In all particulars not recited in this Resolution, the election shall be held and conducted in the manner required by law.

SECTION 13. The City Council shall meet to declare the results of the election called for by this Resolution at its first regular meeting following the certification of election results.

SECTION 14. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Clerk.

SECTION 15. The City Clerk shall publish a copy of this Resolution in a newspaper of general circulation once within fifteen (15) days after the adoption of this Resolution.

SECTION 16. This Resolution shall be effective immediately upon adoption.

APPROVED and ADOPTED this 15th day of October, 2019.

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

EXHIBIT A

EXHIBIT B