

How to Place a Measure on the Ballot



MARK A. LUNN
Clerk-Recorder, Registrar of Voters

Ventura County Elections Division

800 South Victoria Avenue
Ventura, CA 93009-1200
(805) 654-2664 • venturavote.org

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This reference guide has been prepared in an effort to answer frequently asked questions. It is for general information only and does not have the force and effect of law, regulation, or rule. In case of conflict, the law, regulation, or rule will apply. Refer to the code sections cited for more information.

This guide is distributed with the understanding that the Ventura County Elections Division is not rendering legal advice and that this guide is, therefore, not to be a substitute for private legal counsel.

Unless otherwise indicated, all code sections referenced are from the California Elections Code.

What Needs to Be Filed With the Elections Division

The process begins with the filing of a resolution, including the text of the measure and the ballot question.

Resolution to Call the Election and Request Consolidation

In order to place a measure on the ballot, the governing body of the city or district passes a resolution, which is then filed with the County Elections Division.

Districts and Cities

Submit a *Resolution Requesting Consolidation of Election and Ordering of Such Election* along with a *Notice to the Registrar of Voters of Measure Submitted to the Voters* and a *Request for Specified Election Services*.

County

Submit a *Resolution Requesting Consolidation of Election and Ordering of Such Election*.

Schools

Submit a *Resolution Ordering Election, Specifications of the Election Order, and Request for Consolidation* along with a *Notice to the Registrar of Voters of Measure Submitted to the Voters* and a *Request for Specified Election Services*.

Measure Text

When submitting materials to place a measure on the ballot, indicate clearly, in writing, which portion of the resolution, ordinance, or measure text is to be printed in the County Voter Information Guide. If you do not want the entire text of the measure printed in the County Voter Information Guide, please provide this direction, in writing, within the resolution.

To facilitate preparation for printing in the County Voter Information Guide, we encourage submitting the measure text in a digital format (preferably a Word document), either by e-mail or on CD.

Ballot Question

The ballot label question is limited to 75 words¹ (see [Word Count Guidelines](#)). Jurisdictions may want to consider beginning their ballot question with a few key words to summarize the measure, which are included in the word count.

¹ §13247

Measures are followed by the words, “YES” and “NO.” School bond measures are followed by the words “BONDS YES” and “BONDS NO”.¹

Measures will appear on the ballot in the following order:²

1. School
2. County
3. City
4. District

In order to allow for the most efficient use of space, the Elections Division may vary the order of the measures.

Letter Designations

Letters designating measures will be assigned by the County Elections Official.³ For districts that overlap with other counties, the counties should mutually agree on a letter designation for the measure when possible.

At the beginning of each calendar year, local measures will commence with the letter “A” and continue in order. Measure letters are assigned on a first-submitted, first-assigned basis. No allowance will be given to any district regarding letter preference.

Arguments and Rebuttals

Whenever any local measure qualifies for placement on the ballot, written arguments in favor of and against the measure may be filed. Arguments are limited to 300 words.

Arguments will be printed in the County Voter Information Guide following the analysis of the measure. If more than one argument in favor of or against the same measure are submitted, the Elections Official will select one argument for publication according to the following priority:⁴

1. The legislative body, or member or members of the legislative body authorized by that body.
2. The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
3. Bona fide association of citizens.
4. Individual voters who are eligible to vote on the measure.

¹ Ed.C. §15122

² §13109

³ §13116

⁴ §§9166, 9287 & 9503

When both an argument in favor of and an argument against a measure have been filed, the Elections Official will send a copy of the argument in favor to the authors of the argument against and a copy of the argument against to the authors of the argument in favor. The authors may then prepare and submit rebuttal arguments. Rebuttal arguments are limited to 250 words.

Arguments regarding County, School, or Special District measures are filed with the County Elections Division. Arguments regarding city measures are filed with the appropriate City Clerk.

For more information, refer to the guide [Arguments and Rebuttals for Local Measures](#).

Other Materials

Some or all of the following may be printed along with the Arguments in the County Voter Information Guide.

Impartial Analysis

County or School Measure: The County Counsel is required to prepare an Impartial Analysis of a county or school measure.¹

City Measure: The City Attorney shall prepare an Impartial Analysis of a city measure.²

Special District: For special district measures, the County Counsel of the county with the largest number of registered voters shall prepare an Impartial Analysis.³

Water District: For water district measures, the legal counsel for the district, or if there is no counsel, the County Counsel of the county with the largest number of registered voters of the water district shall prepare an Impartial Analysis. If there is a legal counsel for the water district, the Impartial Analysis shall be subject to review and revision by the County Counsel.⁴

The Impartial Analysis may not exceed 500 words.⁵

Fiscal Analysis

The Board of Supervisors may request the County Auditor-Controller, not later than 88 days prior to an election, to prepare a fiscal analysis of a county measure. The fiscal impact statement shall not exceed 500 words.⁶

¹ §§9160, 9500

² §9280

³ §9313

⁴ §9314

⁵ §§9160, 9280, 9313, 9314,

9500

⁶ §9160

Tax Rate Statement

Each bond measure proposed by a county, city, district, or other political subdivision, or by any agency, department, or board thereof, the security for which constitutes a lien on the property for ad valorem taxes within the jurisdiction shall mail a tax rate statement with the County Voter Information Guide.

The statement shall be filed with the County Elections Official not later than the 88th day prior to the election. The law does not specify a word limit for tax rate statements.¹

Full Text

Cities, counties, and districts often publish the full text of ordinances to be voted on in the County Voter Information Guide.

If the full text of a county or city measure is not printed on the ballot, nor in the voter information portion of the County Voter Information Guide, there shall be printed immediately below the Impartial Analysis, in no less than 10-point boldface type:²

“The above statement is an impartial analysis of Measure _____. If you desire a copy of the ordinance or measure, please call the elections official at (insert phone number) and a copy will be mailed at no cost to you.”

Raising and Spending Money

Before raising or spending any money, all parties supporting or opposing a measure should review the FPPC’s [Campaign Disclosure Manual 3 – Ballot Measure Committees](#) for information on campaign finance disclosure requirements.

Manuals, forms, and filing deadlines are available from either of the following:

Fair Political Practices Commission (FPPC)

1102 Q Street, Suite 3000
Sacramento, CA 95811
Phone: (916) 322-5660
Fax: (916) 322-0886
Website: fppc.ca.gov

Ventura County Elections Division

800 South Victoria Avenue
Ventura, CA 93009-1200
Phone: (805) 654-2664
Fax: (805) 648-9200
Website: venturavote.org

¹ §§9400, 9401

² §§9160, 9280

Word Count Guidelines

The following are the guidelines for computing the word count:¹

- 1) The title and signatures are not counted - only the text is counted.
- 2) Punctuation not counted
- 3) Dictionary words one
Examples: “I”, “a”, “the”, “and”, “an” – 1 word
- 4) Abbreviations one
Examples: UCLA, PTA, U.S.M.C., and L.A.P.D.
Each abbreviation for a word, phrase, or expression
All acronyms count towards the all CAPS 10 word limit
- 5) All proper nouns one
Examples: County of Ventura – 1 word
Ventura Unified School District – 1 word
- 6) Numbers:
Digits (1, 10 or 100, etc.)..... one
Spelled out (one, ten or one hundred)..... one per word
- 7) Numeric combinations (2013, 13½, 2013-14, 5%) one
- 8) Dates:
All digits (4/8/17) one
Words and digits (April 8, 2017)..... one
- 9) Monetary amounts (if the dollar sign is used with figures – \$1,000.00)..... one
(spelled out – one thousand dollars) one per word
- 10) Hyphenated words one per word
Words appearing hyphenated in a standard dictionary published within the
last 10 years..... one
- 11) Website address and telephone numbers..... one
- 12) If measure designation (example: Measure A) is used in the text..... one
- 13) Limit of 10 all CAP words.

If text exceeds the word limit, the author will be asked to delete or change a sufficient number of words, or a sentence, to ensure compliance with the required word limit.

¹ §9

Sample Resolution

RESOLUTION #05 - 60

RESOLUTION OF THE BOARD OF TRUSTEES OF THE OXNARD SCHOOL DISTRICT ORDERING AN ELECTION TO AUTHORIZE THE ISSUANCE OF SCHOOL BONDS, ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS OCCURING ON NOVEMBER 7, 2006

WHEREAS, in the judgment of the Board of Trustees (the "Board") of the Oxnard School District (the "District"), it is advisable to call an election to submit to the electors of the District the question whether bonds of the District shall be issued and sold for the purpose of raising money for the acquisition and improvement of real property, and the furnishing and equipping of school facilities; and

WHEREAS, as a result of the approval of Proposition 39 on November 7, 2000, Article XIII A, Section 1, paragraph (b), of the California Constitution ("Article XIII A") provides an exception to the limit on ad valorem property taxes of real property for bonded indebtedness incurred by a school district approved by 55 percent (55%) of the voters of the District voting on the proposition; and

WHEREAS, the Board is specifically authorized, upon approval by a two-thirds vote of the Board, to pursue the authorization and issuance of bonds by a fifty-five percent (55%) vote of the electorate on the question whether bonds of the District shall be issued and sold for specified purposes, pursuant to Education Code Section 15264 *et. seq.* (the "Act"); and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 7, 2006, and to request the Ventura County Registrar of Voters to perform certain election services for the District; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Oxnard School District the following:

Section 1. Call for Election. The Board hereby orders an election and submits to the electors of the District the question regarding whether general obligation bonds for the District shall be issued and sold in the maximum principal amount of \$64,000,000 for the purpose of raising money to finance school facilities and property of the District, and paying costs, as set forth more fully in the ballot proposition approved pursuant to Section 3. This Resolution constitutes the order of the District to call such election.

Section 2. Election Date. The date of the election shall be November 7, 2006, and the election will be held solely within the boundaries of the District.

Section 3. Purpose of Election; Ballot Proposition. The purpose of the election shall be for the voters in the District to vote on a proposition, a full copy of which is attached hereto and marked Exhibit A, containing the question of whether the District shall issue the bonds for the purpose stated therein, together with the accountability requirements of Article XIII A and Government Code Section 53410 and the requirements of Section 15272 of the Act. As required by Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto and marked Exhibit B. The Superintendent, or his designee, is hereby authorized and directed to make changes to the text of the proposition as required to conform to any requirements of Article XIII A, the Act, or the Ventura County Registrar of Voters.

Section 4. Authority for Election. The authority for ordering the election is contained in Section 15264 *et. seq.* of the Education Code and Section 1, paragraph (b), subsection (3), of Article XIII A. The authority for the specification of this election is contained in Section 5322 of the Education Code.

Section 5. School Facilities Projects. As required by Article XIII A, the Board hereby certifies that it has evaluated safety, class size reduction, enrollment growth, and information technology needs in developing the list of school facilities projects set forth in Exhibit A-1.

Section 6. Covenants of the Board upon Approval of the Bonds by the Electorate. As required by Article XIII, Section 15278 of the Act, and Government Code Section 53410, in the event 55 percent (55%) of the voters voting in the District approve of the bonds, the Board shall:

1. Conduct an annual, independent performance audit to ensure that the funds have been expended only on the projects listed in Exhibit A-1.
2. Conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects listed in Exhibit A-1.
3. Establish and appoint members to an independent citizens' oversight committee in accordance with Sections 15278, 15280, and 15282 of the Act.
4. Apply the bond proceeds only to the specific purpose stated in the ballot proposition.
5. Cause the creation of accounts into which bond proceeds shall be deposited.
6. Cause the preparation of an annual report pursuant to Government Code Sections 53410 and 53411.

Section 7. Delivery of this Resolution. The Clerk of the Board is hereby directed to send a copy of this Resolution to the Ventura County Superintendent of Schools, the Ventura County Registrar of Voters (the "County Registrar") and the Ventura County Clerk of the Board of Supervisors.

Section 8. Consolidation of Election. The County Registrar and the Ventura County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 7, 2006, within the District.

Section 9. Ballot Arguments; Tax Rate Statement. Any and all members of this Board are hereby authorized to act as an author of any ballot argument prepared in connection with the election, including a rebuttal argument. The Superintendent, President of the Board, or their designees, are hereby authorized to execute any Tax Rate Statement, or any other document and to perform all acts necessary to place the bond measure on the ballot.

Section 10. Elections Code. Pursuant to Section 5303 and Section 10002 of the Elections Code, the Board of Supervisors of Ventura County, is requested to permit the Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse Ventura County in full upon presentation of a bill, such services to include the publication of a formal Notice of School Bond Election and the mailing of the Sample Ballot and Tax Rate Statement (described in Section 9401 of the Elections Code).

Section 11. Agreements. The Superintendent is authorized and directed to execute the agreement on file with Jones Hall, A Professional Law Corporation, which firm is appointed hereby to perform bond counsel services in regard to the Bonds.

Section 12. Effective Date. This Resolution shall take effect on and after its adoption.

PASSED AND ADOPTED by the Board of Trustees of the Oxnard School District the 21st day of June, 2006.

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Signed: /s/ _____
President of the Board of Trustees of the
OXNARD SCHOOL DISTRICT

/s/ _____
Clerk/Secretary of the Board of Trustees of the
OXNARD SCHOOL DISTRICT

EXHIBIT A

BALLOT MEASURE __ FULL TEXT OF MEASURE

The proposition may be known and referred to as the Oxnard School District General Obligation Bond of 2006, or Measure __.

FINDINGS

The Oxnard School District (the “District”) is a recognized leader in providing top quality education to Ventura County students. The achievements have been accrued by the District as a result of a long history of visionary leadership from the Board of Trustees of the District (the “Board”), as well as from staff members, parents, and members of the District communities. During its long history, the District has benefited from a community, which supports its educational institutions by establishing high standards for academic achievement while at the same time providing the means required to meet and even surpass expectations.

In order to provide our local students with the same classrooms and school facilities as other California school districts, major repairs, upgrades, and classroom construction are necessary to ensure these buildings will remain functional for future generations.

The Board has prepared a facilities plan and identified significant repairs, upgrades, and classroom construction needs that are more than the District is able to fund from currently available sources or annual revenues.

The District has sought, and continues to seek, all available outside sources of funding to improve our school buildings, including local, state, and federal grants and state bond funds. Historically, the State requires that local school districts provide local funds as a condition of receipt of State-matching funds.

It is necessary to seek voter approval of a bond measure in order to provide the local funding for identified school facility repairs, modernization projects, and growth needs to address student enrollment.

BOND AUTHORIZATION

By approval of this proposition by at least 55 percent (55%) of the registered voters voting on the proposition, the District shall be authorized to issue and sell bonds of up to \$64,000,000 in aggregated principal at interest rates below the legal limit, to provide finance for the specific school facilities projects listed in the Bond Project List attached hereto as Exhibit A-1, subject to all the accountability requirements specified below.

BOND PROJECT LIST

The Bond Project List attached to this Resolution as Exhibit A-1 shall be considered a part of the full ballot proposition and shall be reproduced in any official document required to contain the full statement of the bond proposition.

Approval of this bond measure (the 'Measure') does not guarantee that the proposed project or projects in the District that are the subject of bonds under the measure will be funded beyond the local revenues generated by the measure. If State-matching funds become available, they will be used for and applied to the Bond Project List as per Exhibit A-1. The District's proposal for the project or projects does not assume the receipt of matching State funds.

ACCOUNTABILITY REQUIREMENTS

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers in the District may be assured that their money will be spent wisely to address specific facilities needs of the District; all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the State Constitution and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following).

Evaluation of Needs. The Board, after a year-long process involving staff members, parents, students, and community members at each school site throughout the District, has prepared an updated facilities plan in order to evaluate and address all of the facilities needs of the District and determine which projects to finance from a local bond at this time. The Board hereby certifies that it has evaluated safety, class size reduction, enrollment growth, and the information technology needs in developing the Bond Project List contained in Exhibit A-1.

Independent Citizens' Oversight Committee. The Board shall establish an Independent Citizens' Oversight Committee pursuant to Education Code Section 15278 and following to ensure bond proceeds are expended only on the school facilities projects listed in Exhibit A-1. The committee shall be established within 60 days of the date when the results of the election appear in the Minutes of the Board.

Performance Audits. The Board shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in Exhibit A-1.

Special Bond Proceeds Account: Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent of the District shall cause a report to be filed with the Board annually stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine and may be incorporated in the annual budget, audit, or other appropriate routine report to the Board.

FURTHER SPECIFICATIONS

No Administrative Salaries. Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction and/or rehabilitation of school facilities including the furnishing and equipping of school facilities or acquisition or lease of real property for school facilities and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

The proceeds of the bonds will be deposited into a Building Fund to be held by the Ventura County Treasurer, as required by the California Education Code.

EXHIBIT A-1

SCHOOL FACILITIES PROJECTS TO BE FUNDED WITH PROCEEDS OF BONDS

The Governing Board of Oxnard School District has evaluated the District's need to acquire, construct, and equip new facilities and/or to repair, equip, and renovate its existing facilities to meet the educational needs of its citizens. These projects will provide the Oxnard community with additional, permanent school capacity that will move the District closer towards the goal of a single-track educational program.

CONSTRUCTION OF NEW SCHOOL FACILITIES

5th and Patterson – On this site the District will construct and equip a new school campus including:

- New Classroom Space
- Computer Labs
- Library
- Kitchen
- Cafeteria/Multi-purpose Rooms
- Playgrounds
- Parking Areas
- Administrative/Student Support Facilities

SPECIFIC PROJECTS AND MAJOR REPAIR OF EXISTING FACILITIES

Bond proceeds will be expended to modernize, replace, renovate, construct, equip, furnish and otherwise improve the facilities of the District located at the following locations. Such projects may include, but are not limited to:

Curren Elementary

- Construct and equip a new two-story building to provide additional classrooms and replace temporary, portable classrooms with permanent classrooms.
- Expand, relocate, and modernize the current library, computer labs, cafeteria, kitchen, and administrative/student support facilities.
- Provide new student drop-off areas and provide additional and/or relocate existing parking to increase student safety.
- Renovate playground surfaces to improve student safety.
- Remove temporary, portable classrooms, and inadequate facilities.

Kamala Elementary

- Construct and equip a new two-story building to provide additional classrooms and replace temporary, portable classrooms with permanent classrooms.

- Expand and modernize the current cafeteria, kitchen, and administrative/student support facilities.
- Renovate playground surfaces to improve student safety.
- Provide additional and/or relocate existing parking to improve student safety.
- Remove temporary, portable classrooms, and inadequate facilities.

Driffill Elementary

- Construct and equip a new two-story building to provide additional classrooms and replace temporary, portable classrooms with permanent classrooms.
- Construct a library, computer labs, and administrative/student support facilities.
- Expand and modernize the current cafeteria and kitchen.
- Improve student drop-off areas and bus loops, and provide additional and/or relocate existing parking to increase student safety.
- Renovate playground surfaces to improve student safety.
- Remove temporary, portable classrooms, and inadequate facilities.

McKinna Elementary

- Construct and equip a new two-story building to provide additional classrooms and replace temporary, portable classrooms with permanent classrooms.
- Expand and modernize the current cafeteria, kitchen, and administrative/student support facilities.
- Provide additional and/or relocate existing parking to improve student safety.
- Remove temporary, portable classrooms, and inadequate facilities.
- Renovate playground surfaces to improve student safety.

The District has sought, and continues to seek, all available outside sources of funding including local, state, and federal grants and state bond funds to improve all school buildings and classrooms throughout the District.

Approval of the District's bond measure does not guarantee that all of the identified projects within this list will be funded beyond local funds generated by the bond measure. It is the District's intent to complete the projects in the order specified above.

EXHIBIT B

BALLOT MEASURE (ABBREVIATED FORM)

“To replace portable classrooms, relieve student overcrowding by building and equipping new classrooms and educational facilities and repairing and equipping existing classrooms and educational facilities throughout the District, shall Oxnard School District issue \$64,000,000 of bonds at the lowest possible interest rates so long as spending is annually reviewed by an Independent Citizens’ Oversight Committee, no money is used for administrative salaries, and all funds are spent locally and cannot be transferred to the State?”

BONDS YES _____

BONDS NO _____

EXHIBIT C

Oxnard School District

Tax Rate Statement for Bond Measure ____ Election to be held November 7, 2006

An election will be held in Oxnard School District (the "District") on November 7, 2006 to authorize the sale of \$64,000,000 in general obligation bonds. The following information is submitted in compliance with Sections 9400 – 9404 of the California Elections Code.

1. The best estimate of the tax rate that would be required to fund this bond issue during the fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$.01632 per \$100 (\$16.32 per \$100,000) of assessed valuation in Fiscal Year 2007 – 08.
2. The best estimate of the tax rate that would be required to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$.03000 per \$100 (\$30.00 per \$100,000) of assessed valuation in Fiscal Year 2009 – 10.
3. The best estimate of the highest tax rate that would be required to fund this bond issue, based on estimated assessed valuations available at the time of filing this statement, is \$.03000 per \$100 (\$30.00 per \$100,000) of assessed valuation.
4. The best estimate of the average tax rate required to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is \$.01958 per \$100 (\$19.58 per \$100,000) of assessed valuation.

These estimates are based on projections derived from information obtained from official sources. The actual tax rates and the years in which they will apply may vary depending on timing of bond sales, the amount of bonds sold at each sale and the actual increases in assessed valuations. The timing of the bond sales and the amount of bonds sold at any given time will be determined by the needs of the District. Actual assessed valuations will depend upon the amount and value of taxable property within the District as determined in assessment and equalization process.

Dated: _____, 2006

/s/ _____
(Name of signer)
Assistant Superintendent of Business
Oxnard School District