



City of Buellton

Via Hand Delivery
July 2, 2008

Honorable Board of Supervisors
Clerk of the Board
Attn: Agenda Coordinator
105 E. Anapamu Street, Room 407
Santa Barbara, CA 93101

Dear Clerk of the Board:

Enclosed please find an original plus twelve (12) copies of the following City of Buellton Resolution pertaining to the November 4, 2008 General Municipal Election:

Resolution No. 08-17 – “A Resolution of the City Council of the City of Buellton, California, Calling and Giving Notice of the Holding of a Special Election that is Requested to be Consolidated with the General Election to be Held on Tuesday, November 4, 2008 for the Submission to the Qualified Voters of the Question: Should the Buellton General Plan be Amended, Until December 31, 2025, to Prohibit (With Limited Exceptions) Changes to Existing City Limits or the Provision of Water or Sewer Services Beyond the Existing City Limits of Buellton, Except by Another Initiative Election?”

The above Resolution was adopted by the Buellton City Council on July 1, 2008. Please place the enclosed Resolution on your next Board of Supervisors meeting agenda scheduled for July 15, 2008.

The City Council has scheduled another special meeting for Wednesday, July 2, which may create another Resolution for your July 15th meeting agenda. I will advise after the meeting on July 2.

If you have any questions with regard to the enclosed documents, please contact me.

Thank you for your assistance.

Sincerely,

Linda Reid
City of Buellton

Enclosures
c: Elections Office

RESOLUTION NO. 08-17

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF BUELLTON, CALIFORNIA,
CALLING AND GIVING NOTICE OF THE HOLDING
OF A SPECIAL ELECTION THAT IS REQUESTED TO BE
CONSOLIDATED WITH THE GENERAL ELECTION TO
BE HELD ON TUESDAY, NOVEMBER 4, 2008 FOR THE
SUBMISSION TO THE QUALIFIED VOTERS OF THE QUESTION:
SHOULD THE BUELLTON GENERAL PLAN BE AMENDED,
UNTIL DECEMBER 31, 2025, TO PROHIBIT (WITH LIMITED EXCEPTIONS)
CHANGES TO EXISTING CITY LIMITS OR THE PROVISION
OF WATER OR SEWER SERVICES BEYOND THE EXISTING
CITY LIMITS OF BUELLTON, EXCEPT BY ANOTHER
INITIATIVE ELECTION?**

WHEREAS, On March 31, 2008, a Notice of Intent to Circulate a Petition was received by the City Clerk from the initiative proponents regarding the "Urban Growth Boundary Initiative of 2008" (the "UGB Initiative"); and

WHEREAS, On May 20 the County Elections office verified that of 616 signatures obtained for the UGB Initiative, 572 signatures were found to be valid signatures of registered voters of Buellton and, accordingly, because the petition was signed by more than 15% of the voters of the City, the UGB Initiative is qualified as a local initiative measure pursuant to the terms of California Elections Code section 9214; and

WHEREAS, pursuant to California Elections Code section 9214, if the City Council does not adopt the ordinance contained in the initiative, it shall call a special election to allow the voters to decide the measure; and

WHEREAS, under the provisions of the law relating to General Law cities in the State of California, a General Election shall be held on November 4, 2008; and

WHEREAS, California Elections Code section 1405 (a) (1) provides that when a special election is within 180 days of a regular election (as is the case here with the November 4, 2008 election), the special election may be held on the same date as the regular election; and

WHEREAS, the City Council has not voted in favor of adoption of the ordinance; and

WHEREAS, the City Council is directed by statute to submit the ordinance to the voters at a special election of the City of Buellton; and

WHEREAS, pursuant to California Elections Code section 1405 (a) (1), the City Council desires that the special election be consolidated with the November 4, 2008 general election.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Buellton as follows:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law cities there is called and ordered to be held in the City of Buellton, California on Tuesday, November 4, 2008 a Special Election for the purpose of submitting to the voters the following Measure:

SHOULD THE BUELLTON GENERAL PLAN BE AMENDED, UNTIL DECEMBER 31, 2025, TO PROHIBIT (WITH LIMITED EXCEPTIONS) CHANGES TO EXISTING CITY LIMITS OR THE PROVISION OF WATER OR SEWER SERVICES BEYOND THE EXISTING CITY LIMITS OF BUELLTON, EXCEPT BY ANOTHER INITIATIVE ELECTION?

SECTION 2. That the text of the ordinance submitted to the voters is attached as Exhibit "A".

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. The City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election. Pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Santa Barbara is requested to place the "Urban Growth Boundary of 2008" on the ballot of the Special Election to be consolidated with the Presidential General Election scheduled for November 4, 2008.

SECTION 5. That the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed except as provided in Section 14301 of the Elections Code of the State of California.

SECTION 6. 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 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 8. The City Clerk shall certify the passage and adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 1st day of July, 2008.



Russ Hicks
Mayor

ATTEST:



Steven L. Thompson
City Clerk

I, Steven L. Thompson, City Clerk of the City of Buellton, do hereby certify that the foregoing Resolution No. 08-17 was duly adopted by the City Council of the City of Buellton at the special meeting held on the 1st day of July, 2008 by the following vote of the Council:

AYES:	4	Council Members Andrisek, Pointer, and Whitehair and Mayor Pro Tem Molesworth
NOES:	1	Mayor Hicks
ABSENT:	0	
ABSTAIN:	0	



Steven L. Thompson
City Clerk