SAMPLE BALLOT

A

OFFICIAL BALLOT

Three Arch Bay Special Election

Orange County

June 3, 2003

This ballot stub shall be removed
and retained by the voter.

MEASURE SUBMITTED TO THE VOTERS

DISTRICT

THREE ARCH BAY COMMUNITY SERVICES DISTRICT

A	Shall an Ordinance be adopted extending and increasing the special tax on the parcels of property in Three Arch Bay District on the basis of $200.00 per fiscal year per parcel containing residential or commercial improvements and $130.00 per fiscal year per parcel for each parcel of vacant land, for the purpose of providing Law Enforcement Services.	**Yes**	+
		No	+

30-001A

A

FULL TEXT OF MEASURE A
THREE ARCH BAY COMMUNITY SERVICES DISTRICT

EXHIBIT "A"
SPECIAL TAX ORDINANCE

AN ORDINANCE OF THE PEOPLE OF THREE ARCH BAY COMMUNITY SERVICES DISTRICT, A COMMUNITY SERVICES DISTRICT, COUNTY OF ORANGE, STATE OF CALIFORNIA, EXTENDING AND INCREASING THE SPECIAL TAX FOR LAW ENFORCEMENT SERVICES AND INCREASING THE THREE ARCH BAY COMMUNITY SERVICES DISTRICT SPENDING LIMIT SET IN ACCORDANCE WITH ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION BY THE AMOUNT OF THE PROCEEDS OF THE SPECIAL TAX

THE PEOPLE OF THREE ARCH BAY COMMUNITY SERVICES DISTRICT, COUNTY OF ORANGE, CALIFORNIA, DO ORDAIN AS FOLLOWS:

SECTION 1. Pursuant to the authority of California Government Code Sections 53978 *et seq.* and 61615.1, the Special Tax by Three Arch Bay Community Services District ("District") which is levied and assessed on each parcel of property in Three Arch Bay Community Services District for each fiscal year is hereby extended and increased, commencing with the fiscal year 2003-2004.

SECTION 2. Said Special Tax for each fiscal year shall be as follows:

(a) For each parcel containing residential or commercial improvements, $200.00 per parcel;

(b) For each parcel of vacant land, $130.00 per parcel.

The records of Orange County Assessor as of March 1 of each year preceding the applicable fiscal year shall determine whether or not any particular lot is unimproved by purposes of this section. "Parcel of property," as used in this Ordinance, shall mean any contiguous unit of improved or unimproved real property held in separate ownership, including, but not limited to, any single family residence, or any other unit of real property subject to the California Subdivided Lands Act (Business and Professional Code Section 11000 *et seq.*). "Vacant land," as used in this Ordinance, shall mean any parcel of property with respect to which the governing authority has not issued a certificate of use and occupancy.

The tax imposed by this section shall be a tax upon each parcel of property, and the tax shall not be measured by the value of the property.

SECTION 3. The Special Tax imposed by Section 2 shall be due in two equal installments in accordance with the collection procedures of the Orange County Tax Collector, with the first installment for the first fiscal year of 2003-2004 being due on November 1, 2003, and the second installment for said fiscal year being due on February 1, 2004. The Special Tax for subsequent fiscal years shall be due on the same basis, in the same manner, and on the applicable dates as established by law for the due dates for the other charges and taxes fixed and collected by the County of Orange on behalf of Three Arch Bay Community Services District.

SECTION 4. The revenue raised by this Ordinance shall be placed in a special fund to be used only for the purposes of obtaining, furnishing, operating, and maintaining Law Enforcement equipment or apparatus; for paying the salaries and benefits to Law Enforcement services personnel; and for such other necessary Law Enforcement services expenses of the Three Arch Bay Community Services District.

SECTION 5. The Board of Directors of the District ("Board of Directors"), by three (3) affirmative votes, is empowered to suspend all or any part of the tax imposed by this Ordinance, and shall suspend such part of said tax as the Board of Directors finds, in the exercise of reasonable discretion and fiscal prudence, is not required to provide an adequate level of Law Enforcement services in the District in accordance with the purposes set forth in this Ordinance.

SECTION 6. The Board of Directors shall be empowered to amend this Ordinance by three (3) affirmative votes of the members thereof in order to carry out the general purposes of the Ordinance; in order to conform to State law that permits the County Tax Collector, or other proper official, to collect a special tax such as is levied by this Ordinance in conjunction with County taxes; or in order to assign duties pursuant to the Ordinance to other officers.

SECTION 7. No section of this Ordinance shall be construed to permit, and the Board of Directors is expressly prohibited from, increasing the amount of any Special Tax levy or penalty imposed by this Ordinance.

SECTION 8. The Special Tax imposed hereby shall be collected in the same manner, on the same dates, and subject to the same penalties and interest in accordance with the established dates as, or with, other charges and taxes fixed and collected by the County of Orange on behalf of the Three Arch Bay Community Services District, and the said County may deduct its reasonable costs incurred for such service before remittal of the balance to the District.

Said Special Tax, together with all penalties and interest thereon, shall constitute a lien upon the parcel upon which it is levied until it has been paid, and said Special Tax, together with all penalties and interest herein, shall, until paid, constitute a personal obligation to Three Arch Bay Community Services District by the persons who own the parcel on the date the tax is due.

SECTION 9. The Special Tax hereby imposed shall not be imposed upon any Federal or State Governmental agency or other local agency or upon any parcel of property that is exempt from the specific tax imposed by this Ordinance pursuant to any provision of the Constitution or any paramount law.

SECTION 10. Pursuant to California Constitution Article XIII B, the appropriations limit for Three Arch Bay District will be increased by the aggregate sum collected by levy of this Special Tax plus the amount, if any, by which the appropriation limit is decreased by law as a result of the assessment of a Special Tax set forth in this Ordinance.

SECTION 11. Unexpended residue of any money raised by the District under this Ordinance may only be used in the succeeding year for the purposes stated in this Ordinance by lowering the next year's tax by the amount unexpended or returned to the taxpayers on the same pro rata basis as originally levied.

SECTION 12. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such as invalidity or unconstitutionality, it shall not affect any other provision or application; and, to this end, the provisions of this Ordinance are declared to be severable. The people here declare that they would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof, be declared invalid or unconstitutional.

SECTION 13. This Ordinance, or any provision thereof other than these provisions, if any, which provide for modification by the Board of Directors of Three Arch Bay Community Services District, may only be amended or repealed by approval of two-thirds (2/3) of the voters voting on the provisions at any initiative or referendum election.

SECTION 14. This Ordinance shall be adopted, if approved as an initiative measure by two-thirds (2/3) of the voters voting at an election to be held on June 3, 2003, and go into effect ten (10) days after the Board of Directors has, by resolution, declared that such initiative measure was approved by two-thirds (2/3) of the voters voting thereon.

The District Secretary shall certify to the passage and adoption of this Ordinance and shall cause the same to be posted as required by law.

ADOPTED, SIGNED AND APPROVED THIS 4th DAY OF MARCH, 2003.

s/ Calvin L. Nelson, President of the Board of Directors of Three Arch Bay Community Services District

VOTER'S PAMPHLET

The following pages contain

CANDIDATES' STATEMENTS

together with

BALLOT MEASURES, ANALYSES AND ARGUMENTS

(whichever is applicable to your ballot)

This pamphlet may not contain a complete list of candidates. A complete list of candidates appears on the sample ballot. Each candidate's statement in this pamphlet is volunteered by the candidate and is printed at the expense of the candidate unless otherwise determined by the governing body.

ARGUMENTS IN SUPPORT OF OR OPPOSITION TO THE PROPOSED LAWS ARE THE OPINIONS OF THE AUTHORS

IMPARTIAL ANALYSIS BY COUNTY COUNSEL
MEASURE A

Under California law, a community services district may be formed to provide police protection and security services, and may levy special taxes on real property located within the district to carry on the operations of the district.

Currently, the Three Arch Bay Community Services District (the "District") levies a special tax on real property within the District for law enforcement services, at the rate of $150 per fiscal year for each parcel containing residential or commercial improvements and $100 per fiscal year for each parcel of vacant land. The current special tax will expire on June 30, 2003.

This measure would permit the District to extend and increase the annual levy of the special tax within the District. The special tax would be $200 per fiscal year for each parcel containing residential or commercial improvements and $130 per fiscal year for each parcel of vacant land. The extension and increase of the special tax would commence with fiscal year 2003-2004. The revenue raised by this special tax would be placed in a special fund to be used only for the purposes of obtaining, furnishing, operating and maintaining law enforcement equipment or apparatus; for paying the salaries and benefits to law enforcement services personnel; and for other necessary law enforcement services expenses of the District. Unexpended residue of any money raised by the District pursuant to the special tax may only be used for the purposes specified, or for lowering the following year's tax or returned to the property owners.

The Board of Directors of the District has called the election to submit the measure to the qualified voters in the District. If two-thirds of the votes cast are yes votes, the District may levy the special taxes in the District. A no vote on this measure will disapprove the levy of such special taxes in the District.

TOP FOUR REASONS
FOR YOUR MAILED BALLOT NOT TO COUNT

1. **NO SIGNATURE.** You must sign where indicated on the Identification Envelope.
2. **UNAUTHORIZED RETURN.** You are responsible for your own ballot. Drop it in the mail or return it yourself. If you are ill or disabled, you must authorize a relative or a person residing in the same household to return it for you by signing the *authorization box* on the return envelope.
3. **MAILED BALLOT ARRIVES AFTER 8:00 P.M. ELECTION DAY**. Postmarks do not count.
4. **BALLOT IS RETURNED TO THE REGISTRAR OF VOTERS OFFICE IN A PLAIN ENVELOPE.** You must sign the return envelope with the penalty of perjury statement on it for it to count. If you lose the return envelope that was sent to you, call us at (714) 567-7560 and we will send you another one in the mail.

INSTRUCTIONS FOR MAILED BALLOT VOTERS
HOW TO VOTE YOUR BALLOT

Remove the perforated cross (+) opposite the measure of your choice by placing a pen or pencil on the cross (+) and lifting the card while depressing the pen or pencil. Make sure the perforated paper dot with the printed cross (+) is **completely removed.**

HOW TO RETURN YOUR BALLOT

1. **REMOVE THE STUBS** from the ballot card. Place your voted ballot card in the white Identification Envelope and seal the envelope. **Do not** include any one else's ballots.

2. **FILL OUT AND SIGN the Declaration on the Identification Envelope by signing your name as it appears on your affidavit of registration.** (If a voter is not able to sign the signature line, an "X", witnessed by one (1) person is acceptable. The voter's name must be written near the mark and the witness must sign his/her name as witness.) The voter must sign the Identification Envelope; **Power of Attorney is NOT acceptable**. Be sure to supply ALL of the information requested on the Identification Envelope, INCLUDING YOUR ADDRESS. YOUR BALLOT WILL REMAIN SECRET. If you lose the return envelope that was sent to you, or need to obtain a second ballot because the original ballot is spoiled or marked erroneously, please send a written request stating under penalty of perjury that you have spoiled or lost your ballot and that you are not attempting to vote twice. Our office will send you a second ballot upon the receipt of your request.

3. To return your ballot by mail, it must be mailed by you or your authorized designee (see #4) in sufficient time to reach the Registrar of Voters office by **8:00 p.m. on election day**. **Postmarks do not count.**

4. There are no polling places for this election, but if you prefer, you may return your ballot in person to the Registrar of Voters office. **IF YOU ARE UNABLE TO RETURN THE BALLOT IN PERSON**, due to an illness or physical disability, **YOU MAY DESIGNATE A SPOUSE, CHILD, PARENT, GRANDPARENT, GRANDCHILD, BROTHER, SISTER, OR A PERSON RESIDING IN YOUR HOUSEHOLD** to return the ballot for you. If a designee returns the ballot for you, have the designee sign and indicate his/her relationship to you on the Identification Envelope by circling the appropriate choice.

FOR MORE INFORMATION PLEASE CONTACT US AT:
REGISTRAR OF VOTERS - ORANGE COUNTY

1300 South Grand Avenue, Bldg. C
Santa Ana, California 92705
(714) 567-7600
Telecommunications Device for the Deaf (714) 567-7608
www.oc.ca.gov/election/