January 29, 2019

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: San Geronimo Valley Golf Course Initiative Petition Titled: INITIATIVE MEASURE PREVENTING THE COUNTY FROM ACTING TO CHANGE THE PRIMARY GOLF COURSE USE OF THE SAN GERONIMO VALLEY GOLF COURSE LAND WITHOUT VOTER APPROVAL

Dear Board Members:

RECOMMENDATION: Accept the Certificate of Petition Verification and proceed to take action as outlined in Elections Code section 9118.

SUMMARY: Signatures on the initiative petition submitted by Amelia N. Brown and Matthew J. Brown have been verified and the petition has been found sufficient as shown in the Certificate of Petition Verification.

FISCAL/STAFFING IMPACT: No impact associated with the recommendation.

REVIEWED BY: [ ] Department of Finance [X] N/A
[X] County Counsel [ ] N/A
[ ] Human Resources [X] N/A

SIGNATURE:

Lynda Roberts
Registrar of Voters
MARIN COUNTY REGISTRAR OF VOTERS
CERTIFICATE OF PETITION VERIFICATION
California Elections Code sec. 9115
California Administrative Code sec. 20530-20533

I, Lynda Roberts, Registrar of Voters, County of Marin, hereby certify on January 15, 2019, the verification of signatures on the San Geronimo Valley Golf Course initiative petition titled: INITIATIVE MEASURE PREVENTING THE COUNTY FROM ACTING TO CHANGE THE PRIMARY GOLF COURSE USE OF THE SAN GERONIMO VALLEY GOLF COURSE LAND WITHOUT VOTER APPROVAL

I find the petition to be sufficient as follows:

1. Each section of the petition contains signatures purporting to be signatures of qualified voters in the County of Marin.

2. Attached to the petition was an affidavit of circulator that he/she had collected the signatures upon that section; that the signatures were collected in his/her presence, and that to the best of his/her own knowledge and belief, each signature on that section was the genuine signature of the person whose name it purports to be.

3. After the proponent filed the petition, I verified the required number of signatures by examining the records of registration in effect at the dates of such signing and from that examination I have determined the following facts regarding this petition:

<table>
<thead>
<tr>
<th>Description</th>
<th>Number</th>
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<tbody>
<tr>
<td>Signatures Required</td>
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<tr>
<td>Raw Count</td>
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<tr>
<td>Sample Size</td>
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<tr>
<td>Duplicate Signatures</td>
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4. Based on the formula in sections 20530-20533 of the California Administrative Code, with the raw count of 10,553 and a random sample of 500 signatures, of which 495 are valid signatures, 5 are invalid signatures, and 0 are duplicate signatures, the estimated number of valid signatures on this petition is 10,447. See attached report of the petition check.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal on the 15th day of January 2019.

SEAL

Lynda Roberts
Registrar of Voters
## Petition Result Breakdown

San Geronimo Valley Golf Course  
Preventing the County from Acting to Change the Primary Golf Course use of the San Geronimo Valley Golf Course

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### Percent of Sigs Checked vs Percent of Sample Size

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### RESULT ABBR | RESULT DESCRIPTION | Value | Percent of Sigs Checked |
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<td>118.9 %</td>
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Min Required (95%): 8350.5  
Min Required to pass Based on Sample (110%): 9669.0
January 29, 2019

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Proposed Initiative Measure Regarding the San Geronimo Valley Golf Course Property

Dear Supervisors:

RECOMMENDATION:

Refer the proposed ordinance to the Community Development Agency, in consultation with applicable County departments, for a report on the proposed initiative measure to be delivered to the Board by February 26, 2019.

SUMMARY:

On today’s January 29, 2019 agenda, the Registrar of Voters will certify to the Board that she has completed her examination of the petitions submitted to her office regarding the proposed “Initiative Measure Preventing the County from Acting to Change the Primary Golf Course Use of the San Geronimo Valley Golf Course Land Without Voter Approval” (sample petition attached), and has found the petition to be sufficient in that it has received in excess of the number of valid signatures required by Elections Code Section 9118. Pursuant to that same section, the Board must now do one of the following:

(a) Adopt the initiative without alteration at your meeting of January 29, 2019, or within 10 days;

(b) Submit the initiative, without alteration, to the voters at the next statewide election; or

(c) At your meeting of January 29, 2019, refer the proposed initiative to county agencies, pursuant to Elections Code Section 9111, for a report on its potential impacts.

If the Board chooses the third option, the report would need be delivered to your Board by its regularly scheduled meeting on February 26, 2019, at which time your Board must
then act to either adopt the ordinance or set it for an election at the next statewide election within 10 days of receipt of the same.

Staff recommends that the Board request that the Community Development Agency, in consultation with applicable County departments, provide a report on the proposed initiative on the matters described in Election Code Section 9111 (attached). The report may summarize the proposed initiative measure's fiscal impact, its effect on the internal consistencies of the county's general and specific plans, effect on the use of land, impact on open space, traffic congestion, and any other matters your Board requests be in the report.

Such a report will assist your Board in determining whether to place the measure on the March 2020 ballot or adopt the measure, and could be useful in making information on the initiative measure available to the public.

**FISCAL/STAFFING IMPACT:**

There is no fiscal impact to producing the proposed report.

**REVIEWED BY:**

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<tr>
<th></th>
<th>Auditor-Controller</th>
<th>County Counsel</th>
<th>Human Resources</th>
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</table>

Respectfully submitted,

BRIAN E. WASHINGTON
County Counsel

cc:
INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The county counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:

BALLOT TITLE: INITIATIVE MEASURE PREVENTING THE COUNTY FROM ACTING TO CHANGE THE PRIMARY GOLF COURSE USE OF THE SAN GERONIMO VALLEY GOLF COURSE LAND WITHOUT VOTER APPROVAL

BALLOT SUMMARY: This measure would prevent the Marin County Board of Supervisors, or any Marin County agency or officer, from allowing any change in the primary golf course use of the San Geronimo Valley Golf Course land without the approval of a majority of Marin County voters. To adopt this policy, the measure would amend the San Geronimo Valley Community Plan and add to the Marin County Code. This Measure would amend the San Geronimo Valley Community Plan to update the Assessor Parcel Numbers for the golf course and to mandate retention of the golf course use as the primary use of the San Geronimo Valley Golf Course land.

This Measure would add Marin County Code Chapter 22.32.080, requiring that any future changes in use of developed golf course land in the San Geronimo Valley Community Plan area comply with Marin County Code Chapter 22.44 (Master Plans and Precise Development Plans) and be approved by a majority of Marin County voters. In addition, prior to submitting to the voters any such change in use, Marin County officials would be required to prepare a study of the historic use of the golf course, a fiscal impact analysis of the proposed change, and a report on the environmental impacts for presentation to and approval by the Marin County Board of Supervisors.

NOTICE OF INTENTION TO CIRCULATE

To: Lynn Roberts, Registrar of Voters, Marin County
3301 Civic Center Dr., Suite 121
San Rafael, CA 94903

Re: Notice of Intention to Circulate Petition

Date: June 28, 2018 2018

Dear Mrs. Roberts,

In accordance with Elections Code Section 9103 and 9104, notice is given by the persons whose names appear below of our intention to circulate a petition within the County of Marin for the purpose of enacting the “San Geronimo Community Plan Preservation and Protection Act.” A statement of the reasons of the proposed action as contemplated in the petition is as follows:

Voter Approval for Utilization of San Geronimo Golf Course

The San Geronimo Golf Course is a 167 acre property in the San Geronimo Valley. The Marin Countywide Plan and the San Geronimo Valley Community Plan require that the land on which the San Geronimo Golf Course is located must be limited for use as a golf course. The County Board of Supervisors is contemplating the development of the site in a manner that would prevent its continued use as a golf course, contrary to stated planning commitments.

This measure would prevent the Board of Supervisors, or any County agency or officer, from allowing or enacting any change in the use of the San Geronimo Golf Course land that does not require its continued use as a golf course unless the County’s voters approved such a change. The measure also would require that, prior to seeking voter approval for any specific proposed change to the current use as a golf course, the County must prepare and the Board of Supervisors must hold at least two open and public meetings to receive and approve (i) a fiscal impact and economic analysis of the specific proposed change as well as (ii) a report on the environmental impacts—including on fire safety and prevention given that the golf course is a natural firebreak—of any specific proposed change of use.

Enclosed is a check for $200 made out to the County. In accordance with Elections Code Section 9105, please immediately transmit a copy of this Initiative to County Counsel for preparation of a ballot title and summary. We look forward to hearing from you no later than July 12, 2018. Please direct all communications on this matter to Annika Brown at 415.368.3900 or annikabrown@marin.gov

Sincerely,

/s/ Jennifer N. Brown
44 Rock Ridge Rd
Woodacre, CA 94973

/s/ Matthew J. Brown
7 Brooke Drive
San Anselmo, CA 94960

TEXT OF THE INITIATIVE MEASURE

The people of the County of Marin do resolve and ordain as follows:

Section 1. Title. This initiative measure (“Initiative”) is called the “San Geronimo Community Plan Preservation and Protection Act.”

Section 2. Findings and Purpose.

A. Findings.

1. The fabric of what makes Marin County unique relies on a broad spectrum of land use, with a diversified "portfolio" of public park lands, public open space, agricultural land, commercial land, residential land, and recreational facilities.

2. The San Geronimo Valley is located in the heart of Marin County and typifies the County in its unique combination of natural, recreational, cultural, and historic attributes.

3. The San Geronimo Valley Community Plan, adopted by the County Board of Supervisors on December 2, 1997 as part of the Marin Countywide Plan, recognizes the San Geronimo Valley Golf Course as representative of an important visual and recreational resource in the Valley. The Community Plan states that the golf course use should be retained with no major expansion of the facilities and that future uses should be limited to those which support the primary use as a golf course.

4. Since 1968, the San Geronimo Valley Golf Course has been recognized by local, regional, and national organizations as the best golf course in Marin County.

5. The San Geronimo Valley Golf Course provides social opportunities for all age groups and is used by the community for charitable and community events, in addition to use as a golf course at affordable prices, and is an economic engine for the County, generating revenues from fees and taxes and providing employment to County residents.

6. The San Geronimo Golf Course provides a critically important firebreak, especially given the increasing frequency and number of catastrophic wildfires throughout the State and the Bay Area.

7. A scientific study prepared for the California Department of Fish and Wildlife and the U.S. National Oceanographic and Atmospheric Administration concludes that golf course use can coexist with salmon in the San Geronimo Valley. Salmon spawning is largely dependent on the timing and amount of rainfall and other global conditions and will continue to vary regardless of whether the San Geronimo Golf Course exists.

8. The San Geronimo Golf Course does not need to be "restored." "Re-wilding" the San Geronimo Golf Course will waste millions of taxpayer dollars.

9. The best use of the San Geronimo Golf Course, for the maximum use and enjoyment of the community and Marin County residents, and economic benefit to the County, is the existing golf course use.

B. Purpose.

The purposes of this Initiative are as follows:

1. To give the voters of the County the power to determine whether the County should allow changes to eliminate the primary golf course use of the San Geronimo Golf Course.

2. To ensure that the voters of the County are informed of accurate and complete environmental and economic information.
on any proposal to change the primary golf course use of the San Geronimo Golf Course.

3. To ensure that County decision-makers conduct accurate and complete environmental review and fiscal analyses before eliminating the San Geronimo Golf Course.

Section 3. San Geronimo Valley Community Plan Amendments.

The voters hereby amend the San Geronimo Valley Community Plan as follows:

A. Page IV-12 of the San Geronimo Valley Community Plan is hereby amended as follows to update the assessor parcel numbers for the San Geronimo Golf Course and mandate retention of the golf course use as the primary use of the San Geronimo Golf Course (new language to be inserted into the San Geronimo Valley Community Plan is shown as underlined text and language to be deleted is shown in strikethrough text):

San Geronimo Valley Golf Course. (AP# 168-250-4244, 171-370-4581, 69-173-372-01, 171-372-14). The golf course is approximately 157.20 acres of developed recreational land including clubhouse and restaurant facilities. The course represents an important visual and recreational resource in the Valley. The golf course use should must be retained with no major expansion of the facilities and any future uses should must be limited to those which support the primary use as a golf course, except as provided for in Policy CD-7.3 and Marin County Development Code. Section 22.32.080.

B. Page IV-23 of the San Geronimo Valley Community Plan is hereby amended as follows to add new requirements for any change from the primary golf course use to another use (new language to be inserted into the San Geronimo Valley Community Plan is shown as underlined text):

Policy CD-7.3 San Geronimo Valley Golf Course. Major changes in the use of the San Geronimo Golf Course should be evaluated by a master plan which could address traffic and other impacts as well as the rural character of the Valley; provided, however, that the County, through its Board of Supervisors, or any County agency or officer, may not authorize any change in the use of the San Geronimo Golf Course that does not contemplate as a primary use a golf course facility without the approval of the voters of the County in accordance with the Marin County Development Code Section 22.32.080.

Section 4. Marin County Development Code Amendments

Chapter 22.32 (Standards for Specific Land Uses) of the Marin County Development Code is hereby amended as follows to set forth the requirements for any change of a primary golf course use to another use (new language to be inserted into the Marin County Development Code is shown as underlined text):

Section 22.32.080 Golf Course Use Within the San Geronimo Valley Community Plan Area. The requirements of this section apply to golf course uses within the San Geronimo Valley Community Plan area.

A. Voter Approval for Change of Use. A change in use (including but not limited to landscape modifications or changes associated with termination of use) of property developed for a golf course use to any other use requires approval of a master plan in compliance with Chapter 22.44. In addition, any such change in use requires approval by a majority of the voters in Marin County.

Prior to submitting any proposal for such change in use to the voters of the County, the County must prepare and approve (i) an economic study of the historic use of the golf course, including an accounting of revenues from the golf course over the two year period immediately prior to any proposed change in use, (ii) a fiscal impact analysis of the proposed change of use, and (iii) a report on the environmental impacts (including but not limited to those related to fire protection and safety) of the proposed change of use, in addition to the environmental review required under the California Environmental Quality Act. The Board of Supervisors must hold at least two duly noticed public hearings in compliance with Chapter 22.118 to consider and take action to approve the economic study, fiscal impact analysis, and report of environmental impacts.

Section 5. Effective Date and Implementation of this Initiative.

A. In accordance with Elections Code Section 9122, if a majority of the voters vote in favor of this initiative, it will become a valid and binding ordinance of the County and will go into effect upon the earliest date legally possible. Upon the effective date of this Initiative, the County is directed to take all appropriate actions needed to implement this Initiative.

B. Upon the effective date of this initiative, the provisions of Section 3 of this initiative are hereby inserted into the San Geronimo Valley Community Plan, which is part of the Countywide Plan, the County's general plan; except that if the four amendments of the General Plan permitted by state law for any calendar year have already been utilized in the year in which this Initiative becomes effective, the San Geronimo Valley Community Plan amendments set forth in this Initiative will be the first amendments inserted into the Community Plan on January 1 of the next year.

C. The San Geronimo Valley Community Plan in effect on the date of filing of the Notice of Intent to Circulate this Initiative ("Filing Date"), the San Geronimo Valley Community Plan as amended by this Initiative, and the Marin County Development Code as amended by this Initiative, comprise an integrated, internally consistent and compatible statement of policies and standards for the County. To ensure that the County's Countywide Plan, San Geronimo Valley Community Plan, and Marin County Development Code remain integrated, internally consistent and compatible, any provision of the Countywide Plan or San Geronimo Valley Community Plan or Marin County Development Code that is adopted between the Filing Date and the effective date of this Initiative will, to the extent that such interim-enacted provision is inconsistent with this Initiative, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this Initiative and other elements of the Countywide Plan, the San Geronimo Valley Community Plan, and the Marin County Development Code.

Section 6. Effect of Other Measures on the Same Ballot.

In approving this Initiative, it is the voters' intent to retain the primary golf course use of the San Geronimo Golf Course. In the event that this Initiative and one or more initiatives which, if approved, would regulate the use or development of the San Geronimo Golf Course in any manner whatsoever (each, a "Conflicting Initiative") are adopted by the voters at the same election, then it is the voters' intent that only the measure which receives the greatest number of affirmative votes will control in its entirety and said other measure or measures will be rendered invalid and without any legal effect. If this Initiative is approved by the voters at the same election as a Conflicting Initiative, and such Conflicting Initiative is later held invalid, this Initiative will be self-executing and given full force of law.

Section 7. Interpretation and Severability.

This Initiative must be broadly construed in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the County and others in a manner that facilitates the purpose set forth in this Initiative. If any provision of this Initiative is declared invalid, or any application thereof to any person or circumstance is held invalid, such invalidity will not affect any provision or application of this Initiative that can be given effect without the invalid provision or application. To this end, the provisions of this Initiative are severable.

Section 8. Amendment and Repeal.

The provisions of this Initiative may only be amended or repealed by a majority of the voters of the County voting in an election held in accordance with state law.
INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS
The county counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:

BALLOT TITLE: INITIATIVE MEASURE PREVENTING THE COUNTY FROM ACTING TO CHANGE THE PRIMARY GOLF COURSE USE OF THE SAN GERONIMO VALLEY GOLF COURSE LAND WITHOUT VOTER APPROVAL

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SIGNER: Please fill in all information by hand in ink. Use only ball point pens. No ditto marks. No abbreviations. No P.O. Boxes.

MARIN COUNTY
REGISTERED VOTERS ONLY
NOTICE TO THE PUBLIC: THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK

The use of your signature for any purpose other than qualification of this measure for the ballot is a misdemeanor. Complaints about the mis-use of your signature may be made to the secretary of state's office.
INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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<th>NOTICE TO THE PUBLIC: THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.</th>
<th>THIS COLUMN FOR OFFICIAL USE ONLY</th>
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<td>The use of your signature for any purpose other than qualification of this measure for the ballot is a misdemeanor. Complaints about the mis-use of your signature may be made to the secretary of the state's office.</td>
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| 12 | SIGNATURE AS REGISTERED TO VOTE | RESIDENCE ADDRESS (NO P.O. BOX OR RURAL ROUTE) | PRINT YOUR NAME | CITY | ZIP |
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| 2  | SIGNATURE AS REGISTERED TO VOTE | RESIDENCE ADDRESS (NO P.O. BOX OR RURAL ROUTE) | PRINT YOUR NAME | CITY | ZIP |

**DECLARATION OF CIRCULATOR**

(to be completed in circulator's own hand after the above signatures have been obtained)

I, __________________________, am 18 years of age or older.

My residence address is __________________________.

I circulated this section of the petition and witnessed each of the appended signatures being written. Each signature of this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be.

All signatures on this document were obtained between the dates of __________________________ and __________________________.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on __________________________, at __________________________, at (place and day) (post) (place of signing) __________________________

[signature of circulator indicating the name of circulator]
§ 9111. Report from county agencies on effect of proposed... , CA ELEC § 9111

West's Annotated California Codes
Elections Code (Refs & Annos)
Division 9. Measures Submitted to the Voters (Refs & Annos)
Chapter 2. County Elections (Refs & Annos)
Article 1. Initiative (Refs & Annos)


§ 9111. Report from county agencies on effect of proposed initiative measure

Effective: January 1, 2019
Currentness

(a) During the circulation of the petition or before taking either action described in subdivisions (a) and (b) of Section 9118, the board of supervisors may refer the proposed initiative measure to a county agency or agencies for a report on any or all of the following:

(1) Its fiscal impact.

(2) Its effect on the internal consistency of the county's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on county actions under Section 65008 of the Government Code and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.

(3) Its effect on the use of land, the impact on the availability and location of housing, and the ability of the county to meet its regional housing needs.

(4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses.

(5) Its impact on the community's ability to attract and retain business and employment.

(6) Its impact on the uses of vacant parcels of land.

(7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.

(8) Any other matters the board of supervisors requests to be in the report.
(b) The report shall be presented to the board of supervisors within the time prescribed by the board of supervisors, but no later than 30 days after the county elections official certifies to the board of supervisors the sufficiency of the petition.

Credits

Current with all laws through Ch. 1016 of 2018 Reg.Sess., and all propositions on 2018 ballot.