

**FULL TEXT OF MEASURE Q
CITY OF CYPRESS**

ORDINANCE NO. 1146

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CYPRESS,
CALIFORNIA, ADOPTING ZONE CHANGE NO. 2014-03 AND THE
HARMONY 2015 SPECIFIC PLAN, CHANGING THE ZONING CLASSIFICATION
OF THE PROPERTY LOCATED AT 9470 MOODY STREET FROM PS-1A
PUBLIC & SEMI-PUBLIC TO PC PLANNED COMMUNITY (PC-14)

WHEREAS, duly noticed public hearings for the consideration of the zone change and specific plan were held by the City Council of the City of Cypress on the 27th of May 2014; and

WHEREAS, the City Council of the City of Cypress has considered evidence presented by the applicant, the City staff, and other interested parties at the public hearing held with respect thereto; and

WHEREAS, the purpose of the Harmony 2015 Specific Plan is to provide the authority for designating the property located at 9470 Moody Street (the "subject property") for development pursuant to a Specific Plan of sufficient specificity as to constitute the zoning requirements, standards, and criteria for said area; and

WHEREAS, the zone change and Harmony 2015 Specific Plan, as approved, are both consistent with the General Plan of the City of Cypress.

The CITY COUNCIL of the CITY OF CYPRESS DOES hereby ORDAIN as follows:

SECTION 1: The foregoing recitals are true and correct and incorporated herein.

SECTION 2: The subject property located at 9470 Moody Street is hereby re-zoned from PS-1A Public & Semi-Public to PC Planned Community (PC-14) and is included within the boundaries of the Harmony 2015 Specific Plan, a copy of which is on file in the office of the City Clerk, and by this reference is incorporated herein.

SECTION 3: The official Zoning Map of the City of Cypress is hereby amended to reflect the change of zone approved herein.

SECTION 4: The City Clerk is hereby authorized and directed to certify as the passage of this Ordinance and to give notice thereof by causing copies of this Ordinance to be posted in three (3) public places throughout the City.

SECTION 5: This ordinance shall not be in force or effect unless the same is approved by a majority of the voters casting a "yes" vote on a ballot measure, scheduled for the November 4, 2014 General Election, to rezone the subject property from its current zoning of PS-1A Public & Semi-Public to PC Planned Community (PC-14) to the zoning designation set forth herein.

**IMPARTIAL ANALYSIS BY CITY ATTORNEY
CITY OF CYPRESS
MEASURE Q**

Measure Q, if approved by the voters, would re-zone the Cypress School District Offices Site, located at 9470 Moody Street (the "District Offices Site"), from "PS-1A Public/Semi-Public" to "PC-14 Planned Community." A "yes" vote on this zone change, in conjunction with the conditional land use approvals previously authorized by the City Council and described in this analysis, would permit the construction of 29 single family residential units on the District Offices Site.

This measure is placed on the ballot by the City Council in compliance with Measure D, set forth in Sections 5.28.020 and 5.28.050 of the Cypress Zoning Ordinance, which prohibits the rezoning of any real property designated as "Public/Semi-Public" (like the District Offices Site) without prior voter approval.

The proposed zone change to the District Offices Site was previously *conditionally* approved by the City Council on May 27, 2014, along with (1) an amendment to the Cypress General Plan, (2) an amendment to the Cypress Zoning Code, (3) Conditional Use Permit No. 2014-06, (4) Tentative Tract Map No. 17773 and (5) the "Harmony 2015 Specific Plan," which collectively permit the construction of 29 single family residential units on the District Offices Site. The Council's conditional approval of this zone change will only take effect if a majority of those voting at the November 4, 2014 General Election cast a "Yes" vote in favor of Measure Q.

A "**Yes**" vote means you approve the re-zoning of the District Offices Site from "PS-1A Public/Semi-Public" to "PC-14 Planned Community." A "**No**" vote means you oppose the re-zoning of the District Offices Site from "PS-1A Public/Semi-Public" to "PC-14 Planned Community."

This measure would take effect only if a majority of those voting on the ballot measure cast a "Yes" vote at the November 4, 2014 consolidated General Election.

The above statement is an impartial analysis of Measure Q. If you desire a copy of the measure, please call the Cypress City Clerk's office at (714-229-6683) and a copy will be mailed at no cost to you.

Date: July 7, 2014

s/ William W. Wynder
City Attorney

ARGUMENT IN FAVOR OF MEASURE Q

We are asking for your support for a change in zoning from Public/Semi-Public to Planned Community to assist the School District and be more compatible with the surrounding neighborhoods.

Without raising taxes or asking voters to pass a local bond, Measure Q will accomplish the following:

ELIMINATES the outdated and unattractive transportation and maintenance yard and the 50-year old Cypress Elementary School District Buildings from the neighborhood surrounding Orange Avenue and Moody Street.

ESTABLISHES a beautiful community of new homes that will increase property value for the surrounding home-owners and protect the character of the surrounding neighborhood.

PROVIDES an opportunity for Cypress residents to move to a new home without leaving their City.

INCREASES funds to maintain and improve city parks through fees paid by home-builders.

BOOSTS the economy of local businesses and increases the city's tax basis.

PROVIDES new facilities and a source of continuous revenue for Cypress School District, without increasing taxes.

This Measure is an innovative community solution that would enhance the character and value of the local neighborhood, support local businesses, generate developer-paid park fees for the city and provide many benefits for the children in Cypress schools.

Please join us in voting YES on MEASURE Q

s/ Rob Johnson
Mayor Pro Tem, City of Cypress

s/ Valeri Peters Wagner
President, Cypress School District Board of Trustees

s/ Carol Erbe
Principal, King Elementary School

s/ Tim Keenan
former Mayor, City of Cypress

s/ Michelle Hohmann
Chairperson, Measure M Citizens Oversight Committee

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE Q

Facts the Cypress School District won't include in their publications:

District administrators were fine with our children and teachers getting renovated buildings but the administration says they need a brand new building.

The 'in favor' argument doesn't mention that a 2 acre maintenance yard will be built on the Swain School site bringing maintenance trucks into a residential neighborhood creating safety, noise, and pollution issues.

The District has yet to determine where the school buses will be housed. The new bus yard could end up at a school or property near you.

The District doesn't mention that this measure will remove yet another property out from the voter-approved Measure D development restrictions and will expand the District's profit-generating land management plans.

The 'in favor' argument doesn't mention that Cypress School District is referenced in two recent OC Grand Jury reports on bond financing and dire financial conditions. One of the Grand Jury recommendations is that the OC Department of Education conduct a comprehensive study of whether some school districts should be merged.

The District doesn't mention that they are now the 3rd smallest school district in Orange County and a merger may mean a District Office won't be needed a few years from now.

The only way to let the District know that the residents want them overseeing our schools, not developing expansive profit-generating land management plans, is to vote No on Measure Q.

s/ Steven K. Mauss
Director, Citizens for Responsible Development
Cypress Business Owner

s/ George A. Pardon
Retired, University Vice President for Administration

ARGUMENT AGAINST MEASURE Q

In 2008, voters approved a \$53 million bond sale to renovate our schools. The project list included 9 schools of which 6 have been renovated and 3 have been closed. To top it off, the bonds sold are set to cost the taxpayers over \$5 for every \$1 borrowed. Now the District wants to get around voter-approved Measure D on the District Office site so they can do a land swap with a developer that will build them a new District Office on Valley View as well as providing the District with additional space they can lease out to generate revenue.

The District Office site is not the only property given up with this rezoning. The District intends to have the developer build the maintenance yard on the Swain campus. The maintenance yard will consume at least 2 acres (20%) of the Swain campus bringing maintenance trucks into residential neighborhoods creating safety, noise, and pollution issues. The District has yet to determine where the school buses will be housed.

The District says they need to dispose of the District Office site because it is over 45 years old and doesn't meet current professional needs. Many houses and buildings in the school district are 45 years old and they aren't being torn down to meet current needs. It wouldn't make financial sense and neither does this.

Vote No on Measure Q.

s/ Steven K. Mauss
Director, Citizens for Responsible Development
Cypress Business Owner

s/ George A. Pardon
Retired, University Vice President for Administration

REBUTTAL TO ARGUMENT AGAINST MEASURE Q

The Cypress School District has complied with every requirement of Measure D.

Each step the School district took was explained in citywide newsletter mailings, public meetings, newspaper articles, the School District website as well as the City of Cypress website. Anyone who reviewed the material knew that at the conclusion of this process, the voters of Cypress would make the final decision. Now we ask for your support.

In 2008 Measure M was approved by nearly 70% of Cypress voters. Measure M authorized the School District to issue \$53 million in bonds to modernize its schools. Those funds were used by the School District in the manner authorized by the voters and supervised by the Citizen's Oversight Committee. The District is extremely grateful to the voters in our community for their support and trust.

This Ballot measure DOES NOT ask the community for any new funds and it DOES NOT raise taxes. It truly makes total financial sense.

This Ballot measure DOES bring numerous benefits to the surrounding neighborhood, to the City of Cypress and to local businesses.

This Ballot measure creates a new district office that will meet the standards of the Americans With Disabilities Act, provides up-to-date technology and is more energy-efficient WITHOUT using any School District General Fund money.

Ultimately, it is the students of Cypress School District, both this generation and those of the future, that will gain the most.

Please join us in supporting Measure Q.

s/ Rob Johnson
Mayor Pro Tem, City of Cypress

s/ Valeri Peters Wagner
President, Cypress School District Board of Trustees

s/ Carol Erbe
Principal, King Elementary School

s/ Tim Keenan
former Mayor, City of Cypress

s/ Michelle Hohmann
Chairperson, Measure M Citizens Oversight Committee