

RESOLUTION NO. 2023-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING CITY MEASURES AND DIRECTING THE CITY ATTORNEY TO PREPARE IMPARTIAL ANALYSES

WHEREAS, a Special Municipal Election is to be held in the City of Huntington Beach, California, on March 5, 2024, at which there will be submitted to the voters three ballot measures related to amendments to the City Charter; and

The City Council wishes to authorize arguments in favor of and in opposition to these measures and authorize the preparation of impartial analyses of these measures,

NOW, THEREFORE, the City Council of the City of Huntington Beach, California, does hereby resolve, declare, determine and order as follows:

SECTION 1. That with respect to the measure entitled:

“Shall proposed Charter Amendment No. 1 to: require Voter ID for elections, more in-person voting locations, and monitoring of drop-boxes; clarify that voters elect the City Attorney as the City’s legal counsel free from interference from City officials, and clarify budget authority for the City Attorney’s Office; update the qualifications of candidates for City Clerk; and stop potential political wrongdoing by requiring alleged malfeasance by a City official be investigated by outside agencies, be approved?”	YES
	NO

a. That the City Council authorizes the following member(s) of its body:

_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)

to file a written argument not exceeding 300 words regarding the City measure as specified above, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California. The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk. Said argument to be accompanied by the printed name(s) and signature(s) of the authors(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers.

SECTION 2. That the City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney.

a. The City Attorney shall prepare an impartial analysis of the Measure not exceeding 500 words showing the effect of the Measure on the existing law and the operation of the Measure. If the measure affects the organization or salaries of the office of the City Attorney, the City Attorney shall have outside counsel prepare the impartial analysis.

b. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city.

c. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the voter information guide, there shall be printed immediately below the impartial analysis, in no less than 10-point type, the following: "The above statement is an impartial analysis of Charter Amendment Measure 1. If you desire a copy of the Measure, please call the election official's office at 714-536-5405 and a copy will be emailed at no cost to you."

d. The impartial analysis shall be filed by the date set by the City Clerk for the filing

of primary arguments.

SECTION 3. That with respect to the measure entitled:

<p>“Shall proposed Charter Amendment No. 2 to: provide that the only flags that shall be displayed by the City on City property are: the United States, County of Orange, City of Huntington Beach Flags, and the POW Flag and Flags of the Armed Forces; require the City to adopt a Two-Year Budget; and move the City Clerk and City Treasurer elections to the gubernatorial election cycle, be approved?”</p>	YES
	NO

- a. That the City Council authorizes the following member(s) of its body:

_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)

to file a written argument not exceeding 300 words regarding the City measure as specified above, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California. The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk. Said argument to be accompanied by the printed name(s) and signature(s) of the authors(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers.

SECTION 4. That the City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney.

- a. The City Attorney shall prepare an impartial analysis of the Measure not exceeding

500 words showing the effect of the Measure on the existing law and the operation of the Measure.

If the measure affects the organization or salaries of the office of the City Attorney, the City Attorney shall have outside counsel prepare the impartial analysis.

b. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city.

c. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the voter information guide, there shall be printed immediately below the impartial analysis, in no less than 10-point type, the following: “The above statement is an impartial analysis of Charter Amendment Measure 2. If you desire a copy of the Measure, please call the election official’s office at 714-536-5405 and a copy will be emailed at no cost to you.”

d. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 5. That with respect to the measure entitled:

Shall proposed Charter Amendment No. 3 to: require voter approval of any City transaction that forgives, waives, or foregoes the collection of property in excess of \$100,000 per year, except acquisition of property for parks or infrastructure; update exceptions to Section 612 (Measure C) to allow certain children’s playground equipment, park-related utility structures and public restrooms be built or improved without limitation; and update the procedures to cancel a regular City Council meeting, be approved?	YES
	NO

- a. That the City Council authorizes the following member(s) of its body:

_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)

to file a written argument not exceeding 300 words regarding the City measure as specified above, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California. The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk. Said argument to be accompanied by the printed name(s) and signature(s) of the authors(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers.

SECTION 6. That the City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney.

a. The City Attorney shall prepare an impartial analysis of the Measure not exceeding 500 words showing the effect of the Measure on the existing law and the operation of the Measure. If the measure affects the organization or salaries of the office of the City Attorney, the City Attorney shall have outside counsel prepare the impartial analysis.

b. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city.

c. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the voter information guide, there shall be printed immediately below

the impartial analysis, in no less than 10-point type, the following: "The above statement is an impartial analysis of Charter Amendment Measure 3. If you desire a copy of the Measure, please call the election official's office at 714-536-5405 and a copy will be emailed at no cost to you."

d. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

REVIEWED AND APPROVED:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Manager

  
\_\_\_\_\_  
City Attorney

INITIATED AND APPROVED:

\_\_\_\_\_  
City Manager

**ARGUMENTS**  
**FORM OF STATEMENT TO BE FILED BY**  
**AUTHORS OF ARGUMENTS**

All arguments concerning measures filed pursuant to Division 9, Chapter 3 (beginning with § 9200) of the Elections Code shall be accompanied by the following form statement **to be signed** by each proponent, and by each author, if different, of the argument:

The undersigned proponent (s) or author(s) of the (primary/rebuttal) argument (in favor of/against) ballot proposition (name or number) at the (title of election) election for the (jurisdiction) to be held on \_\_\_\_\_, 20\_\_\_\_\_ hereby state that the argument is true and correct to the best of (his/her/their) knowledge and belief.

<div>Print Name</div> <div>Title</div> <div>(If applicable): Submitted on behalf of :</div> <div>(name of organization)</div>	<div>Signature</div> <div>Date</div>
<div>Print Name</div> <div>Title</div> <div>(If applicable): Submitted on behalf of :</div> <div>(name of organization)</div>	<div>Signature</div> <div>Date</div>
<div>Print Name</div> <div>Title</div> <div>(If applicable): Submitted on behalf of :</div> <div>(name of organization)</div>	<div>Signature</div> <div>Date</div>
<div>Print Name</div> <div>Title</div> <div>(If applicable): Submitted on behalf of :</div> <div>(name of organization)</div>	<div>Signature</div> <div>Date</div>
<div>Print Name</div> <div>Title</div> <div>(If applicable): Submitted on behalf of :</div> <div>(name of organization)</div>	<div>Signature</div> <div>Date</div>

All Authors must print his/her name **and sign this form** (EC 9600)

AND

Print his/her name **and sign the Argument itself** (EC 9283)

AND

Print his/her name **and sign the Rebuttal Argument itself** (EC 9285)

Further, pursuant to Election Code § 9282, printed arguments submitted to the voters shall be titled either "Argument In Favor Of Measure \_\_\_\_" or "Argument Against Measure \_\_\_\_".

*Likewise, printed rebuttal arguments submitted pursuant to Election Code § 9285 shall be titled either "Rebuttal To Argument In Favor Of Measure \_\_\_\_" or "Rebuttal to Argument Against Measure \_\_\_\_".*

§ 9200, 9282, 9283, 9285, 9600 E.C.

§ 9600, E.C. and (Steven Vargas v. Cheryl Balz and City of Brea; Revised 10/2009)

Statement of Authors of Arguments

F - A - 1