

RESOLUTION NO. 2024-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE TO BE SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024

WHEREAS, a General Municipal Election is to be held in the City of Huntington Beach, California, on November 5, 2024, at which there will be submitted to the voters a ballot measure related to an amendment to the City Charter regarding environmental protection; and

The City Council wishes to authorize arguments in favor of and in opposition to this measure and authorize the preparation of an impartial analysis of this measure,

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 following measure (hereafter, the "Measure"):

"Shall proposed Charter Amendment No. 1, which would amend the City Charter to state that City Planning and Zoning is a local, municipal affair, and require voter approval of City initiated general plan amendments or zoning changes when such items present significant and unavoidable negative impacts to the environment, 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)
- _____ (Councilmember In Favor/Against)
- _____ (Councilmember In Favor/Against)

to file a written argument not exceeding 300 words regarding the 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arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the Measure may be submitted to the City Clerk.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. The arguments shall be accompanied by the Form of Statement to be Filed by Author(s) of Argument as provided for in California Elections Code Section 9600.

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 Council may direct the City Clerk to 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 if more than one argument for or against the Measure is submitted to the City Clerk within the time prescribed, she shall give preference and priority, in the order set forth in California Elections Code Section 9287, to the arguments in favor/against submitted by: 1) the legislative body, or member(s) of the legislative body authorized by that body, 2) individual voter or *bona fide* association of citizens or combination of voters and associations, who are the *bona fide* sponsors or proponents of the Measure, 3) *bona fide* associations of citizens, 4) individual voters who are eligible to vote on the Measure.

REST OF PAGE NOT USED

SECTION 4. 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 special meeting thereof held on July 8, 2024.

Mayor

REVIEWED AND APPROVED:

APPROVED AS TO FORM:

City Manager

City Attorney

Per

INITIATED AND APPROVED:

to _____
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.

Print Name _____ Title _____ (If applicable):Submitted on behalf of : _____ <div style="text-align: center;">(name of organization)</div>	Signature _____ Date _____
Print Name _____ Title _____ (If applicable):Submitted on behalf of : _____ <div style="text-align: center;">(name of organization)</div>	Signature _____ Date _____
Print Name _____ Title _____ (If applicable):Submitted on behalf of : _____ <div style="text-align: center;">(name of organization)</div>	Signature _____ Date _____
Print Name _____ Title _____ (If applicable):Submitted on behalf of : _____ <div style="text-align: center;">(name of organization)</div>	Signature _____ Date _____
Print Name _____ Title _____ (If applicable):Submitted on behalf of : _____ <div style="text-align: center;">(name of organization)</div>	Signature _____ Date _____

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

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