

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, which provides that commencing in 2026, for all municipal elections, the City may: require Voter ID for elections; provide more in-person voting locations; and monitor ballot drop-boxes, 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 The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk.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:

"Shall proposed Charter Amendment No. 2, which provides that the only flags to be displayed by the City on City property are the United States Flag, the County of Orange Flag, the City of Huntington Beach Flag, the POW-MIA Flag, the six Armed Forces Flags, the Olympic Flag during the Summer Olympic Games, and any other flag if authorized by a unanimous vote of the City Council, 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 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: commencing in 2026, require the City to adopt a two- year budget; update the procedures to cancel a regular City Council meeting; update the process to fill a City Council vacancy; and amend outdated phrases, syntax, dates, pronouns, and titles 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.

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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