

**RESOLUTION NO. 2016-71**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF NEWPORT BEACH, CALIFORNIA, SETTING  
PRIORITIES FOR FILING WRITTEN ARGUMENTS  
REGARDING A CITY MEASURE, AND DIRECTING THE  
CITY ATTORNEY TO PREPARE AN IMPARTIAL  
ANALYSIS**

**WHEREAS**, a General Municipal Election is to be held in the City of Newport Beach, California, on Tuesday, November 8, 2016, at which there will be submitted to the voters the following measure:

<b>MEASURE ____</b>	
<b>Require 5 of 7 Votes of the City Council to Propose Taxes</b>  Shall Section 1115 be added to the Newport Beach City Charter to require at least five votes of the total City Council membership in order to place City Council sponsored general or special tax proposals on a ballot for voter consideration?	Yes
	No

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**Section 1:** That the City Council authorizes Mayor Diane Dixon, Mayor Pro Tem Kevin Muldoon, Council Member Scott Peotter, Finance Committee Member Will O'Neill, and President & CEO Carolyn Cavecche of the Orange County Taxpayers Association to file a written argument in favor of the measure not exceeding three hundred (300) words regarding the City measure as specified above, accompanied by the printed names and signatures of the authors submitting it, in accordance with Article 4, Chapter 3, Division 9 of the California Elections Code. 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changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk. A direct argument may not be signed by more than five (5) authors.

The arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(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 who is the author of the argument. The arguments shall be accompanied by the "Form of Statement to be Filed by Author(s) of Argument."

**Section 2:** The City Council directs the City Clerk to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure of no more than five hundred (500) words, pursuant to California Election Code Section 9280.

**Section 3:** The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**Section 4:** The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**Section 5:** This resolution shall take effect immediately upon adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

**PASSED, APPROVED AND ADOPTED** this 9<sup>th</sup> day of August, 2016.



Diane B. Dixon  
Mayor

ATTEST:



Leilani I. Brown  
City Clerk



STATE OF CALIFORNIA  
COUNTY OF ORANGE  
CITY OF NEWPORT BEACH

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ss.

I, Leilani I. Brown, City Clerk of the City of Newport Beach, California, do hereby certify that the whole number of members of the City Council is seven; that the foregoing resolution, being Resolution No. 2016-71 was duly and regularly introduced before and adopted by the City Council of said City at a regular meeting of said Council, duly and regularly held on the 9<sup>th</sup> day of August, 2016, and that the same was so passed and adopted by the following vote, to wit:

AYES: Council Member Peotter, Council Member Duffield, Council Member Selich,  
Council Member Petros, Mayor Pro Tem Muldoon, Mayor Dixon  
NAYS: None  
ABSTAIN: Council Member Curry

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said City this 10<sup>th</sup> day of August, 2016.



Leilani I. Brown, MMC  
City Clerk  
Newport Beach, California

(Seal)

