

## **RESOLUTION NO. 2016-72**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR THE CITY MEASURE SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 9285**

**WHEREAS**, pursuant to California Elections Code Section 9282(b) the City Council and other interested parties are authorized to submit arguments for and against the City's proposed ballot measures; and

**WHEREAS**, pursuant to California Elections Code Section 9285 the City Council, by majority vote, is authorized to adopt provisions to provide for the filing of rebuttal arguments for direct arguments submitted under California Elections Code Section 9282(b).

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

**Section 1:** Pursuant to California Elections Code Section 9285(a)(1), when the Elections Official has selected the arguments for and against the measure which will be printed and distributed to the voters, the Elections Official shall send a copy of an argument in favor of the measure to the authors of any argument against the measure and a copy of an argument against the measure to the authors of any argument in favor of the measure upon receiving the arguments.

Pursuant to California Elections Code Section 9285, the author or a majority of the authors of an argument relating to a City measure may prepare and submit a rebuttal argument not exceeding two hundred fifty (250) words or may authorize, in writing, any other person or persons to prepare, submit or sign the rebuttal argument. A rebuttal argument may not be signed by more than five (5) authors.

The rebuttal argument(s) 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, not more than ten (10) calendar days after the final date for filing direct arguments. The rebuttal argument(s) shall be accompanied by the "Form of Statement to be Filed by Author(s) or Argument."

Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

**Section 2:** All previous resolutions providing for the filing of rebuttal arguments for City measures are repealed.

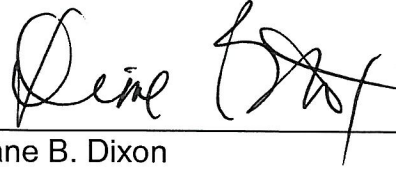
**Section 3:** The rebuttal provisions provided within Section 1 shall apply only to the General Municipal Election to be held on Tuesday, November 8, 2016.

**Section 4:** The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**Section 5:** 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.

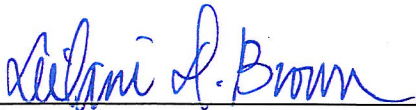
**Section 6:** This resolution shall take effect immediately upon adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

**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                    }       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. 2016-72 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)

