

RESOLUTION NO. 2020-49

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, in accordance with Article 4, Chapter 3, Division 9 of the California Elections Code, the City Council of the City of Newport Beach may file a written argument for or against any city measure; and

WHEREAS, a General Municipal Election is to be held in the City of Newport Beach, California, on Tuesday, November 3, 2020, at which there will be submitted to the voters the following measure:

<p>MEASURE ____</p>	<p>Yes</p>
<p>ADDITION OF HARBOR COMMISSION TO THE NEWPORT BEACH CITY CHARTER</p> <p>Shall the Newport Beach City Charter be amended to add Section 713 to the City Charter, establishing the powers and duties of the Harbor Commission and making the Harbor Commission a City Charter designated Appointive Board and Commission?</p>	<p>No</p>

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 the following City Council Member(s) of its body:

Mayor Will O'Neill (In Favor) _____ (Against),

Mayor Pro Tem Brad Avery (In Favor) _____ (Against),

Council Member Duffy Duffield (In Favor) _____ (Against),

to file a written argument not exceeding three hundred (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 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 The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk.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 Elections 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: If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 5: The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

Section 6: The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 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, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.


Section 7: This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

ADOPTED this 12th day of May, 2020.



Will O'Neill

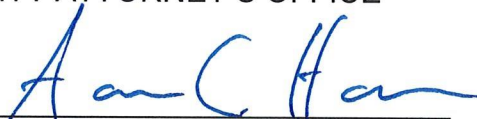
ATTEST:



Leilani I. Brown
City Clerk



APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE



Aaron C. Harp
City Attorney

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; the foregoing resolution, being Resolution No. 2020-49, was duly introduced before and adopted by the City Council of said City at a regular meeting of said Council held on the 12th day of May, 2020; and the same was so passed and adopted by the following vote, to wit:

AYES: Mayor Will O'Neill, Mayor Pro Tem Brad Avery, Council Member Joy Brenner, Council Member Diane Dixon, Council Member Duffy Duffield, Council Member Jeff Herdman, Council Member Kevin Muldoon
NAYS: None

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said City this 13th of May, 2020.



Leilani I. Brown
City Clerk
Newport Beach, California

