

RESOLUTION NO. 2015-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY NOVEMBER 8, 2016 AND ORDERING THE SUBMISSION OF A PROPOSED AMENDMENT TO THE CITY CHARTER TO THE ELECTORS, THE "NEWPORT BEACH TAXPAYER PROTECTION ACT" (MEASURE NO. ___ - REQUIRE 5 OF 7 VOTES OF THE CITY COUNCIL TO PROPOSE TAXES)

WHEREAS, pursuant to authority provided by Section 3 of Article XI of the Constitution of the State of California, Section 1000 of the Newport Beach City Charter, and Section 1415(a)(2) of the Elections Code of the State of California, the City Council of the City of Newport Beach ("City") desires to submit to the qualified electors a proposed amendment to the Charter that increases the vote requirement necessary for the City Council to present to the voters most City Council sponsored proposals that impose, increase or extend a tax, from the current majority vote (in most cases) to a vote of 5 of the total membership of the City Council;

WHEREAS, the City Council of the City of Newport Beach is authorized by the California Constitution, Section 1000 of the Newport Beach City Charter, and by State statute to submit this proposed amendment to the Newport Beach City Charter to the qualified electors of the City at a general municipal election to be held the same date as the November 8, 2016 statewide general election; and

WHEREAS, under the provisions of Article X, Section 1000, of the Charter of the City of Newport Beach, a general municipal election shall be held on November 8, 2016 for the election of municipal officers and for such other purposes as the City Council may prescribe, to wit the placement of amendments to the City Charter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: Pursuant to Section 3 of Article XI of the California Constitution, Section 1000 of the Newport Beach City Charter and Section 1415(a)(2) of the Elections Code of the State of California, there is called and ordered to be held in the City of Newport Beach on Tuesday, November 8, 2016, a general municipal election for the purpose of submitting the following proposed Charter Amendment measure to the qualified voters of the City:

The full text of the proposed Charter Amendment measure (with additions to and deletions from the current Charter text indicated thereon) is set forth on Exhibit 1 attached hereto and incorporated herein by this reference as if set forth in full.

Said proposed Charter Amendment measure shall appear upon the ballots for said municipal election in substantially the following form:

<p style="text-align: center;">MEASURE ____</p> <p>REQUIRE 5 OF 7 VOTES OF THE CITY COUNCIL TO PROPOSE TAXES. 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?</p>	Yes	
	No	

SECTION 2: The ballots to be used at the November 8, 2016 election shall be in a form and content required by law.

SECTION 3: The City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4: The polls shall be open at seven o'clock a.m. (7:00 a.m.) on the day of the election and shall remain open continuously from that time until eight o'clock p.m. (8:00 p.m.) of the same day when the polls shall be closed pursuant to California Elections Code Section 10242, except as provided in California Elections Code Section 14401.

SECTION 5: In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6: Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED on this 26th day of May, 2015.

Edward D. Selich
Mayor

ATTEST:

Leilani I. Brown
City Clerk

