



CITY OF NEWPORT BEACH
CITY ATTORNEY'S OFFICE

RECEIVED
SEP 7 11:07
CITY CLERK'S OFFICE
CITY OF NEWPORT BEACH

DATE: September 7, 2021
TO: Leilani Brown, City Clerk
FROM: Aaron C. Harp, City Attorney
(949) 644-3131
SUBJECT: Proposed Measure – Ballot Title and Summary

Our office is in receipt of your September 3, 2021, Memorandum transmitting the proposed initiative (charter amendment), the statement of reasons for the proposed charter amendment, the Notice of Intent to Circulate Petition Pursuant to Section 9203 of the California Elections Code submitted on Friday, September 3, 2021, by the proponent, William C. O'Neill, as well as a letter requesting that a ballot title and summary be prepared for the proposed initiative ballot measure.

Attached hereto, please find the ballot title and summary.

Aaron C. Harp
City Attorney
City of Newport Beach

cc: Grace Leung, City Manager

Attachment: Ballot Title and Summary

The City Attorney has prepared the following title and summary of the chief purpose and points of the proposed measure.

INITIATIVE MEASURE AMENDING THE CITY OF NEWPORT BEACH CHARTER TO PROVIDE FOR THE DIRECT ELECTION OF THE MAYOR

The proposed measure, if approved, would amend the City Charter (“Charter”) to provide for the direct election of the Mayor, who would be nominated by residents and registered voters of the City of Newport Beach (“City”) and elected by the voters of the City at-large. The person elected Mayor would serve a term of four years and would only be eligible to hold the office of Mayor for two four-year terms in the person’s lifetime. Also, the Mayor would be ineligible to hold office as a Councilmember for the term of office that immediately follows a term to which the person was elected Mayor.

Currently, one Councilmember is elected from each of the seven council districts (“Districts”) by the City electors at-large. If this measure is approved, the number of Districts would be reduced to six, with election of the Mayor and Districts two and five being filled at the general municipal election occurring in each even-numbered year that is evenly divisible by four; and Districts one, three, four, and six being filled at the general municipal election occurring in each even-numbered year that is not evenly divisible by four. Councilmembers would still be elected from each of the six Districts by the City electors at-large. The six new District boundaries would be established no later than six months prior to the general municipal election in 2024, by ordinance of the City Council (“Council”).

Regarding Council meetings, if this measure is approved, the Mayor would be counted as a Councilmember for purposes of establishing a quorum to conduct business. The Mayor would preside at all Council meetings, be a voting member of the Council, have the discretion to determine the order of business and have a voice in all Council proceedings. Also, the Mayor would set Council meeting agendas; however, at any Council meeting, three Councilmembers would have the discretion to add an item to a future agenda.

If the measure is approved, a vacancy in the office of Mayor would be filled for the remainder of the unexpired term by a special election, called by the Council, to be held not less than 88 days nor more than 103 days after the effective date of the vacancy, except the special election may be conducted within 180 days of the effective date of the vacancy to consolidate with the City’s general municipal election. An election, however, would not be ordered, and the office of Mayor would remain vacant if the term expires within the timeframe for holding a special election.

This measure, to amend the Charter to directly elect the Mayor, requires majority voter approval. If approved, this measure may be amended or repealed only by another vote of the people.