

**IMPARTIAL ANALYSIS BY CITY ATTORNEY
MEASURE _____**

This measure was placed on the ballot by the City of Newport Beach (“City”) City Council (“Council”) pursuant to the authority provided by Section 3 of Article XI of the California Constitution, Section 1001 of the City Charter (“Charter”), and Sections 1415 (a)(2) and 9255(b)(1) of the California Elections Code. This City-sponsored measure would amend the Charter to provide for the direct election of the Mayor by the voters of the City at-large, instead of the Council electing one of its members to be Mayor. The person elected Mayor would serve a term of four years; only be eligible to hold the office of Mayor for two four-year terms in the person’s lifetime; and be ineligible to hold office as a Councilmember for the term of office immediately following the 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. This measure proposes to reduce the number of Districts 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 at least six months prior to the general municipal election in 2024.

This measure proposes to have the Mayor preside at Council meetings, be a voting member of the Council, and have a voice in Council proceedings. Also, the Mayor would be counted as a Councilmember for purposes of establishing quorum to conduct business at Council meetings. The Mayor would be primarily responsible for setting Council meeting agendas; however, at any Council meeting, three Councilmembers would have the discretion to add an item to a future agenda. In addition, the measure provides procedures to fill the office of Mayor if the position becomes vacant.

This measure would not reset or extend existing term limits applicable to Councilmembers.

This proposed City-sponsored measure requires approval of a majority of voters. A “yes” vote is a vote in favor of amending the Charter to provide for the direct election of the Mayor. A “no” vote will reject the proposed amendment to the Charter, leaving the Charter in its present form.

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The above statement is an impartial analysis of Measure __. If you wish to read the full text of the measure, or desire a copy of the measure, please call the City Clerk's Office at (949) 644-3005 and a copy will be provided, mailed, or e-mailed at no cost to you, or you can visit www.newportbeachca.gov/2022election for a copy.

Date: November 3, 2022

THE CITY ATTORNEY'S OFFICE

By 
Aaron C. Harp, City Attorney