


Attachment D

City of Newport Beach Charter History

Dates	Creation of the Newport Beach Charter																
3/8/48	A petition with about 1,000 signatures was presented to Council for the submission to the electors requesting an election for the purpose of electing a Board of Freeholders to frame a proposed Charter for the City.																
3/22/48	City Clerk certified the sufficiency of the petition.																
5/17/48 Special Election	<p>Special Election conducted to select the 15 Board of Freeholders and to vote on the following question:</p> <p style="text-align: center;"><i>Shall a Board of Freeholders be elected to frame a proposed new Charter for the City of Newport Beach?</i></p>																
5/18/48	<p>City Clerk certified election results</p> <p style="text-align: center;">Yes – 490 No – 62</p> <p style="text-align: center;">Board of Freeholders consisted of:</p> <table style="margin-left: auto; margin-right: auto; border: none;"> <tr> <td style="padding: 2px;">John Allen</td> <td style="padding: 2px;">Ralph Maskey</td> </tr> <tr> <td style="padding: 2px;">Isabelle Andrews</td> <td style="padding: 2px;">J. B. McNally</td> </tr> <tr> <td style="padding: 2px;">J. A. Beek</td> <td style="padding: 2px;">R. I. Patterson</td> </tr> <tr> <td style="padding: 2px;">Rex Brandt</td> <td style="padding: 2px;">Mrs. J. W. Peyton, Jr.</td> </tr> <tr> <td style="padding: 2px;">Louis Briggs</td> <td style="padding: 2px;">Jack Raub</td> </tr> <tr> <td style="padding: 2px;">Marion Dodd</td> <td style="padding: 2px;">Earl Stanley</td> </tr> <tr> <td style="padding: 2px;">Braden Finch</td> <td style="padding: 2px;">Roland Wright</td> </tr> <tr> <td style="padding: 2px;">Irvin G. Gordon</td> <td></td> </tr> </table>	John Allen	Ralph Maskey	Isabelle Andrews	J. B. McNally	J. A. Beek	R. I. Patterson	Rex Brandt	Mrs. J. W. Peyton, Jr.	Louis Briggs	Jack Raub	Marion Dodd	Earl Stanley	Braden Finch	Roland Wright	Irvin G. Gordon	
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10/21/48	<p>Board of Freeholders published an outline of the <i>Tentative Draft Proposed Charter Under Consideration</i> (First Draft of the Charter).</p> <p>They pointed out that the Charter constitutes the City's basic law and has the same effect with respect to the City government as do the Federal and State Constitutions with respect to the Federal and State governments.</p>																
11/22/48	<p>Board of Freeholders Chair Finch spoke briefly stating that the provisions of the City Charter were, in the opinion of the Freeholders, for the beset and considered interest of the City. He outlined the Charter and presented it to Council.</p> <p>Council announced that, following publication of the final Charter in the <i>Newport-Balboa Press</i>, it would be placed on the Special Election ballot of February 8, 1949, as follows:</p> <p style="text-align: center;"><i>Shall the proposed Charter for the City of Newport Beach, as prepared by the duly elected Board of Freeholders of said City and filed in the office of the City Clerk on November 22, 1948, be adopted?</i></p>																
2/14/49	<p>City Clerk certified the February 8, 1949 Special Election:</p> <p style="text-align: center;">Yes – 1,174 No – 1,325</p>																

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8/17/53	Council and City Attorney discussion ensued relative to who should draft a Charter, Committee, Board of Freeholders.
10/13/53	City Clerk received petition with 1,333 signatures for the election of a Board of Freeholders to draft a proposed Charter.
10/28/53	City Clerk certified the sufficiency of the petition.
12/22/53	<p>Shall a Board of Freeholders be elected to frame a proposed Charter for the City of Newport Beach? Yes – 1,214 No – 148</p> 
3/29/54	Board of Freeholders Chairman, J. Leslie Steffensen, presented five copies of the proposed Charter to the City Council.
6/8/54 Consolidated Charter Issue w/County's Primary Election	<p>Shall the proposed Charter of the City of Newport Beach be adopted? Yes – 3,703 No – 864</p> <p>Results certified in Resolution No. 4260, adopted 7/26/54. The resolution also ordered the transmittal of the proposed charter to the legislature of the State of California for approval.</p>
9/13/54	A letter from Senator John Murdy, Jr. was ordered received which states that he was having the Legislative Counsel prepare the required concurrent resolution for introduction of the City's Charter
1/10/55	Council received telegram from Frank M. Jordan, Secretary of State, notifying Council that the City Charter had become effective at 3:00 p.m. on 1/7/55 . Council also received a letter from Senator John A. Murdy, Jr., stating that the State Senate had ratified the Charter on January 6 th . A copy of Assembly Concurrent Resolution No. 1, being the City Charter, together with the Secretary of State's certificate of transcript and filing, also was received.

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Charter Amendments (1954-2008)	
3/15/55 General Municipal Election	<p><u>Proposition No. 1</u> (Appropriation to Chamber of Commerce) - Failed Shall Section 2601.1 be added to the Municipal Code of the City of Newport Beach, providing that the amount of the funds which the City Council may appropriate for use by the local Chamber of Commerce for the promotion, publicity, advertising and entertainment purposes for the benefit of the City remain in the discretion of said City Council? Yes – 1,425 No – 2,111</p> <p><u>Proposition No 2</u> (Amount to Appropriate to Chamber of Commerce) - Passed Shall Ordinance No. 743, referred to in initiative petition as "Ordinance A," providing as follows: "The funds which the City Council may in its discretion appropriate to the local Chamber of Commerce for promotion, publicity, advertising, and entertainment purposes for the benefit of the City shall be limited to the sum of Two Thousand Four Hundred (\$2,400.00) annually", be adopted? Yes – 2,185 No – 1,294</p> <p><u>Proposition No. 3</u> (Amount to Appropriate to Chamber of Commerce) - Failed Shall Ordinance No. 744, referred to in initiative petition as "Ordinance B," providing as follows: "Section 1. The funds which the City Council may in its discretion appropriate to the local Chamber of Commerce for promotion, publicity, advertising, and entertainment purposes for the benefit of the City shall be limited to the sum of Twenty-Five Thousand Dollars (\$25,000.00) annually. Section 2. This Ordinance shall become effective only in the event that the total vote cast in favor of this Ordinance shall exceed the total vote cast in favor of Ordinance "A" submitted concurrently herewith", be adopted? Yes – 331 No – 3,067</p> <p><u>Proposition No. 4</u> (Boards or Commissions) - Passed Charter Amendment No. 1: Shall Section 702 of the Charter be amended to read as follows: "Section 702. Appointments, Terms. The members of each of such boards or commissions shall be appointed by the City Council from the qualified electors of the City, none of whom shall hold any paid office or employment in the City government. They shall be subject to removal by motion of the City Council adopted by at least four affirmative votes. The members thereof shall serve for a term of four years and until their respective successors are appointed and qualified. "The members first appointed to such boards and commissions shall so classify themselves by lot that the term of one of each of their number shall expire each succeeding July First. Where the total number of members of a board or commission to be appointed exceeds four, the classification by lot shall provide for the pairing of terms to such an extent as is necessary in order that the terms of at least one and not more than three shall expire in each succeeding year. Thereafter, any appointment to fill an</p>

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	<p>unexpired term shall be for such unexpired period."? Yes – 2,829 No – 409</p> <p><u>Proposition No. 5</u> (Planning Commission) - Passed Charter Amendment No. 2: Shall Section 706 of the Charter be amended to read as follows: "Section 706. Planning Commission. Members. There shall be a Planning Commission consisting of nine members. The City Engineer and City Attorney, or their assistants, shall meet with and participate in the discussions of the Planning Commission but shall not have a vote."? Yes – 2,927 No – 379</p>
<p>12/6/55 Special Municipal Election</p>	<p><u>Proposed Charter Amendment</u> (Elective Officers) - Failed Shall the proposed Charter Amendment amending the first paragraph of Section 400 of the Charter of the City of Newport Beach, to read as follows: "Section 400. Elective Officers. The elective officers of the City shall consist of a City Council of seven members. Candidates for City Council shall be nominated from and by the electors of each of the seven districts referred to in Article X of this Charter, and one shall be elected from each of such districts by the voters of the district nominating such candidates at the times and in the manner provided in this Charter. They shall serve for a term of four years and until their respective successors are elected and qualified, " be ratified? Yes – 957 No – 1,832</p>
<p>4/10/56 General Municipal Election</p>	<p><u>Proposed Charter Amendment No. 1</u> (Bay Front Land) - Passed Shall Section 1402 of the Charter of the City of Newport Beach be amended by adding the following paragraph? "There shall be reserved forever to the people the public use of a strip of bay front land above mean high tide not less than 85 feet in depth of the city-owned water front property bounded on the west by the southeasterly line of Nineteenth Street and bounded on the east by a line parallel thereto lying 349.90 feet northwesterly of the northwesterly line of Fifteenth Street, said frontage to be bay front frontage." Yes – 2,852 No – 973</p> <p><u>Proposed Charter Amendment No. 2</u> (City Council Compensation) - Failed Shall Section 402 of the Charter of the City of Newport Beach be amended to read as follows? "Section 402. Compensation. Each member of the City Council shall receive as compensation for his services the sum of Two Hundred Dollars per month, except the member selected as Mayor who shall receive as compensation for his services the sum of Three Hundred Dollars per month. Absence of a member of the City Council from all regular and special meetings of the Council during any calendar month shall render such member ineligible to receive such sum for such calendar month. In addition, members of the City Council shall receive reimbursement on order of the City Council for council authorized traveling and other expenses when on official duty."</p>

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	Yes – 786 No – 3,041
4/8/58 General Municipal Election	<p><u>Proposed Charter Amendment No. 1</u> (City Name Change) - Failed Shall the title, the Preamble and Sections 100, 101, 413, 1006, 1008, 1009, 1011, 1012, 1400 and 1401 of the Charter be name of the city from City of Newport Beach to City effective upon ratification by the Legislature? Yes – 2,841 No – 3,030</p> <p><u>Proposed Charter Amendment No. 2</u> (City Council Qualifications) - Passed Shall Section 401 of the Charter be amended to provide that a person, in order to be eligible to hold office as a member of the City Council, must have been a qualified elector of his district for one year and a registered qualified elector of the City for three years immediately preceding his nomination or appointment? Yes – 4,767 No – 974</p> <p><u>Proposed Charter Amendment No. 3</u> (City Council Out-of-Pocket Expenditures) - Passed Shall Section 402 of the Charter be amended to increase the reimbursement to members of the City Council for out-of-pocket expenditures and costs from Fifty to One Hundred Dollars per month? Yes – 2,932 No – 2,735</p> <p><u>Proposed Charter Amendment No. 4</u> (Oil Well Drilling) - Passed Shall the first paragraph of Section 1401 of the Charter be amended to read: “Section 1401. Oil Well Drilling. No drilling for, exploration work of any kind, production or refining of, oil, gas or other hydrocarbon substances shall be permitted within that area of the City of Newport Beach as such limits exist as of the effective date of this Charter. The prohibitions shall include the City of Newport Beach.” (If Charter Amendment Number One is approved, Newport Beach shall be Newport Harbor.) Yes – 4,607 No – 1,188</p>
6/2/59 Special Municipal Election	<p><u>Proposed Charter Amendment</u> (Fee for Garbage, Refuse and Cuttings) - Passed Shall the ordinance requiring the cost and expense of collecting, hauling away and disposal of garbage, refuse and cuttings to be defrayed exclusively from the ad valorem tax revenues of the City of Newport Beach be adopted? Yes – 3,573 No – 1,001</p>
4/12/60 General Municipal Election	<p><u>Proposed Charter Amendment No. 1</u> (Sale of Rivo Alto Canal Property) - Passed Shall the Charter be amended to add Section 1402 (a) to permit the City Council to sell and convey that parcel of City property fronting on the Rivo Alto Canal consisting of Lot 4, Block 434, Canal Section, Newport Beach? Yes – 3,320 No – 1,652</p> <p><u>Proposed Charter Amendment No. 2</u> (Sale of City Property on Newport Bay) - Passed Shall the Charter be amended to add Section 1402 (b) to permit the City Council to sell and convey that parcel of City property fronting on Newport Bay lying easterly of Newport Boulevard and southerly of 26th Street, being a portion of Blocks 222 and 223,</p>

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	<p>as shown upon a map of Section "A", Newport Bath, recorded in Book 4, page 21, of Miscellaneous Maps, Records of Orange County, California? Yes – 3,093 No – 1,855</p>
<p>4/10/62 General Municipal Election</p>	<p><u>Proposed Charter Amendment (NBMC) – Passed</u> Shall Section 415. of the Charter be amended, to confirm the authority of the City to revise, recompile, recodify and index the Newport Beach Municipal Code and adopt the same by reference by the passage of an ordinance for that purpose? Yes – 4,094 No – 2,057</p>
<p>4/14/64 General Municipal Election</p>	<p><u>Proposed Charter Amendment No. 1 (Service on Council after Redistricting) - Passed</u> Shall Section 1005 of the Charter be amended to assure that no Councilman will be disqualified from serving as Councilman from his district for the remainder of the period of time for which he was elected or appointed because of redistricting? Yes – 6,529 No – 777</p> <p><u>Proposed Charter Amendment No. 2 (Sale of Bay Avenue Property) - Passed</u> Shall the Charter be amended to add Section 1402 (c) to authorize the City Council to sell and convey that parcel of City-owned real property, on the south side of Bay Avenue between 18th and 19th Streets described as follows, to wit: Lot 6, Block 218, as shown upon a map of Section "B", Newport Beach, recorded in Miscellaneous Maps, Book 4, page 27, Records of Orange County, California, together with a portion of Lot 4, Section 33, Township 6 South, Range 10 West, S. B. B. & M. , bounded on the south by the northerly line of said Lot 6, on the north by the easterly extension of the northerly line of Lot 4 in said Block 218, on the east by the northerly prolongation of the easterly line of said Lot 6, and on the west by the easterly lines of Lots 3 and 4 of said Block 218? Yes – 5,770 No – 1,379</p>
<p>4/12/66 General Municipal Election</p>	<p><u>Charter Amendment No. 1 (Increases Council Expense Allowance) - Passed</u> Yes – 3,556 No – 3,021</p> <p><u>Charter Amendment No. 2 (Increases Additional Expense Allowance to Mayor) - Passed</u> Yes – 3,888 No – 2,647</p> <p><u>Charter Amendment No. 3 (Provides for Prosecution of State Misdemeanor Offenses by City Attorney) - Passed</u> Yes – 5,206 No – 1,099</p> <p><u>Charter Amendment No. 4 (Extends Prohibitions Against Nepotism to Civil Service Employees) - Passed</u> Yes – 3,969 No – 2,252</p> <p><u>Charter Amendment No. 5 (Adds Planning Director as Advisor to Planning Commission and Reduces Size of Planning Commission) - Passed</u> Yes – 5,543 No – 799</p>

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	<p><u>Charter Amendment No. 3</u> (Changes Title of Head of the Parks, Beaches and Recreation Department) - Passed Yes – 5,391 No – 843</p> <p><u>Charter Amendment No. 7</u> (Deletes Description of Councilmanic Districts from the Charter) - Passed Yes – 5,257 No – 790</p> <p><u>Charter Amendment No. 8</u> (Increases Maximum Library Tax Limit) - Passed Yes – 3,682 No – 2,752</p> <p><u>Charter Amendment No. 9</u> (Increases Minimum Dollar Amount of Public Works Contracts Subject to Public Bid Requirements) - Passed Yes – 3,971 No – 2,196</p> <p><u>Charter Amendment No. 10</u> (Shortens Minimum Time for Publication of Notice for Public Works Contracts) - Passed Yes – 4,405 No – 1,762</p> <p><u>Charter Amendment No. 11</u> (Changes Term “Capital Outlays” to “Capital Improvements”) - Passed Yes – 4,916 No – 1,162</p> <p><u>Charter Amendment No. 12</u> (Changes Procedures for Filing Damage Claims Against the City and Repeals Section Concerning Lawsuits Against the City) - Passed Yes – 5,324 No – 776</p> <p><u>Charter Amendment No. 13</u> (Authorizes Sale of City-owned Waterfront Property) - Passed Yes – 5,068 No – 1,049</p>
<p>11/8/66 General Municipal Election</p>	<p><u>Proposed Charter Amendment</u> – Passed Shall the Charter be amended to add Section 1402(e) to permit the City Council to sell and convey that parcel of City property fronting on Newport Bay lying easterly of Newport Boulevard and southerly of 26th Street, being a portion of Lot 2 in Section 33, Township 6 South, Range 10 West, of the San Bernardino meridian, lying northeasterly of the northeasterly line of Blocks 222 and 223 in Section A, Newport Beach, as per map recorded in Book 4, page 21, of Miscellaneous Maps, Records of Orange County, California? Yes – 14,289 No – 2,989</p>
<p>4/9/68 General Municipal Election</p>	<p><u>Charter Amendment No. 1</u> (Decreases the District Residence Requirement for Eligibility for Council Seat) - Passed Shall Section 401 of the Charter, requiring that to be eligible to hold office as a member of the City Council a person shall have been a qualified elector of the district from which he is nominated or appointed for at least one year immediately preceding his nomination or appointment, be amended to change the one-year requirement to ninety</p>

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	<p>days? Yes – 4,103 No – 3,671</p> <p><u>Charter Amendment No. 2</u> (Authorizes Payment of Expense Allowances to Members of City Boards and Commissions) - Failed Shall Section 705 of the Charter be amended to authorize the City Council to provide by ordinance for payment of an allowance of not to exceed Fifty Dollars in any month to members of City boards or commissions established by the Charter to defray out-of-pocket costs? Yes – 2,629 No – 5,076</p> <p><u>Charter Amendment No. 3</u> (Changes Eligibility Requirement for Signers of Council Nominating Petitions) - Passed Shall Section 1004 of the Charter be amended to provide that to be eligible to sign a petition nominating a person to the office of Councilman the signer must be a registered voter instead of merely an elector of the district from which such person is to be nominated? Yes – 6,448 No – 1,168</p> <p><u>Charter Amendment No. 4</u> (Restricts Time for Changing Boundaries of Council Districts) - Passed Shall Section 1005 of the Charter be amended to prohibit the adoption of any ordinance changing and redefining the boundaries of any Councilmanic district within six months prior to any regular Councilmanic election? Yes – 6,166 No – 1,435</p>
<p>3/9/71 Special Municipal Election</p>	<p><u>Charter Amendment</u> – Passed Shall the Charter be amended to Add Section 422 to require that the city council shall not enter into any contract with the State of California, or any of its agencies, for the construction of a freeway or the closure of any City street to accommodate a freeway without first obtaining the approval of a majority of the voters of the City at a general or special election? Yes – 10,914 No – 2,333</p>
<p>4/9/74 General Municipal Election</p>	<p><u>Proposition No. 1</u> (Charter Amendment Update to Bring it Into Conformity with Existing Laws) - Passed Shall Proposition 1, which amends, deletes and updates certain sections of the City Charter to bring it into conformity with existing laws and to eliminate duplication and conflict, be ratified? Yes – 6,791 No – 1,223</p> <p><u>Proposition No. 2</u> (Council Reimbursement for Expenses) - Passed Shall Proposition 2, which amends certain sections of the City Charter pertaining to the maximum amounts allowed as reimbursement for expenses incurred by the Mayor and Councilmen; authorizing the City Council to fix an amount as reimbursement for expenses for members of boards and commissions; and delegating authority to the City Council to adjust said maximum amounts based on the Consumer Price Index, be</p>

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	<p>ratified? Yes – 4,963 No – 2,394</p> <p><u>Proposition No. 3</u> (Contract or Lease of Property to 55 from 25 Years) - Failed Shall Proposition 3, which ends Section 420 of the City Charter to authorize the City Council to enter into contracts or lease property for a period of 55 years instead of 25 years, subject to certain restrictions, be ratified? Yes – 2,614 No – 4,477</p> <p><u>Proposition No. 4</u> (Increase Total Amount of Expenditures on Public Works Contracts) – Passed Shall Proposition 4, which amends Section 1110 of the City Charter to increase from \$5,000 to \$12,000 the total amount of expenditures on public works contracts required to be let by the City Council, to conform with increased construction costs, be ratified? Yes – 5,319 No – 2,419</p> <p><u>Proposition No. 5</u> (Sale of Waterfront Property) – Failed Shall Proposition 5, which amends Section 1402 of the City Charter to permit the sale of waterfront property upon prior voter approval, be ratified? Yes – 3,011 No – 5,653</p>
<p>11/6/84 General Municipal Election</p>	<p><u>Measure L</u> (Date of Newly-Elected Councilmembers) – Passed Shall the City Charter of the City of Newport Beach be amended to change the date on which the term of a newly elected Councilmember commences from January 1st to the date on which the Council receives certification of election results? Yes – 22,163 No – 7,997</p> <p><u>Measure M</u> (Date in which the Mayor is Selected) – Passed Should the City Charter of the City of Newport Beach be amended to change the date on which the Mayor is selected from the first Tuesday following any General or Special Municipal Election to the date on which newly elected Councilmembers are sworn and qualified? Yes – 22,340 No – 7,671</p>
<p>11/4/86 General Municipal Election</p>	<p><u>Measure C</u> (Change Dollar Amount of Public Works Contracting Procedures) - Passed Shall the City Charter of the City of Newport Beach be amended to change the dollar amount of work requiring formal public works contracting procedures from the present \$12,000 to \$30,000? Yes – 13,353 No – 10,037</p>
<p>11/3/92 General Municipal Election</p>	<p><u>Measure M</u> (Lease of City Owned Property) - Passed Shall the Newport Beach City Charter be amended so the lease of City owned property is limited to the term permitted by State law? Yes – 22,407 No – 12,621</p>

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	<p><u>Measure N</u> (Sale of 4210 River Avenue) - Passed Shall the Newport Beach City Charter be amended to grant the Council authority to sell the property at 4210 River Avenue? Yes – 22,217 No – 12,927</p> <p><u>Measure O</u> (City Arts Commission Membership) - Passed Shall the Newport Beach City Charter be amended so that the number of members of the City Arts Commission is determined by ordinance or resolution? Yes – 21,573 No – 11,805</p> <p><u>Measure P</u> (Two Term Limit on Office of City Council) - Passed Shall the Newport Beach City Charter be amended to establish a two term limit on the Office of City Council? Yes – 30,184 No – 6,746</p>
11/8/94 General Municipal Election	<p><u>Measure G</u> (Composition and Duties of the Library Board of Trustees) – Failed Shall the Newport Beach City Charter be amended to modify the composition and duties of the Library Board of Trustees? Yes – 11,774 No – 15,424</p>
11/7/00 General Municipal Election	<p><u>Measure S</u> (Greenlight) - Passed Shall the Charter be amended to add Section 423 to require voter approval of certain amendments to the Newport Beach General Plan? Yes – 21,355 No – 12,465</p> <p><u>Measure T</u> (Traffic Phasing Ordinance) - Failed Shall the Charter be amended to add Section 423 to require voter approval of any amendment or repeal of certain provisions of the Traffic Phasing Ordinance? Yes – 11,641 No – 21,075</p>
11/7/06 General Municipal Election	<p><u>Measure W</u> (Eminent Domain) – Passed Shall the Charter be amended to add Section 424 to prohibit the City of Newport Beach and/or any City-Affiliated Agency from exercising the power of eminent domain to acquire real property for the sole purpose of transferring the property to another person to further private economic development? Yes – 22,517 No – 6,961</p>
2/5/08 Special Municipal Election	<p><u>Measure B</u> (Location of City Hall) – Passed Shall the City of Newport Beach Charter be amended to require City Hall, city administrative offices and related parking to be located on City property which is bounded by Avocado Avenue on the west, San Miguel Drive on the north, and MacArthur Boulevard on the east, and Newport Beach Central Library on the south? Yes – 16,938 No – 15,092</p>