

**CITY OF HERMOSA BEACH
RESOLUTION NO. RES-24-7419**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, SETTING PRIORITIES FOR FILING A WRITTEN ARGUMENT AND REBUTTAL ARGUMENT REGARDING A LOCALLY CONTROLLED ORDINANCE TO ENACT A GENERAL TRANSACTIONS AND USE TAX (SALES TAX) AT THE RATE OF THREE-QUARTER CENT (3/4 ¢) TO BE SUBMITTED TO VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 5, 2024, AND DIRECTING THE CITY ATTORNEY TO PREPARE THE IMPARTIAL ANALYSIS

WHEREAS, a General Municipal Election will be held in the City of Hermosa Beach, California, on Tuesday, November 5, 2024, at which there will be submitted to the voters the following question:

Shall the measure protecting essential services such as police, crime prevention, parks, streets and sidewalks, beaches, cleaning of public areas, addressing homelessness, schools, supporting local businesses, and for other general governmental use by enacting a 3/4¢ transaction and use (sales) tax providing approximately \$3,000,000 annually, with a sunset clause 20 years from the effective date, or until ended by voters, with annual audits, a citizen oversight committee and all funds staying local, be adopted?	YES
	NO

WHEREAS, on February 15, 2024, the City Council considered the setting of priorities for filing a written argument and rebuttal argument regarding a locally controlled ordinance to enact a general transactions and use tax (sales tax) on the upcoming November 5, 2024 ballot and directed City staff to make certain changes to the ordinance and ballot measure question. The ballot measure read into the record at the meeting was in excess of the statutory limit of 75 words (77 word ballot measure question). In order to avoid any confusion, this resolution contains the updated ballot measure question that conforms to the 75-word limit, and replaces any previous resolution related to setting of priorities for filing a written argument and rebuttal argument for this ballot measure.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Primary Arguments. That the City Council authorizes (i) the Mayor, City Council or any members(s) of the City Council, (ii) any individual voter eligible to vote on the above measure, (iii) bona fide association of such citizens or (iv) any combination of voters and associations, to file a written argument in favor or against the City measure, 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 Elections Code of the State of California, and to change the argument until and including the date fixed below by the City Clerk, after which no arguments for or against the City measure for or against the City measure may be submitted to the City Clerk.

That arguments for the measures specified above shall not exceed **300** words and must be accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, and Division 9 of the Elections Code of the State of California.

The argument may not be signed by more than five authors. Arguments shall be accompanied by a "Form of Statement to be Filed by Author(s) of Argument."

Arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting them 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. Arguments may be changed or withdrawn until and including the date fixed by the City Clerk (**12:00 p.m., Thursday, August 1, 2024**), after which no arguments for or against the measures may be submitted to the City Clerk.

SECTION 2. Rebuttal Arguments. That pursuant to Sections 9285 of the Elections Code of the State of California, when the City Clerk has selected the arguments for and against the measure which will be printed and distributed to the voters, the City Clerk shall immediately send a copy of the argument in favor of the measure to the author(s) of the argument against the measure, and a copy of the argument against the measure to the author(s) of the argument in favor of the measure.

The author or a majority of the authors of an argument relating to a City measure may prepare and submit a rebuttal argument not exceeding **250** words, or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument.

A rebuttal argument may not be signed by more than five authors. A rebuttal argument shall be accompanied by a "Form of Statement to be Filed by Author(s) of Argument."

The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting them 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, not more than 10 days after the final date for filing direct arguments. The deadline for filing rebuttal arguments will be **12:00 p.m., Thursday, August 8, 2024**.

Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument that it seeks to rebut.

SECTION 3. Impartial Analysis. Pursuant to Elections Code section 9280, the City Council hereby 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, not to

exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the Measure, and transmit such impartial analysis to the City Clerk not later than the deadline for submittal of primary arguments for or against the Measure.

The impartial analysis shall include a statement indicating whether the Measure was placed on the ballot by a petition signed by the requisite number of voters or by the City Council. The full text of the Measure shall not be printed in the Sample Ballot Booklet. Printed immediately below the impartial analysis, in no less than 10-font bold type, will be: **“The above statement is an impartial analysis of Ordinance or Measure _____. If you desire a copy of the ordinance or measure, please contact the Office of the City Clerk at (310) 318-0204 or at cityclerk@hermosabeach.gov and a copy will be mailed at no cost to you.”**

The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments (**12:00 p.m., Thursday, August 1, 2024**).

SECTION 3. Prior Resolutions. That all previous resolutions providing for the filing of rebuttal arguments for City measures are repealed.

SECTION 4. November 5, 2024 General Municipal Election. That the provisions of Section 1 and Section 2 shall apply only to the election to be held on November 5, 2024, and shall then be repealed.

SECTION 5. That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter it into the book of original Resolutions, and shall make a minute of the passage and adoption thereof in the minutes of the meeting at which the Resolution is adopted.

PASSED, APPROVED, and ADOPTED on this 12th day of March, 2024.

Justin Massey, Mayor

Mayor Justin Massey
PRESIDENT of the City Council and **MAYOR** of the City of Hermosa Beach, CA

ATTEST:

APPROVED AS TO FORM:

gcl

Patrick Donegan

Myra Maravilla,
City Clerk

Patrick Donegan,
City Attorney

State of California)
County of Los Angeles) ss
City of Hermosa Beach)

March 14, 2024

Certification of Council Action

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I, Myra Maravilla, City Clerk of the City of Hermosa Beach do hereby certify that the above and foregoing Resolution No. RES-24-7419 was duly approved and adopted by the City Council of said City at its regular meeting thereof held on the 12th day of March 2024 and passed by the following vote:

AYES: MAYOR MASSEY and COUNCILMEMBERS SAEMANN, DETOY and JACKSON

NOES: MAYOR PRO TEMPORE FRANCOIS,

ABSTAIN: NONE

ABSENT: NONE



Myra Maravilla,
City Clerk