

July 16, 2007

City Council Meeting  
July 24, 2007

Mayor and Members  
of the City Council

**ADOPTION OF RESOLUTIONS REGARDING CONSOLIDATION WITH  
THE COUNTY, ARGUMENTS AND IMPARTIAL ANALYSES, AND  
REBUTTAL ARGUMENTS FOR ALL MEASURES ON THE BALLOT OF  
THE GENERAL MUNICIPAL ELECTION OF NOVEMBER 6, 2007**

**Recommendation:**

It is recommended that the City Council take the following actions:

- Decide on the filing of written arguments by Council concerning the business license tax measure and the utility user tax measure, if placed on the ballot by Council this evening (the designation for the Pier Plaza measure was authorized at the last meeting; and
- Adopt the attached four resolutions to:
  - (1) Request election consolidation with the County for the measure(s);
  - (2) Set priorities for written arguments and direct the City Attorney to prepare an impartial analysis for each of the measures to be placed on the ballot; and
  - (3) Provide for the filing of rebuttal arguments for the measure(s).

**Background:**

At its meeting of July 10, 2007, the City Council considered the placement of two City-initiated measures on the ballot of the November 6, 2007 General Municipal Election, along with the Pier Plaza measure (per referendum). The Council directed revisions and continued all three items to this meeting for final consideration and action. Please note that this is the last meeting possible to place measures on the November ballot. Also at the July 10 meeting, the Council authorized Councilmember Edgerton to prepare the argument in favor of the Pier Plaza ordinance.

Prior to adopting the three attached resolutions, the City Council must:

- Decide on the filing by Council of written arguments regarding the additional measure(s) approved this evening for placement on the ballot. PLEASE NOTE: The City Clerk has fixed **6:00 p.m. Tuesday, August 7, 2007 as the filing deadline for direct arguments** and impartial analyses (revised to meet the 14-day requirement from the date the election for measures is called).

- Decide whether or not to allow for rebuttal arguments (optional but, if desired, the resolution must be adopted at tonight's meeting, and it has been traditional in the past to allow for rebuttal arguments). PLEASE NOTE: If authorized, **5:00 p.m. Friday, August 17, 2007 is the deadline for filing rebuttal arguments** (within ten days of the deadline for direct arguments, as required). PLEASE NOTE ALSO: Although City Hall is closed on Fridays, the City Clerk's office will be open, if necessary, on August 17 from 8:00 a.m. to 5:00 p.m. **only** for the purpose of accepting rebuttal arguments.

**Resolutions (attached) for consideration, amendment if necessary, and adoption:**

1. **RESOLUTION NO. 07-**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2007, WITH THE UDEL AND SCHOOL ELECTION TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE, FOR THE SUBMISSION TO THE VOTERS OF \*\*\*ONE/TWO/THREE MEASURE(S)\*\*\*

**This resolution will be amended to include all measures on the November ballot.**

2. **RESOLUTION NO. 07-**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, SETTING PRIORITIES FOR FILING \*\*\*(A) WRITTEN ARGUMENT(S) FOR ONE/TWO/THREE MEASURE(S)\*\*\* TO BE SUBMITTED AT THE GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 6, 2007, AND DIRECTING THE CITY ATTORNEY TO PREPARE THE IMPARTIAL \*\*\*ANALYSIS/ANALYSES\*\*\*

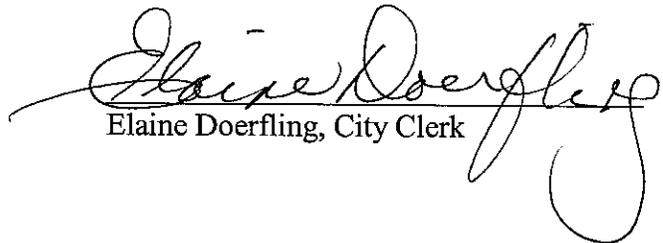
**This resolution will be amended to include all measures on the November ballot.**

Optional with regard to Council arguments, but if adopted, must be adopted tonight (the same meeting at which the resolution calling the election for a measure is adopted). If there is no Council authorization for argument preparation, the resolution will be amended to merely direct the preparation the City Attorney of an impartial analysis for each measure, and the City Clerk will select from among the arguments that may be submitted for inclusion in the sample ballot, based on the priorities established in Elections Code Section 9287.

4. **RESOLUTION NO. 07-**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR MEASURES TO BE SUBMITTED AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2007.

Optional, but if adopted, must be adopted tonight (the same meeting that the resolution(s) calling the election for the measure is adopted.

  
Elaine Doerfling, City Clerk

Noted:

  
\_\_\_\_\_  
Stephen R. Barrett, City Manager

Attachments: Revised Election Calendar  
Resolutions for adoption

**REVISED FINAL ELECTION CALENDAR FOR  
NOVEMBER 6, 2007 GENERAL MUNICIPAL ELECTION**

- |                               |   |
|-------------------------------|---|
| June 12 (Tu)                  | - Council to adopt resolutions prepared by City Clerk establishing regulations for candidate statements, calling the election, etc. |
| July 12 (Th)                  | - Clerk to publish notice of election for candidates  |
| July 16 - Aug. 10 (M-F)       | - Filing period for nomination papers (unless extended)<br>(Candidates may pull nomination papers <u>only</u> during this time)     |
| July 24 (Tu)                  | - Council to adopt all resolutions regarding ballot measure(s)  |
| July 26 (Th)                  | - Clerk to post notice of deadline for filing measure arguments   |
| July 30 (M)                   | - Deadline for campaign committees to file semi-annual statements   |
| Aug. 7 (Tu)                   | - Last day to file direct arguments for ballot measure(s)   |
| Aug. 10 (F) [5 p.m.]          | - Deadline for filing nomination papers (unless extended)   |
| Aug. 15 (W) [5 p.m.]          | - Extended deadline for filing nomination papers (if incumbent does not file by Aug. 10 deadline)                                   |
| Aug. 16 (Th)                  | - Secretary of State does randomized alphabet drawing to determine order of names on ballot   |
| Aug. 17 (F) [5 p.m.]          | - Last day to file rebuttal arguments for ballot measures   |
| Sept. 20 (Th)                 | - Clerk to publish notice of nominees and notice of election (measures)   |
| Sept. 10 - Oct. 23 (M-Tu)     | - Filing period for write-in candidates   |
| Sept. 27 (Th)                 | - Deadline for 1 <sup>st</sup> pre-election campaign expenditure statements   |
| Oct. 9 - Oct. 30 (Tu-Tu)      | - Voters may request absentee ballots from County   |
| Oct. 22 (M)                   | - Last day to register to vote  |
| Oct. 25 (Th)                  | - Deadline for 2 <sup>nd</sup> pre-election campaign expenditure statements   |
| Nov. 6 (Tu) [7 a.m. - 8 p.m.] | - Election Day  |
| Nov. 27 (Tu)                  | - Adopt resolution declaring election results<br>- Elected officials sworn in and seated  |
| Jan. 31, 2008 (Th)            | - Deadline for year-end campaign expenditure statements   |

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**RESOLUTION NO. 07-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2007, WITH THE UDEL AND SCHOOL ELECTION TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE, FOR THE SUBMISSION OF A MEASURE TO THE VOTERS**

**WHEREAS**, on June 12, 2007, the City Council of the City of Hermosa Beach adopted Resolution No. 07-6544 calling a General Municipal Election to be held Tuesday, November 6, 2007, for the purpose of electing two Members of the City Council, a City Clerk and a City Treasurer, and Resolution No. 07-6545 requesting consolidation with the UDEL and School Election; and

**WHEREAS**, the City Council is also submitting to the voters an ordinance (per referendum petition) regarding Pier Plaza on-site parking requirements; and

**WHEREAS**, it is desirable that the General Municipal Election be consolidated with the UDEL and School Election to be held on the same date and that within the city the precincts, polling places and election officers of the two elections be the same, and that the County Election Department of the County of Los Angeles canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election;

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

**SECTION 1.** That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a General Municipal Election with the UDEL and School Election on Tuesday, November 6, 2007, for the purpose of electing certain officers and for the submittal of a measure. The question to appear on the ballot is as follows:

Shall Ordinance No. 17-1278 be adopted, excluding expansion of buildings and new construction on properties fronting Pier Plaza from the usual requirement that a minimum of 25% of required parking spaces be provided on the property?	YES	
	NO	

**SECTION 2.** That the county election department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

**SECTION 3.** That the Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary for the holding of the consolidated election.

**SECTION 4.** That the City of Hermosa Beach recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

**SECTION 5.** That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the county election department of the County of Los Angeles.

**SECTION 6.** That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of said City; 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** this 24th day of July, 2007.

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**PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

**ATTEST:**

**APPROVED AS TO FORM:**

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City Clerk

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City Attorney

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**RESOLUTION NO. 07-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, SETTING PRIORITIES FOR FILING A WRITTEN ARGUMENT REGARDING A MEASURE TO BE SUBMITTED AT THE GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 6, 2007, AND DIRECTING THE CITY ATTORNEY TO PREPARE THE IMPARTIAL ANALYSIS**

**WHEREAS**, a General Municipal Election is to be held in the City of Hermosa Beach, California, on Tuesday, November 6, 2007, at which there will be submitted to the voters the following measure:

Shall Ordinance No. 07-1278 be adopted, excluding expansion of buildings and new construction on properties fronting Pier Plaza from the usual requirement that a minimum of 25% of required parking spaces be provided on the property?	YES	
	NO	

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

**SECTION 1.** That the Hermosa Beach City Council hereby authorizes Councilmember Edgerton to file a written argument in favor of the measure specified above, 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 by the City Clerk (6:00 p.m. Tuesday, August 7, 2007), after which no arguments for or against the City measures may be submitted to the City Clerk.

Each argument shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it 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. All arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Arguments.



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**RESOLUTION NO. 07-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR MEASURES TO BE SUBMITTED AT THE GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 6, 2007**

**WHEREAS**, Section 9220 and 9285 of the Elections Code of the State of California authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments for City measures submitted at municipal elections;

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

**SECTION 1.** That pursuant to Sections 9220 and 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 of the argument against the measure, and a copy of the argument against the measure to the author of the argument in favor of the measure. The author or a majority of the authors of an argument 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 people. Rebuttal arguments shall be accompanied by the 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 it 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 submitting rebuttal arguments will be 6 p.m. Thursday, August 9, 2007. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

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**SECTION 2.** That all previous resolutions providing for the filing of rebuttal arguments for City measures are repealed.

**SECTION 3.** That the provisions of Section 1 shall apply only to the election to be held on November 6, 2007, and shall then be repealed.

**SECTION 4.** That the City Clerk shall certify to the passage and adoption of this Resolution, shall enter the same into the book of original Resolutions of said City, and shall make a minute of passage and adoption thereof in the minutes of the meeting at which the Resolution is adopted.

**PASSED, APPROVED and ADOPTED** on this 24th day of July, 2007.

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**PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk

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City Attorney