

RESOLUTION NO. 5949

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A MEASURE OR MEASURES AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS.

WHEREAS, a General Municipal Election is to be held in the City of La Habra, California, on Tuesday, November 3, 2020, at which there will be submitted to the voters at the election an initiative measure as previously ordered in Resolution 5884, a copy of which is attached to this Resolution (Exhibit "A") and incorporated herein by this reference, and such other measure or measures as may qualify for the ballot.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the City Council authorizes all members of the City Council to file (a) written argument(s) In Favor of or Against measure(s) not exceeding 300 words, 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. The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the measure may be submitted to the City Clerk.

The argument(s) 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. The arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument (see Exhibit "B").

SECTION 2. That the City Council directs the City Clerk to transmit a copy of the measure or measures to the City Attorney, unless the City of La Habra or salaries of the office of the City Attorney are affected.

- a. The City Attorney shall prepare an impartial analysis of the measure not exceeding 500 words showing the effects of the measure on the existing law and the operation of the measure. If the measure affects the City of La Habra or salaries of the office of the City Attorney, the City Clerk shall prepare the impartial analysis.
- b. The 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 governing body of the City.

- c. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the voter information guide, there shall be printed immediately below the impartial analysis, in no less than 10-point type, the following: "The above statement is an impartial analysis of Ordinance or Measure _____. If you desire a copy of the ordinance or measure, please call the election official's office at (562) 383-4030 and a copy will be mailed at no cost to you."
- d. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

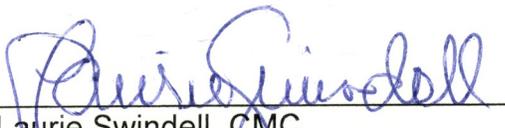
SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED this 1st day of June, 2020.



 Tom Beamish, Mayor

Attest:



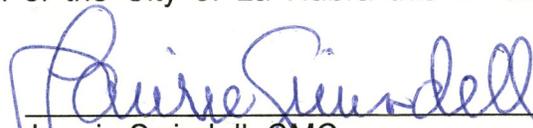
 Laurie Swindell, CMC
 City Clerk

STATE OF CALIFORNIA }
 COUNTY OF ORANGE } SS
 CITY OF LA HABRA }

I, Laurie Swindell, City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. 5949 introduced and adopted at a Regular Meeting of the City Council of the City of La Habra held on the 1st day of June, 2020, by the following roll call vote:

AYES:	COUNCILMEMBERS:	Beamish, Espinoza, Gomez, Medrano, Shaw
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	NONE
ABSTAIN:	COUNCILMEMBERS:	NONE

Witness my hand and the official seal of the City of La Habra this 1st day of June, 2020.



 Laurie Swindell, CMC
 City Clerk

RESOLUTION NO. 5884

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ORDERING THAT AN INITIATIVE MEASURE BE SUBMITTED TO THE VOTERS OF THE CITY AT THE REGULAR MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE PURPOSE OF CONSIDERING PROPOSED AMENDMENT TO THE LA HABRA GENERAL PLAN

WHEREAS, a Notice of Intent to circulate an Initiative petition seeking to amend the General Plan of the City of La Habra titled "Citizen's Initiative for Preservation of Open Space in La Habra" ("Initiative") was filed with the City Clerk on May 9, 2018, and

WHEREAS, the City Clerk has certified that the Initiative petition was signed by more than 10% of the registered voters in the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA HEREBY RESOLVES:

Section 1. Initiative Measure Submitted to the Voters: Pursuant to California Elections Code Sections 9215(b), the City Council hereby orders that a measure be submitted to the voters of the City at the Regular Municipal Election to be held on Tuesday, November 3, 2020, for the purpose of considering the Initiative. The full text of the Initiative, attached to this Resolution as Exhibit A, shall be printed in the voter pamphlet. The measure to be submitted to the voters shall appear and be printed on the ballot as follows:

City of La Habra	
Shall the Initiative Measure titled "Citizen's Initiative for Preservation of Open Space in La Habra" be adopted to amend the La Habra General Plan to require majority voter approval to change property in the City designated as "Open Space" to another designation?	YES
	NO

Section 2. Effective Date: The proposed General Plan amendment shall not take effect unless and until approved by a vote of at least a majority of the voters voting on the question at the election.

Section 3. California Environmental Quality Act: Because the California Supreme Court has held that the California Environmental Quality Act ("CEQA") does not apply to "citizen sponsored" initiatives, CEQA does not apply to this action to submit the Initiative to the voters. See, *Tuolumne Jobs & Small Business Alliance v. Superior Court* (2014) 59 Cal.4th 1029.

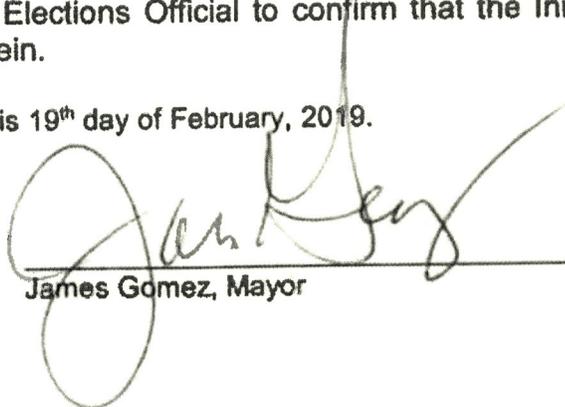
Section 4. Impartial Analysis: The Acting City Attorney is hereby directed to prepare an impartial analysis of the measure pursuant to Elections Code Section 9280.

Section 5. Ballot Argument: The City Clerk shall establish deadlines and processes for the submittal of ballot arguments and rebuttals. The proponents of the Initiative may submit an argument in favor of the measure, and the City Council hereby authorizes one or more of its members to submit an argument against the measure, both pursuant to Elections Code Section 9282.

Section 6. Future Actions Relating to the Conduct and Consolidation of Elections: The City Council will take future actions as required by law to call and give notice of the Regular Municipal Election within the applicable time frame provided for in the California Elections Code. All such actions shall apply to this Initiative measure.

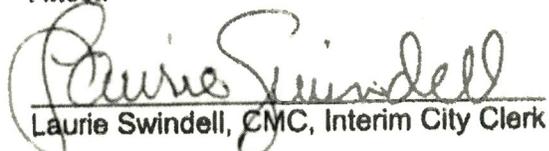
Section 7. City Clerk Authorization. The City Clerk is hereby authorized to take such further actions as are required of the Elections Official to confirm that the Initiative is submitted to the voters as required herein.

PASSED, APPROVED AND ADOPTED this 19th day of February, 2019.



James Gomez, Mayor

Attest:



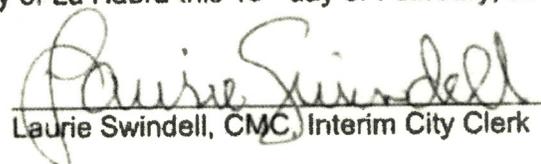
Laurie Swindell, CMC, Interim City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS.
CITY OF LA HABRA)

I, Laurie Swindell, Interim City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. 5884 introduced and adopted at a regular meeting of the City Council of the City of La Habra held on the 19th day of February, 2019, by the following roll call vote:

AYES: COUNCILMEMBERS: BEAMISH, SHAW, ESPINOZA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE
ABSTAIN: COUNCILMEMBERS: MEDRANO, GOMEZ

Witness my hand and the official seal of the City of La Habra this 19th day of February, 2019.



Laurie Swindell, CMC, Interim City Clerk

ARGUMENTS

**FORM OF STATEMENT TO BE FILED BY
AUTHORS OF ARGUMENTS**

All arguments concerning measures filed pursuant to Division 9, Chapter 3 (beginning with § 9200) of the Elections Code shall be accompanied by the following form statement to be signed by each proponent, and by each author, if different, of the argument:

The undersigned proponent (s) or author(s) of the (primary/rebuttal) argument (in favor of/against) ballot proposition (name or number) at the (title of election) election for the (jurisdiction) to be held on _____, 2 _____ hereby state that the argument is true and correct to the best of (his/her/their) knowledge and belief.

Print Name _____ Title _____ (If applicable):Submitted on behalf of : _____ (name of organization)	Signature _____ Date _____
Print Name _____ Title _____ (If applicable):Submitted on behalf of : _____ (name of organization)	Signature _____ Date _____
Print Name _____ Title _____ (If applicable):Submitted on behalf of : _____ (name of organization)	Signature _____ Date _____
Print Name _____ Title _____ (If applicable):Submitted on behalf of : _____ (name of organization)	Signature _____ Date _____
Print Name _____ Title _____ (If applicable):Submitted on behalf of : _____ (name of organization)	Signature _____ Date _____
Print Name _____ Title _____ (If applicable):Submitted on behalf of : _____ (name of organization)	Signature _____ Date _____

All Authors must print his/her name **and sign this form** (EC 9600)
 AND
 Print his/her name **and sign the Argument itself** (EC 9283)
 AND
 Print his/her name **and sign the Rebuttal Argument itself** (EC 9285)

Further, pursuant to Election Code § 9282, printed arguments submitted to the voters shall be titled either "Argument In Favor Of Measure ___" or "Argument Against Measure ___".

Likewise, printed rebuttal arguments submitted pursuant to Election Code § 9285 shall be titled either "Rebuttal To Argument In Favor Of Measure ___" or "Rebuttal to Argument Against Measure ___".

Give this form to Council Members, Proponents, and Opponents of Measures

*The following statement shall be included before the first page of the printed arguments in the Voter Information Guide:
"Arguments in support or opposition of the proposed laws are the opinions of the authors."*

§ 9600, E.C. and (Steven Vargas v. Cheryl Balz and City of Brea)
(Revised 10/09)

Statement of Authors of Arguments
F - A - 1