

July 19, 2005

City Council Meeting  
July 26, 2005

Mayor and Members  
of the City Council

**RESOLUTIONS TO PLACE MEASURE ON BALLOT FOR THE  
GENERAL MUNICIPAL ELECTION OF NOVEMBER 8, 2005, REQUEST  
CONSOLIDATION WITH THE COUNTY, SET PRIORITIES FOR  
ARGUMENTS, DIRECT PREPARATION OF IMPARTIAL ANALYSIS,  
AND PROVIDE FOR THE FILING OF REBUTTAL ARGUMENTS**

**Recommendation:**

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

- 1) Approve the wording of the ballot measure question;
- 2) Decide on the filing of written arguments by Council against the measure; and
- 3) Adopt the attached four resolutions to (a) place the measure on the ballot, (b) request consolidation with the County, (c) set priorities for written arguments and direct the City Attorney to prepare an impartial analysis for the measure, and (d) provide for rebuttal arguments.

**Background:**

At its meeting of June 28, the Council adopted the resolutions required to call the November 8, 2005 General Municipal Election for the election of three members of the City Council. As you know, an initiative petition concerning the beach and greenbelt qualified last year for placement on the November ballot, but the presentation of the required resolutions was postponed pending Council action on the possible inclusion of one or more City-initiated measures. At its last meeting, the Council opted to not place any additional measures on the November ballot.

Attached are the four resolutions required to submit the measure to the voters. Prior to adopting the resolutions, the Council needs to:

- 1) Review and approve the wording of the ballot measure question, which, pursuant to Elections Code Section 13247, is limited to a maximum of 75 words. If the question were to be changed this evening, the resolution would be adopted noting the amended wording. The suggested wording is as follows:

Shall an ordinance be adopted adding the beach to the Restricted Open Space (O-S-1) zone and limiting improvements in the O-S-1 zone to (a) landscaping, irrigation and erosion control, and (b) replacement or repair of existing improvements within their existing footprint?	YES	
	NO	

- 2) Decide on the filing by Council of a written argument against the measure and authorize which Councilmember, if any, will prepare the argument, with all Councilmembers invited to sign. (Pursuant to Elections Code 9219, the petition proponents have priority to file an argument in favor and the Council, if it acts this evening to do so, would have priority to submit an argument against the measure.) PLEASE NOTE: The City Clerk has fixed the date of Tuesday, August 2, 2005, at 6 p.m., as the deadline for arguments.

If there is no Council authorization for preparing an argument, the draft resolution would be amended to merely direct the preparation of an impartial analysis by the City Attorney, and the City Clerk will select from among the arguments that may be submitted based on the priorities established in Elections Code Sections 9287.

- 3) Decide whether or not to allow for rebuttal arguments. This is optional but, if desired, the resolution must be adopted at tonight's meeting. It has been traditional in the past to allow for rebuttal arguments. PLEASE NOTE: If authorized, rebuttal arguments must be filed with the City Clerk within ten days of the filing deadline for direct arguments and, therefore, will be due by 5 p.m. Friday, August 12, 2005 (although normally closed on Fridays, the Clerk's office will be open on that day from 8 a.m. to 5 p.m.).

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

**RESOLUTION NO. 05-**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, ORDERING THE SUBMISSION TO THE CITY'S QUALIFIED ELECTORS OF A PROPOSED ORDINANCE AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2005, AS CALLED BY RESOLUTION NO. 05-6402

**RESOLUTION NO. 05-**

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 4, 2003, WITH THE UDEL ELECTION TO BE HELD ON THAT DATE, PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE, FOR THE SUBMISSION TO THE VOTERS OF ONE MEASURE

**RESOLUTION NO. 05-**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A MEASURE TO BE SUBMITTED AT THE GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 8, 2005, AND DIRECTING THE CITY ATTORNEY TO PREPARE THE IMPARTIAL ANALYSIS. (Optional, but if adopted, must be adopted at this meeting.)

**RESOLUTION NO. 05-**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR THE MEASURE TO BE SUBMITTED AT THE GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 8, 2005. (Optional, but if adopted, must be adopted at this meeting.)

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Elaine Doerfling, City Clerk

Noted:

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Stephen R. Burrell, City Manager

Attachments: Election Calendar (final version)  
Resolutions required to place measure on November 8 ballot