RESOLUTION NO. 2024-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS.

WHEREAS, § 9282 of the Elections Code of the State of California provides for written arguments to be filed in favor of or against city measures not to exceed 300 words in length; and

WHEREAS, § 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 EUREKA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to § 9285 of the Elections Code of the State of California, when the elections official has selected the arguments for and against the measure (not exceeding 300 words each) which will be printed and distributed to the voters, the elections official shall send a copy of the argument in favor of the measure to the authors of any argument against the measure, and a copy of the argument against the measure to the authors of any argument in favor of the measure immediately upon receiving the arguments.

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.

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 rebuttal arguments shall be accompanied by the *Form of Statement To Be Filed By Authors(s) of Argument* (*Attachment A*).

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.

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 That all previous resolutions providing for the filing of rebuttal arguments for City measures are repealed.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 5, 2024 municipal election and shall then be repealed.

SECTION 4. That 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 by the Council of the City of Eureka, County of Humboldt, State of California, on the _____ day of_____, 2024, by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS

Kim Bergel
MAYOR OF THE CITY OFUREKA

ATTEST:

Pamela J. Powell
CITY CLERK

APPROVED AS TO FORM:

Autumn Luna
CITY ATTORNEY

APPROVED AS TO ADMINISTRATION:

Miles Slattery
CITY MANAGER

Attachment A

FORM OF STATEMENT TO BE FILED BY AUTHOR(S) OF ARGUMENTS

All arguments concerning measures filed pursuant to Division 9, Chapter 3 (beginning with §9200) of the California 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 measure _____ at the General Election for the City of Eureka to be held on November 3, 2020 hereby state that the argument is true and correct to the best of (his/her/their) knowledge and belief.

Sign Name	Print Name	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

All authors must print name and sign this form, the argument, and the rebuttal argument (EC 9600, 9283, and 9285).