

ATTACHMENT H

RESOLUTION NO. 2025-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, SETTING THE DEADLINES FOR FILING OF REBUTTAL ARGUMENTS IN RESPONSE TO DIRECT ARGUMENTS FILED FOR AND AGAINST THE INITIATIVE MEASURE TO BE SUBMITTED TO THE VOTERS AT THE _____ MUNICIPAL ELECTION TO BE HELD ON _____, ____ 2026

WHEREAS, a _____ Municipal Election is to be held in the City of Newport Beach, California ("City") on _____, 2026, at which there will be submitted to the registered voters of the City the following initiative question:

MEASURE ____	
CITY OF NEWPORT BEACH GENERAL PLAN - AMENDMENT Shall the measure to amend the City of Newport Beach's General Plan Land Use Element allowing 2,900 new affordable housing units (2,160 reserved for extremely low-, very low-, and low-income households; and 740 for moderate-income households) with densities of 20 - 50 dwelling units per acre, plus State of California allowed housing density bonuses, in Dover/Westcliff (174), Newport Center (870), West Newport Mesa (406), Airport Area (929), and Coyote Canyon (521), be adopted?	Yes
	No

WHEREAS, pursuant to California Elections Code ("Elections Code") Section 9282, the proponents of an initiative measure may file a written argument for, and the legislative body may file a written argument against, an initiative measure;

WHEREAS, pursuant to Elections Code Section 9285, the City Council, by majority vote, may adopt provisions to provide for the filing of rebuttal arguments in response to direct arguments filed for or against the initiative measure; and

WHEREAS, the City Council desires to provide for the filing of rebuttal arguments in response to direct arguments filed for or against the initiative measure.

NOW, THEREFORE, the City Council of the City Of Newport Beach, California, does resolve, declare, determine and order as follows:

Section 1: Pursuant to Elections Code Section 9285(a), when the Elections Official has selected the arguments for and against the initiative measure which will be printed and distributed to the voters, the Elections Official shall send a copy of the argument in favor of the initiative measure to the authors of the argument against the initiative measure and a copy of the argument against the initiative measure to the authors of the argument in favor of the initiative measure.

Section 2: The author or a majority of the authors of an argument relating to an initiative measure may prepare and submit a rebuttal argument not exceeding two hundred fifty 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.

Section 3: Rebuttal arguments shall be filed with the Elections Official, signed, with the printed names and signatures of not more than five of the authors 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, by 5:00 p.m. on December 12, 2025. Rebuttal arguments shall be accompanied by the form statement required by Elections Code Section 9600.

Section 4: 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 5: Rebuttal arguments shall be made available for public examination for no fewer than ten calendar days following the deadline for submission of those materials, in accordance with Elections Code Section 9295.

Section 6: All previous resolutions providing for the filing of rebuttal arguments for City measures are hereby repealed.

Section 7: The rebuttal provisions provided herein shall apply only to the _____ Municipal Election to be held on _____, 2026.

Section 8: The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Section 9: The City Clerk shall deliver a certified copy of this resolution to the Orange County Board of Supervisors and the Orange County Registrar of Voters.

Section 10: If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 11: The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

Section 12: The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080(b)(1) because submission to the voters of a voter-sponsored initiative is a ministerial duty required by Elections Code Section 9215, and is therefore not subject to CEQA pursuant to Sections 15060(c)(1) (the activity does not involve the exercise of discretionary powers by a public agency), 15060(c)(3) (the activity is not a project as defined in Section 15378), and 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3.

Section 13: This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

ADOPTED this 18th day of November, 2025.

Joe Stapleton
Mayor

ATTEST:

Lena Shumway
City Clerk

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE



Aaron C. Harp
City Attorney