

Attachment G

RESOLUTION NO. 2026-__

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 A REFERENDUM TO BE SUBMITTED TO THE VOTERS AT THE [SPECIAL OR GENERAL MUNICIPAL ELECTION] TO BE HELD ON [JUNE 2 OR NOVEMBER 3, 2026]

WHEREAS, a [Special or General Municipal Election] is to be held in the City of Newport Beach, California ("City") on [June 2, 2026 or November 3, 2026], at which there will be submitted to the registered voters of the City the following question:

MEASURE __	
Shall Newport Beach City Council Resolution No. 2025-71, approving an amendment to the General Plan to increase the allowable development limit (for Anomaly No. 58 in Table LU2 of the General Plan Land Use Element) from 20,000 square feet to 59,772 square feet, be adopted?	Yes
	No

WHEREAS, pursuant to Elections Code ("Elections Code") Section 9282, the proponents of a referendum measure may file a written argument for, and the legislative body may file a written argument against, the referendum 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 a referendum 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 referendum 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 referendum 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 referendum measure and a copy of the argument against the referendum measure to the authors of the argument in favor of the referendum measure.

Section 2: The author or a majority of the authors of an argument relating to a referendum 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 the date and time fixed by the City Clerk in consultation with the Orange County Registrar of Voters. 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 [Special or General Municipal Election] Municipal Election to be held on [June 2, 2026, or November 3, 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 9241, 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 27th day of January, 2026.

Lauren Kleiman
Mayor

ATTEST:

Lena Shumway
City Clerk

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE



Aaron C. Harp
City Attorney