

Attachment F

RESOLUTION NO. 2026-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF A REFERENDUM TO BE SUBMITTED TO THE VOTERS AT THE [SPECIAL OR GENERAL] MUNICIPAL ELECTION TO BE HELD ON [JUNE 2, 2026 OR NOVEMBER 3, 2026], AND PROVIDING FOR THE DEADLINES FOR FILING OF THE IMPARTIAL ANALYSIS AND WRITTEN ARGUMENTS FOR AND AGAINST THE REFERENDUM MEASURE

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 9280, the City Council may direct the City Attorney to prepare an impartial analysis of the referendum measure showing the effect on the existing law and the operation of the referendum measure;

WHEREAS, pursuant to 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, an initiative measure; and

WHEREAS, the City Council desires to direct the City Attorney to prepare an impartial analysis of the referendum measure, and to provide for the filing of arguments for and 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: The City Council hereby directs the City Clerk to transmit a copy of the referendum to the City Attorney. The City Attorney shall prepare an impartial analysis of the referendum of no more than five hundred words, in accordance with Elections Code Section 9280, to be submitted prior to the fixed date and time for the submission of arguments for and against the measure.

Section 2: The proponents of the referendum measure may file an argument for, and the City Council hereby authorizes Council Members [select Council Members] to file a written argument against, the referendum measure, not exceeding three hundred words, and accompanied by the printed names and signatures of the authors submitting it, in accordance with Elections Code Sections 9282 and 9283.

Section 3: The City Clerk shall coordinate with the Orange County Registrar of Voters and, based on that consultation, fix a date and time prior to the election for the submission to the City Clerk of arguments in favor of or against the measure. The arguments shall comply with Elections Code Sections 9282 and 9283.

Section 4: The arguments shall be filed with the City Clerk, 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, the printed name and signature of at least one of its principal officers who is the author of the argument, in accordance with Elections Code Section 9283. Arguments shall be accompanied by the form statement required by Elections Code Section 9600.

Section 5: The arguments, ordinance, and impartial analysis 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: The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Section 7: 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 8: 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 9: The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

Section 10: 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 referendum is a ministerial duty required by California 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 11: 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