



OFFICE OF THE CITY ATTORNEY
Long Beach, California

NB-27

CHARLES PARKIN
City Attorney

MICHAEL J. MAIS
Assistant City Attorney

PRINCIPAL DEPUTIES

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Charles M. Gale
Anne C. Lattime
Howard D. Russell

DEPUTIES

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C. Geoffrey Allred
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Richard F. Anthony
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Matthew M. Peters
Katrina R. Pickett
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Chelsea N. Trotter
Todd Vigus
Amy R. Webber
Erin Weesner-McKinley
Theodore B. Zinger

November 19, 2019

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

- 1) Adopt Resolution Calling for the Placement of a General Tax Measure on the Ballot of the March 3, 2020 Special Municipal Election for submission to the qualified voters of the City of Long Beach an ordinance amending Long Beach Municipal Code section 3.64.035, to increase the rate of the general purpose Transient Occupancy (Hotel) Tax from 6% to 7%, and making findings of fiscal emergency pursuant to California Proposition 218; and
- 2) Adopt Resolution Providing for the Filing of Primary and Rebuttal Arguments and Setting Rules for the Filing of Written Arguments Regarding A City Measure to be Submitted at the March 3, 2020 Special Municipal Election; and
- 3) Adopt Resolution Requesting the Board of Supervisors of the County of Los Angeles to Consolidate a Special Municipal Election for A Local Initiative Measure to be Held on March 3, 2020 with the Statewide Primary Election to be Held on that Date Pursuant to Section 10403 of the Elections Code.

DISCUSSION:

Pursuant to your request of November 12, 2019, this office has prepared and submits the above-described Resolutions for your consideration.

- 1) Resolution Calling for the Placement of a General Tax Measure on the Ballot of the March 3, 2020 Special Municipal Election: This Resolution presents a ballot question for submission to the qualified voters of the City of Long Beach relating to an ordinance amending Long Beach Municipal Code section 3.64.035, increasing the rate of the general purpose Transient Occupancy (Hotel) Tax from 6% to 7%.

At the November 12, 2019 City Council meeting, City management presented information that the City's ability to maintain services and infrastructure after the FY20 budget year is at significant risk, primarily because costs are continuing to increase faster than the City's limited general fund revenues. In addition to these shortfalls, staff described a significant backlog of unfunded infrastructure improvements, including capital improvement projects at the Long Beach

Convention and Entertainment Center, a City asset. Finally, City staff presented information that there is minimal general fund support available for arts and culture organizations in the City.

Proposition 218 requires new and increased general taxes and extensions of general taxes to be voted on only at a regular general election at which members of the City Council are elected (November 2020), unless the City Council adopts a finding of emergency by a unanimous vote of the Council. The declaration of a fiscal emergency allows the City to bring the proposed tax measure to the voters at the March 3, 2020 election. Without such a unanimous declaration of a fiscal emergency, the City must wait until the next regular general election to submit a general tax measure. At the November 12, 2019 Council meeting, City staff recommended this measure be put to the voters at the earliest possible election to provide City Council with direction prior to the development of the FY 21 budget.

A general tax measure such as this requires approval by a simple majority vote. Revenue derived from the increase, if approved, would be placed in the City's general fund. However, as with Measure A, the City Council may consider adopting a non-binding resolution of spending priorities

2) Resolution Providing for the Filing of Primary and Rebuttal Arguments and Setting the Rules for the Filing of Written Arguments: Consistent with the California Elections Code and the Long Beach Municipal Code, this Resolution sets forth rules and timelines for primary and rebuttal argument writers relating to the TOT measure to be submitted to Long Beach voters at the March 3, 2020 Special Municipal Election.

3) Resolution Requesting the Board of Supervisors of the County of Los Angeles to Consolidate a Special Municipal Election: Consistent with California Elections Code section 10403, this Resolution requests Los Angeles County to consolidate the March 3, 2020 Special Municipal Election with the Statewide primary election to be held on that date, and to provide any necessary elections services. .

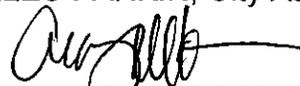
SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By


AMY R. WEBBER
Deputy City Attorney

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH, CALIFORNIA CALLING FOR THE PLACEMENT OF A GENERAL TAX MEASURE ON THE BALLOT FOR THE MARCH 3, 2020 SPECIAL MUNICIPAL ELECTION FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF AN AMENDED ORDINANCE TO INCREASE THE RATE OF THE CITY'S GENERAL PURPOSE TRANSIENT OCCUPANCY (HOTEL) TAX FROM 6% TO 7%, AND MAKING FINDINGS OF FISCAL EMERGENCY PURSUANT TO CALIFORNIA PROPOSITION 218

WHEREAS, the City of Long Beach ("City") is authorized to levy a transient occupancy tax (TOT) for general purposes, pursuant to California Revenue and Taxation Code sections 7280 and 7281, subject to approval by a majority vote of the electorate pursuant to Article XIIC, Section 2 of the California Constitution ("Proposition 218"); and

WHEREAS, pursuant to section 3.64.035 of Chapter 3.64 of Title 3 of the Long Beach Municipal Code, the City currently imposes a general purpose TOT at the rate of six percent (6%) upon guests of hotels and other transient accommodations within the City; the revenues from which are deposited in the City's General Purpose Fund and may be used for general City services; and

WHEREAS, the general purpose TOT was separately adopted and is in addition to the City's special purpose TOT (LBMC section 3.64.030), which is also imposed at the rate of six percent (6%), for the City's "Special Advertising and Promotion (SAP) Fund" which is dedicated to support the advertising and promotion of the City; and

WHEREAS, pursuant to City Charter and California Elections Code §9222, the City Council has authority to place local measures on the ballot to be considered at a

1 Municipal Election; and

2 WHEREAS, based upon the above, the City Council would like to submit to
3 the voters a measure increasing the general purpose TOT rate found in LBMC Section
4 3.64.035 from six percent (6%) to seven percent (7%); and

5 WHEREAS, the City Council intends to adopt an Ordinance amending
6 section 3.64.035 of the City's Municipal Code, thereby amending the general purpose
7 TOT as described above, subject to voter approval; and

8 WHEREAS, this proposed Ordinance/measure does not amend LBMC
9 Section 3.64.030 and is not intended to increase or alter the rate of the special purpose
10 TOT, which shall remain at six percent (6%); and

11 WHEREAS, this proposed Ordinance/measure is a general tax, the revenue
12 of which will be placed in the City's general fund and will be used to pay for important
13 general City services; and

14 WHEREAS, on November 6, 1996, the voters of the State of California
15 approved Proposition 218, an amendment to the State Constitution which requires that all
16 general taxes which are imposed, extended or increased must be submitted to the
17 electorate and approved by a majority vote of the qualified electors voting in the election;
18 and

19 WHEREAS, pursuant to Proposition 218 (California Constitution Article
20 XIIIIC, §2(b)), an election for the approval of a new or increased general tax must
21 generally be consolidated with a regularly scheduled general election for members of the
22 governing body of the local government; and

23 WHEREAS, Proposition 218 permits the City Council to call a special
24 election for the voters to consider imposing, increasing or extending a general tax if the
25 City Council finds, by a unanimous vote, that there exists an emergency requiring a
26 special election to be conducted earlier than the next regularly scheduled general
27 election at which City Council members are to be elected; and

28 WHEREAS, the next regularly scheduled general election at which City

1 Council members are to be elected is not until November 3, 2020; and

2 WHEREAS, for the following reasons, the health, safety and general
3 welfare of the citizens of the City would be endangered if the City were unable to place
4 this Measure before its voters prior to November 3, 2020; and

5 WHEREAS, because operating costs continue to outpace City revenues,
6 the City projects operating budget shortfalls starting in Fiscal Year 2020-2021; and

7 WHEREAS, these operating budget shortfalls may require reductions in
8 public safety personnel, as well as street, facilities and infrastructure improvements; and

9 WHEREAS, as more specifically described by the City Manager to the
10 Mayor and City Council on November 12, 2019, it is estimated that the City has a backlog
11 of infrastructure improvements totaling \$2.3 billion, including pavement, alley, sidewalk
12 and facilities investments, requiring a long-term funding source to fulfill these
13 requirements; and

14 WHEREAS, the Long Beach Convention and Entertainment Center
15 (Center) is an integral part of the City's economy and employment; and

16 WHEREAS, the City estimates that the Center requires at least
17 \$50,000,000 in capital improvements to maintain an acceptable level of service to the
18 community; and

19 WHEREAS, absent additional revenues, current operating budget shortfalls
20 will leave insufficient City funds to address capital improvements at the Center; and

21 WHEREAS, arts programs are important to the community, serving both
22 youth and adults; and

23 WHEREAS, absent an additional revenue source, there are no identified
24 sources of funding to continue these programs; and

25 WHEREAS, these funding issues can be addressed by proposing a TOT
26 measure to Long Beach voters increasing the general purpose tax rate paid by persons
27 renting rooms for fewer than thirty (30) days; and

28 WHEREAS, the City of Long Beach approves its annual budgets in

1 September of each year; and

2 WHEREAS, in order to properly develop and decide on a budget for Fiscal
3 Year 2020-2021, the City must know in advance whether or not Long Beach voters
4 support a general purpose TOT rate increase. A March, 2020 special election will
5 provide sufficient time for the City to incorporate the voters' decision into its budgeting
6 calculations; and

7 WHEREAS, if the City were to wait until the November, 2020 General
8 Municipal Election to place this question before Long Beach voters, the City would have
9 to develop and approve a Fiscal year 2020-2021 budget without knowing the voters'
10 wishes in this regard, compromising the City's ability to budget with full knowledge of all
11 of its available revenue sources going forward; and

12 WHEREAS, the circumstances described above create an emergency
13 situation warranting the placement of the Measure on a special election ballot to permit
14 the voters to decide on the Measure pursuant to Proposition 218; and

15 WHEREAS, the ordinance to be considered by the qualified voters and the
16 terms of approval, and collection and use of the general TOT are described and provided
17 for in the ballot measure attached hereto as Exhibit "A" (the "Measure") and by this
18 reference made an operative part hereof, in accordance with all applicable laws;

19 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
20 follows:

21 Section 1. Incorporation of Recitals. The foregoing recitals are true and
22 correct and are hereby incorporated and made an operative part of this Resolution.

23 Section 2. Declaration of Emergency/Calling of Election. Pursuant to
24 California Constitution, Article XIII C, Section 2(b), the City Council, by a unanimous vote,
25 hereby declares the existence of an emergency in that there are imminent financial risks
26 and dangers, as described above, to the public welfare and the City's financial ability to
27 provide municipal services at current levels and without disruption, so that a special
28 election is necessary to address such risks and dangers. As such, the City Council, by a

1 unanimous vote, hereby calls and orders to be held in the City of Long Beach on
2 Tuesday, March 3, 2020, a Special Municipal Election for the purpose of submitting the
3 Measure attached hereto as Exhibit "A" and incorporated herein by this reference to the
4 qualified electors of the City.

5 Section 3. The City Council, pursuant to City Charter and California
6 Elections Code §9222, hereby orders that the following question be submitted to the
7 qualified electors of the City of Long Beach at the special election to be held on March 3,
8 2020:

"To provide funding for student arts education programs, community arts, music, cultural programs and organizations, local museums and theaters, and the Long Beach Convention and Entertainment Center, and maintain other general fund programs shall a measure be adopted increasing Long Beach's general transient occupancy (hotel bed) tax rate from 6% to 7%, paid for by hotel/motel guests, generating approximately \$2.8 million dollars annually, until ended by voters, requiring audits and local control of funds?"	YES
	NO

14 Section 4. Conduct of Election. The City Clerk is authorized, instructed,
15 and directed to procure and furnish any and all official ballots, printed matter and all
16 supplies, equipment and paraphernalia that may be necessary in order to properly and
17 lawfully conduct the election. In all particulars not recited in this Resolution, the election
18 shall be held and conducted as provided by law for holding municipal elections.

19 Section 5. Pursuant to California Elections Code Section 9280, the City
20 Council hereby directs the City Clerk to transmit a copy of the Measure attached hereto
21 as Exhibit "A" to the City Attorney. The City Attorney shall prepare an impartial analysis
22 of the Measure, not to exceed 500 words in length, showing the effect of the Measure on
23 the existing law and the operation of the Measure, and transmit such impartial analysis to
24 the City Clerk not later than the deadline for submittal of primary arguments for or against
25 the Measure.

26 The impartial analysis shall include a statement indicating whether the
27 Measure was placed on the ballot by a petition signed by the requisite number of voters
28

1 or by the City Council. In the event the entire text of the Measure is not printed on the
2 ballot, nor in the voter information portion of the sample ballot, there shall be printed
3 immediately below the impartial analysis, in no less than 10-font bold type, the following:
4 "The above statement is an impartial analysis of Ordinance or Measure _____. If you
5 desire a copy of the ordinance or measure, please call the Office of the City Clerk at
6 [insert phone number] and a copy will be mailed at no cost to you."

7 Section 6. Notice of the election is hereby given and the City Clerk is
8 authorized, instructed and directed to give further or additional notice of the election, in
9 time, form and manner as required by law.

10 Section 7. Placement on the Ballot. The full text of the Measure shall not
11 be printed in the voter information guide, and a statement shall be printed in the ballot
12 pursuant to Elections Code §9223 advising voters that they may obtain a copy of this
13 Resolution and the Measure, at no cost, upon request made to the City Clerk.

14 Section 8. Filing with County. The City Clerk shall, not later than the
15 88th day prior to the Special Municipal Election to be held on Tuesday, March 3, 2020,
16 file with the Board of Supervisors and the County Clerk – Registrar of Voters of the
17 County of Los Angeles, State of California, a certified copy of this Resolution.

18 Section 9. Public Examination. Pursuant to California Elections Code
19 §9295, this Measure will be available for public examination for no fewer than ten (10)
20 calendar days prior to being submitted for printing in the voter information guide. The
21 City Clerk shall post notice in the Clerk's office of the specific dates that the examination
22 period will run.

23 Section 10. The City Treasurer is hereby authorized and directed to
24 appropriate the necessary funds to pay for the City's cost of placing the Measure on the
25 election ballot.

26 Section 11. The City Council finds that this Resolution is not subject to the
27 California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the
28 activity will not result in a direct or reasonably foreseeable indirect physical change in the

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CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
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environment), and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

Section 12. Severability. The provisions of this Resolution are severable and if any provision of this Resolution is held invalid, that provision shall be severed from the Resolution and the remainder of this Resolution shall continue in full force and effect, and not be affected by such invalidity.

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

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of November 19, 2019 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lana Beach, CA 90802-4664

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EXHIBIT "A"

(Transient Occupancy Tax Ordinance/Measure)

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
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ORDINANCE NO.

AN ORDINANCE OF THE PEOPLE OF THE CITY OF LONG BEACH, CALIFORNIA, AMENDING SECTION 3.64.035 OF TITLE 3 OF THE LONG BEACH MUNICIPAL CODE INCREASING THE RATE OF THE CITY'S GENERAL PURPOSE TRANSIENT OCCUPANCY (HOTEL) TAX BY ONE PERCENT (1%) FROM SIX PERCENT (6%) TO SEVEN PERCENT (7%).

THE PEOPLE OF THE CITY OF LONG BEACH DO ORDAIN AS FOLLOWS:

SECTION 1. Pursuant to California Revenue and Taxation Code sections 7280 and 7281, subject to the approval of a majority of the voters of the City of Long Beach at the Special Municipal Election so designated by the City Council in a separate resolution placing the proposal on the ballot for such election, Section 3.64.035 of Title 3 of the Long Beach Municipal Code is hereby amended to read as follows:

"CHAPTER 3.64 - TRANSIENT OCCUPANCY TAX

"3.64.035 General Purpose Tax imposed.

In addition to the tax imposed by Section 3.64.030, every transient shall pay a tax of seven percent (7%) of the rent for his or her occupancy of a guestroom, and the tax shall be collected and accounted for separately from the tax imposed by Section 3.64.030 by the operator from such transient at the time and in the manner provided in this Chapter. All the

1 revenues collected from the tax imposed by this Section shall
2 be deposited in the City's general purpose fund."

3
4 SECTION 2. The transient occupancy tax set forth herein shall be collected
5 and administered in the manner set forth in Chapter 3.64 of the Long Beach Municipal
6 Code.

7
8 SECTION 3. Pursuant to Article XIII B of the California Constitution, the
9 appropriation limit for the City of Long Beach will be increased by the maximum projected
10 aggregate collection authorized by the levy of this general tax, as indicated in Section 1,
11 in each of the years covered by this Ordinance plus the amount, if any, by which the
12 appropriation limit is decreased by law as a result of the levy of the general tax set forth
13 in this Ordinance.

14
15 SECTION 4. If any portion of this Ordinance is declared invalid by a court
16 of law or other legal body with applicable authority, the invalidity shall not affect or
17 prohibit the force and effect of any other provision or application of the Ordinance that is
18 not deemed invalid. The voters of the City hereby declare that they would have
19 circulated for qualification and/or voted for the adoption of this Section, and each portion
20 thereof, regardless of the fact that any portion of the initiative may be subsequently
21 deemed invalid.

22
23 SECTION 5. Pursuant to California Constitution Article XIII C §(2)(b) and
24 California Elections Code §9217, this Ordinance shall take effect only if approved by a
25 majority of the eligible voters of the City of Long Beach voting at the Special Municipal
26 Election to be held on March 3, 2020, and shall become effective as of July 1, 2020.

27
28 SECTION 6. The Mayor is hereby authorized to attest to the adoption of

1 this Ordinance by the People voting thereon on March 3, 2020, by signing where
2 indicated below.

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I hereby certify that the Long Beach Transient Occupancy Tax Ordinance was PASSED, APPROVED, AND ADOPTED by the People of the City of Long Beach on the 3rd day of March, 2020.

Dated: _____

ROBERT GARCIA, MAYOR

ATTEST:

APPROVED AS TO FORM:

MONIQUE DE LA GARZA
City Clerk

CHARLES PARKIN
City Attorney

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH, CALIFORNIA, REQUESTING THE
5 BOARD OF SUPERVISORS OF THE COUNTY OF LOS
6 ANGELES TO CONSOLIDATE A SPECIAL MUNICIPAL
7 ELECTION TO BE HELD ON MARCH 3, 2020 WITH THE
8 STATEWIDE PRIMARY ELECTION TO BE HELD ON THAT
9 DATE PURSUANT TO §10403 OF THE ELECTIONS CODE
10

11 WHEREAS, on November 19, 2019, the City Council of the City of Long
12 Beach called a Special Municipal Election to be held on March 3, 2020 for the purpose of
13 submitting to the voters the question relating to an increase in the City's general purpose
14 Transient Occupancy Tax, by 1%; and

15 WHEREAS, it is therefore desirable that the Special Municipal Election be
16 consolidated with the Statewide Primary Election to be held on the same date and that
17 within the City the precincts, polling places and election officers of the two elections be
18 the same, and that the election department of the County of Los Angeles canvass the
19 returns of the Special Municipal Election and that the election be held in all respects as if
20 there were only one election;

21 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
22 follows:

23 Section 1. Request for Consolidation. Pursuant to the requirements of
24 §10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is
25 hereby requested to consent and agree to the consolidation of a Special Municipal
26 Election with the Statewide Primary Election on Tuesday, March 3, 2020, for the purpose
27 of submitting to the voters the following question relating to the amendment to the City's
28 general purpose Transient Occupancy Tax in Long Beach Municipal Code Section

1 3.64.035, by 1%.

2 Section 2. Measure Language. A measure is to appear on the ballot as
3 follows:

"To provide funding for student arts education programs, community arts, music, cultural programs and organizations, local museums and theaters, and the Long Beach Convention and Entertainment Center, and maintain other general fund programs shall a measure be adopted increasing Long Beach's general transient occupancy (hotel bed) tax rate from 6% to 7%, paid for by hotel/motel guests, generating approximately \$2.8 million dollars annually, until ended by voters, requiring audits and local control of funds?"	Yes
	No

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10 Section 3. Canvass of Returns. The County election department is
11 authorized to canvass the returns and perform all other proceedings incidental to and
12 connected with the Special Municipal Election. The Election shall be held in all respects
13 as if there were only one election, and only one form of ballot shall be used. Pursuant to
14 California Elections Code Sections 10403 and 10418, the election will be held and
15 conducted in accordance with the provisions of law regulating the Statewide Primary
16 Election.

17 Section 4. Necessary Steps. The Board of Supervisors is requested to
18 issue instructions to the County election department to take any and all steps necessary
19 for the holding of the consolidated election.

20 Section 5. Costs. The City Council determines and declares that the City
21 will pay to the County the reasonable and actual expenses incurred by the County by the
22 consolidation of the Special Municipal Election with the Statewide Primary Election. The
23 City shall reimburse the County for services performed when the work is completed and
24 upon presentation to the City of a properly approved bill. The City Manager of the City of
25 Long Beach is authorized and directed to pay for the expenses incurred after receiving a
26 statement from the County of Los Angeles.

27 Section 6. Filing of Resolution. The City Clerk is hereby directed to file a
28 certified copy of this resolution with the Board of Supervisors and the election department

1 of the County of Los Angeles.

2 Section 7. This resolution shall take effect immediately upon its adoption
3 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

4 I hereby certify that the foregoing resolution was adopted by the City
5 Council of the City of Long Beach at its meeting of _____, 2019
6 by the following vote:

7
8 Ayes: Councilmembers: _____
9 _____
10 _____

11 _____
12 Noes: Councilmembers: _____
13 _____
14 _____

15 Absent: Councilmembers: _____
16 _____
17 _____

18 _____
City Clerk
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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH, CALIFORNIA, PROVIDING FOR THE FILING OF PRIMARY AND REBUTTAL ARGUMENTS AND SETTING RULES FOR THE FILING OF WRITTEN ARGUMENTS REGARDING A CITY MEASURE TO BE SUBMITTED AT THE MARCH 3, 2020 SPECIAL MUNICIPAL ELECTION

WHEREAS, a Special Municipal Election is to be held in the City of Long Beach, California on March 3, 2020, at which there will be submitted to the voters the following measure:

"To provide funding for student arts education programs, community arts, music, cultural programs and organizations, local museums and theaters, and the Long Beach Convention and Entertainment Center, and maintain other general fund programs shall a measure be adopted increasing Long Beach's general transient occupancy (hotel bed) tax rate from 6% to 7%, paid for by hotel/motel guests, generating approximately \$2.8 million dollars annually, until ended by voters, requiring audits and local control of funds?"	Yes
	No

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. Primary Arguments. That the City Council authorizes (i) the Mayor, City Council or any member(s) of the City Council, (ii) any individual voter eligible to vote on the above measure, (iii) a bona fide association of such citizens or (iv) any combination of voters and associations, to file a written argument in favor of or against the City measure, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, and to change the argument until and including the date fixed

1 below by the City Clerk, after which no arguments for or against the City measure may be
2 submitted to the City Clerk.

3 The deadline to submit arguments for or against the City Measure pursuant
4 to this Resolution is declared by the City Clerk to be December 13, 2019, at 4:30 p.m.
5 Each argument shall not exceed three hundred (300) words and shall be filed with the
6 City Clerk, signed, and include the printed name(s) and signature(s) of the author(s)
7 submitting it, or if submitted on behalf of an organization, the name of the organization,
8 and the printed name and signature of at least one of its principal officers who is the
9 author of the argument.

10 Section 2. Rebuttal Arguments. Pursuant to Section 9285 of the
11 Elections Code of the State of California, when the City Clerk has selected the primary
12 arguments for and against the City Measure which will be printed and distributed to the
13 voters, the Clerk shall send copies of the primary argument in favor of the Measure to the
14 authors of the primary argument against, and copies of the primary argument against to
15 the authors of the primary argument in favor. The authors or persons designated by
16 them may prepare and submit rebuttal arguments not exceeding two hundred fifty (250)
17 words. The rebuttal arguments shall be filed with the City Clerk not later than December
18 23, 2019 at 4:30 p.m. Rebuttal arguments shall be printed in the same manner as the
19 primary arguments. Each rebuttal argument shall immediately follow the primary
20 argument which it seeks to rebut.

21 Section 3. Prior Resolutions. That all previous resolutions providing for
22 the filing of primary and rebuttal arguments related to City measures are repealed.

23 Section 4. March 3, 2020 Election. That the provisions of Sections 1 and
24 2 shall apply only to the election to be held on March 3, 2020, and shall then be repealed.

25 Section 5. This resolution shall take effect immediately upon its adoption
26 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2019 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
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