

**CITY OF HERMOSA BEACH  
RESOLUTION NO. 22-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, SETTING PRIORITIES FOR FILING A WRITTEN ARGUMENT AND REBUTTAL ARGUMENT REGARDING A LOCALLY CONTROLLED ORDINANCE TO ENACT A GENERAL TRANSACTIONS AND USE TAX (SALES TAX) AT THE RATE OF THREE-QUARTER CENT (  $\frac{3}{4}\%$  ) TO BE SUBMITTED TO VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 8, 2022, AND DIRECTING THE CITY ATTORNEY TO PREPARE THE IMPARTIAL ANALYSIS**

**WHEREAS**, a General Municipal Election will be held in the City of Hermosa Beach, California, on Tuesday, November 8, 2022, at which there will be submitted to the voters the following question:

To maintain Hermosa Beach's long-term financial stability with locally controlled funds, to be used for programs such as public safety/911 response, enforcement against theft/property crime; street/pothole repair; protection of beach and coastal waters; support for school safety; cleaning of public areas; retention/attraction of local businesses; homeless services and for general governmental use; shall an ordinance be adopted establishing a $\frac{3}{4}\%$ sales tax requiring public spending disclosure/independent audits, generating approximately \$3,000,000 annually until ended by voters?	YES
	NO

**WHEREAS**, every year Los Angeles County collects five million dollars from Hermosa Beach from the last three county sales taxes alone, but only 13 cents on the dollar is returned to Hermosa Beach; and

**WHEREAS**, by law all funds from this measure are legally required to be used in Hermosa Beach, ensuring local control of our tax dollars and a guaranteed sources of funding for essential City services; and

**WHEREAS**, a sizeable portion of sales tax dollars collected in Hermosa Beach come from tourists and visitors, this measure will help make sure they pay their fair share for police, to keep our beach, Pier Plaza and other public areas clean and safe and our roads and other community resources are maintained and not left to be paid exclusively by City residents; and

**WHEREAS**, in 2021 alone, there were almost 600 thefts and burglaries reported, including 100 thefts from motor vehicles in the 1.2 square miles of the City; this measure could provide funding for the Hermosa Beach Police Department to have additional resources to make neighborhoods safer, increase police patrols, reduce response times and increase crime prevention programs; and

**WHEREAS**, this measure will help pay for the City services residents have prioritized including preventing thefts and property crimes, supporting public safety and 911 emergency response, recruiting and retaining well-trained police officers, protecting coastal waters and beaches from pollution, supporting safe schools and keeping parks and public areas safe and clean; and

**WHEREAS**, this measure includes tough accountability provisions including independent audits and public review of expenditures; and

**WHEREAS**, the State of California Elections Code section 9282 and 9287 contains the following priority provision for written arguments:

- (b) For measures placed on the ballot by the legislative body, the legislative body, or a member or members of the legislative body authorized by that body, or an individual voter who is eligible to vote on the measure, or bona fide association of citizens, or a combination of voters and associations, may file a written argument for or against any city measure.

**WHEREAS**, if more than one argument for or against any measure is submitted, the State of California Elections Code Section 9287 authorizes the elections official (City Clerk) to select the argument for printing and distributing to the voters, giving preference and priority as specified by law.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** Argument Writer(s). That the Hermosa Beach City Council hereby authorizes [REDACTED] to prepare and file a written argument in favor of the measure placed by the legislative body to enact a general transactions and use tax (sales tax) at the rate of three-quarter cent (  $\frac{3}{4}$  cent).

**SECTION 2.** Arguments. That arguments for the measures specified above shall not exceed 300 words and must be accompanied by the printed name(s)

and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, and Division 9 of the Elections Code of the State of California.

Arguments may be changed or withdrawn until and including the date fixed by the City Clerk (**6:00 p.m., Tuesday, August 9, 2022**), after which no arguments for or against the measures may be submitted to the City Clerk.

Arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting them 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 who is the author of the argument. Arguments shall be accompanied by a "Form of Statement To Be Filed By Author(s) of Arguments."

**SECTION 3.** Impartial Analysis. Pursuant to Elections Code section 9280, the City Council hereby directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the Measure, and transmit such impartial analysis to the City Clerk not later than the deadline for submittal of primary arguments for or against the Measure.

The impartial analysis shall include a statement indicating whether the Measure was placed on the ballot by a petition signed by the requisite number of voters or by the City Council. The full text of the Measure shall not be printed in the Sample Ballot Booklet. Printed immediately below the impartial analysis, in no less than 10-font bold type, will be: **"The above statement is an impartial analysis of Ordinance or Measure \_\_\_\_\_. If you desire a copy of the ordinance or measure, please contact the Office of the City Clerk at (310) 318-0204 or at cityclerk@hermosabeach.gov and a copy will be mailed at no cost to you."**

The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments (**6:00 p.m., Tuesday, August 9, 2022**).

**SECTION 4.** Rebuttal Arguments. That pursuant to Sections 9285 of the Elections Code of the State of California, when the City Clerk has selected the arguments for and against the measure which will be printed and distributed to the voters, the City Clerk shall immediately send a copy of the argument in favor of the measure to the author(s) of the argument against the measure, and a copy of the argument against the measure to the author(s) of the argument in favor of the measure.

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. Each rebuttal argument shall be accompanied by a "Form of Statement To Be Filed By Author(s) of Argument."

The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting them 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 deadline for filing rebuttal arguments will be **6:00 p.m., Tuesday, August 23, 2022**, in order to meet the deadline of August 29, 2022 set forth by the County of Los Angeles for inclusion in the Official Sample Ballot.

Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument that it seeks to rebut.

**SECTION 5.** That all previous resolutions providing for the filing of rebuttal arguments for City measures are repealed.

**SECTION 6.** That the provisions of Section 1 shall apply only to the election to be held on November 8, 2022, and shall then be repealed.

**SECTION 7.** That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter it into the book of original Resolutions, and shall make a minute of the passage and adoption thereof in the minutes of the meeting at which the Resolution is adopted.

**PASSED, APPROVED and ADOPTED** on this 26th day of July, 2022.

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Mayor Michael Detoy

**PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, CA

ATTEST:

APPROVED AS TO FORM:

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Myra Maravilla  
City Clerk

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Michael Jenkins  
City Attorney