

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION ESTABLISHING THE SCHEDULE AND POLICY PROVIDING FOR  
THE FILING OF BALLOT ARGUMENTS FOR THE TRANSIENT OCCUPANCY  
TAX BALLOT MEASURE AT THE NOVEMBER 3, 2020 ELECTION

WHEREAS, the City Council of Hayward will likely submit a ballot measure to the voters at the November 3, 2020 Municipal Election; and

WHEREAS, it is necessary to establish a schedule and policy for the filling of ballot measures.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward as follows:

SECTION 1. The Primary Argument filing period closes at noon, 12:00 p.m. on Tuesday, August 11, 2020. The Rebuttal Argument filing period closes at noon, 12:00 p.m. on Friday, August 21, 2020.

SECTION 2. The ten-day public review period for primary arguments closes at noon, 12:00 p.m. on August 21, 2020, and the ten-day public review period for rebuttal arguments closes at noon, 12:00 p.m. on August 31, 2020.

SECTION 3. In accordance with Elections Code 9282 and 9285, primary arguments for or against ballot measures shall not exceed 300 words in length. Rebuttal arguments for or against ballot measures shall not exceed 250 words in length. Word count will be determined using the standards set forth in Elections Code Section 9.

SECTION 4. According to Elections Code 9287, if more than one argument is submitted, the City Clerk shall select the argument and shall give preference, in the order named, to arguments of the following:

- a) The legislative body, or member or members of the legislative body authorized by that body.
- b) The individual voter or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure,
- c) Bona fide associations of citizens.
- d) Individual voters who are eligible to vote on the measure.

SECTION 5. Each ballot argument must be accompanied by the printed name(s) and signature(s) of the person or persons 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 who is the author of the argument. The Certification of the Author(s) and Proponent(s), in Exhibit A, must be submitted at the time the respective Primary Argument or Rebuttal Argument is filed. The names and titles of proponents will be printed exactly as they appear in Exhibit A. Arguments received prior to the deadline are confidential until the deadline.

SECTION 6. No more than five signatures shall appear with any argument. In case any argument is signed by more than five individuals, the signature of the first five shall be printed. Authors must list the signors names on the argument in the order they are to be printed.

SECTION 7. Consent forms are required for persons and/or organizations listed as supporters in the text of the argument.

SECTION 8. The City Clerk, upon receipt of arguments and after the filing deadline, will transmit copies of arguments to authors of opposing arguments who may then submit rebuttals within the established period.

SECTION 9. In accordance with Elections Code 9285, only the author whose primary argument has been selected by the City Clerk may file a rebuttal argument or may authorize in writing another person or persons to prepare, submit, or sign the rebuttal argument.

SECTION 10. Rebuttal arguments shall be printed in the same manner as direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

IN COUNCIL, HAYWARD, CALIFORNIA July 14, 2020.

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
          City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward