

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-\_\_\_\_

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

RESOLUTION ESTABLISHING THE POLICY FOR FILING BALLOT ARGUMENTS FOR THE BUSINESS LICENSE TAX MEASURE ON THE NOVEMBER 3, 2026 GENERAL ELECTION BALLOT; AND FINDING THAT THE ACTION IS EXEMPT FROM ENVIRONMENTAL REVIEW

WHEREAS, the City Council will submit a ballot measure to impose a business license tax to the voters during the General Municipal Election to be held in the City of Hayward, California, on November 3, 2026,

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

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

SECTION 1. That the City Council authorizes the following member(s) of its body to file a written argument regarding the City measure as specified above.

- \_\_\_\_\_ Council Member
- \_\_\_\_\_ Council Member
- \_\_\_\_\_ Council Member

SECTION 2. The Primary Argument filing period closes at noon, 12:00 p.m. on Monday, August 10, 2026. The Rebuttal Argument filing period closes at noon, 12:00 p.m. on Friday, August 14, 2026.

SECTION 3. The ten-day public review period for primary arguments closes at noon, 12:00 p.m. on August 20, 2026, and the ten-day public review period for rebuttal arguments closes at noon, 12:00 p.m. on August 24, 2026.

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 for or more than one argument against the city measure is submitted, the City Clerk shall select one of the arguments in favor and one of the arguments against the measure for printing and distribution to the voters. In selecting the argument, the City Clerk shall give preference and priority, in the order named, to the 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.

In order to enable the City Clerk to determine whether it qualifies as a bona fide association of citizens, an organization or association submitting an argument shall submit with its argument one of the following:

- a) Its articles of incorporation, articles of association, partnership documents, bylaws, or similar documents.
- b) Letterhead containing the name of the organization and its principal officers.
- c) If the organization or association is a primarily formed committee established to support or oppose the measure, its statement of organization filed pursuant to Section 84101 of the Government Code.

SECTION 5. Each ballot argument must be accompanied by the printed name(s) and signature(s) of the author or 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 who is the author of the argument. The Certification of the Author(s) and Proponent(s) must be submitted at the time the respective Primary Argument or Rebuttal Argument is filed. Arguments received prior to the deadline are confidential until the deadline. A form for submitting the information described in this section may be obtained by contacting the City Clerk or on the City of Hayward's website, [www.hayward-ca.gov](http://www.hayward-ca.gov).

SECTION 6. No more than five signatures shall appear with any argument. In case any argument is signed by more than five authors, 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 individuals 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 primary argument which it seeks to rebut.

SECTION 11. CEQA. This action is exempt from CEQA review pursuant to CEQA Guidelines section 15378(b)(5) as an organizational or administrative activity that will not result in a direct or indirect physical change to the environment. Furthermore, the action is subject to the "common sense" exemption contained in section 15061(b)(3) of the CEQA Guidelines in that it can be seen with certainty that there is no possibility that adoption of this resolution may have a significant effect on the environment.

IN COUNCIL, HAYWARD, CALIFORNIA, \_\_\_\_\_, 2026.

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