

## RESOLUTION NO. 2024-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AUTHORIZING WRITTEN ARGUMENTS FOR THE BALLOT MEASURE SUBMITTED FOR THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION REGARDING A PROPOSED CHARTER AMENDMENT TO AMEND CHARTER SECTIONS 401.5, 611, 702, 703, 1002 AND 1003 TO DELETE REFERENCES TO OBSOLETE JOB TITLES AND OBSOLETE BONDING REQUIREMENTS, SPECIFY THAT ALL DEPARTMENT HEADS ARE AT-WILL EMPLOYEES, ADDRESS DEFINITIONS OF FUNDS AND LEVIES FOR COMPLIANCE WITH STATE LAW, AUTHORIZE LIMITED PURCHASING AUTHORITY FOR THE CITY CLERK AND CITY ATTORNEY AND REQUIRE THE CITY COUNCIL TO ADOPT AN ORDINANCE TO ENFORCE THE ETHICS CODE

WHEREAS, a General Municipal Election of the City of Santa Ana will be held on November 5, 2024, at which there will be submitted to the qualified electors of the City a ballot measure related to whether to amend Santa Ana City Charter Sections 401.5, 611, 702, 703, 1002, and 1003 to delete references to obsolete job titles and obsolete bonding requirements, specify that all department heads are at-will employees, address definitions of funds and levies for compliance with state law, authorize limited purchasing authority for the City Clerk and City Attorney and require the City Council to adopt an ordinance to enforce the Ethics Code (“the Measure”);

WHEREAS, Elections Code Section 9280 provides that the legislative body may direct the city elections official to transmit a copy of the Measure to the city attorney, unless the organization or salaries of the office of the city attorney are affected. The city attorney shall prepare an impartial analysis of the Measure showing the effect of the measure on the existing law and the operation of the Measure. The 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 governing body of the city. If the Measure affects the organization or salaries of the office of the city attorney, the governing board may direct the city elections official to prepare the impartial analysis. The analysis shall be printed preceding the arguments for and against the Measure. The analysis shall not exceed 500 words in length;

WHEREAS, pursuant to the requirements at Section 9282 of the Elections Code of the State of California, the legislative body may authorize any member(s) of the City Council to write arguments for or against any measure; and

WHEREAS, pursuant to Elections Code Section 9285, The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument or may authorize in writing another person or persons to prepare, submit, or

sign the rebuttal argument. Any rebuttal statement shall be filed ten (10) days after the primary argument.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1: The City Council of the City of Santa Ana hereby finds, declares, and determines that, to the extent the City Council determines that, members of the City Council would like to author an argument in favor or against the Measure, the following member(s) of its body are authorized to file written arguments in favor of or against the Measure:

<u>Member Name</u>	<u>In Favor:</u>	<u>Against:</u>
1.		
2.		
3.		

Section 2: The City Council, as the legislative body of the City of Santa Ana, hereby authorizes the City Clerk to give preference and priority to any member or members of the City Council (up to five members), then to voters as set forth in California Elections Code section 9287, to file a written argument in favor of or against the Measure set forth above, and to change said argument until and including Friday, July 26, 2024 after which no arguments for or against said City Measure may be submitted. Arguments in favor or against the measure shall not exceed 300 words.

Section 3: The City Council of the City of Santa Ana also finds that pursuant to Elections Code Section 9285, a rebuttal statement may be filed not to exceed 250 words until and including Monday, August 5, 2024.

Section 4. The argument(s) shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) 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 arguments shall be accompanied by the Form of Statement to be filed by the authors of the argument as provided for in Elections Code Section 9600.

Section 5. The City Clerk is directed to transmit a copy of the Measure to the City Attorney and in accordance with Elections Code Section 9280, the City Attorney is hereby directed to prepare an impartial analysis and file said impartial analysis with the City Clerk by the date set for the filing of primary arguments.

Section 6. The City Council for the City of Santa Ana finds that if more than one argument for or against the measure is submitted to the City Clerk within the time prescribed, the City Clerk shall given preference and priority, in the order set forth in Elections Code Section 9287, to the arguments in favor/against submitted by 1) the legislative body, or member(s) of the legislative body authorized by that body, 2) individual voter or *bona fide* association of citizens or combination of voters and associations, who

are the *bona fide* sponsors of proponents of the measure, 3) *bona fide* associations of citizens, 4) individual voters who are eligible to vote on the measure.

Section 7: This Resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall attest to and certify the vote adopting this Resolution.

ADOPTED this \_\_\_\_ day of July, 2024.

\_\_\_\_\_  
Valerie Amezcua  
Mayor

APPROVED AS TO FORM:  
Sonia R. Carvalho  
City Attorney

By: Laura A. Rossini  
Laura A. Rossini  
Chief Assistant City Attorney

AYES:	Councilmembers:	_____
NOES:	Councilmembers:	_____
ABSTAIN:	Councilmembers:	_____
NOT PRESENT:	Councilmembers:	_____

#### CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Jennifer L. Hall, City Clerk, do hereby attest to and certify that the attached Resolution No. 2024-XXX to be the original resolution adopted by the City Council of the City of Santa Ana on \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
Jennifer L. Hall  
City Clerk  
City of Santa Ana