

RESOLUTION NO. 08-34

A RESOLUTION OF THE RIDGECREST CITY COUNCIL PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS.

WHEREAS, § 9285 of the Elections Code of the State of California authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments for city measures submitted at municipal elections;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIDGECREST, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to Section 9285 of the Elections Code of the State of California, when the elections official has selected the arguments for and against the measure which will be printed and distributed to the voters, the elections official shall send a copy of an argument in favor of the proposition to the authors of any argument against the measure and a copy of an argument against the measure to the authors of any argument in favor of the measure immediately upon receiving the arguments.

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.

The rebuttal arguments 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, not more than 10 days after the final date for filing direct arguments. The rebuttal arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument.

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

SECTION 2. That all previous resolutions providing for the filing of rebuttal arguments for city measures are repealed.

SECTION 3. That the provisions of Section 1 shall apply only to the election to be held on November 4, 2008, and shall then be repealed.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

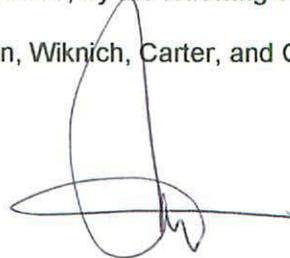
APPROVED AND ADOPTED this 7th day of May, 2008, by the following vote:

AYES: Mayor Holloway, Council Members Morgan, Wiknich, Carter, and Clark

NOES: None

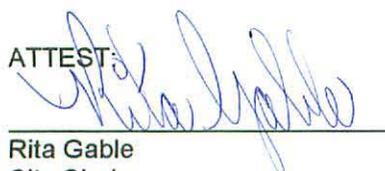
ABSTAIN: None

ABSENT: None



Marshall "Chip" Holloway, Mayor

ATTEST:



Rita Gable
City Clerk

**NOTICE TO VOTERS OF DATE AFTER WHICH NO ARGUMENTS
FOR OR AGAINST (A) CITY MEASURE(S)
MAY BE SUBMITTED TO THE CITY CLERK**

NOTICE IS GIVEN that the General Municipal Election is to be held in the City Ridgecrest on November 4, 2008, at which there will be submitted to the voters the following measure(s):

Shall an ordinance be approved that adopts a special transactions and use tax to pay for specific street improvements at the rate of three quarters of a percent (3/4%) of the retail sales price to be administered by the California State Board of Equalization, to terminate 10 years following activation, and to include an Ad Hoc Citizens Advisory Committee??	YES
	NO

NOTICE IS FURTHER GIVEN that pursuant to Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, the legislative body of the City, or any member or members thereof authorized by the body, or any individual voter or bona fide association of citizens, or any combination of voters and associations, may file a written argument, not to exceed 300 words in length, accompanied by 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, for or against the City measure(s).

NOTICE IS FURTHER GIVEN that, based upon the time reasonably necessary to prepare and print the arguments and sample ballots for the election, the City Clerk has fixed August 4, 2008 during normal office hours, as posted, as the date after which no arguments for or against the City measure(s) may be submitted to the clerk for printing and distribution to the voters as provided in the Article 4. Arguments shall be submitted to the City Clerk, accompanied by 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, at the City Hall, Ridgecrest, California. Arguments may be changed or withdrawn until and including the date fixed by the City Clerk.

NOTICE IS FURTHER GIVEN that the city council had determined that rebuttal arguments, not to exceed 250 words in length, as submitted by the authors of the opposing direct arguments, may be filed with the clerk, accompanied by 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, not more than 10 days after the final date for filing direct arguments.

NOTICE IS FURTHER GIVEN that any ordinance, impartial analysis, or direct argument filed under the authority of the elections code will be available for public examination in the clerk's office for not less than 10-calendar days from the deadline for the filing of the arguments and analysis(es). Any rebuttal argument filed under the authority of the elections code will be available for public examination in the clerk's office for not less than 10-calendar days from the deadline for filing rebuttal arguments.

City Clerk

Dated:

POST NOTICE ON CITY HALL BULLETIN BOARD

**FORM OF STATEMENT TO BE FILED BY
AUTHORS OF ARGUMENTS**

All arguments concerning measures filed pursuant to Division 9, Chapter 3 (beginning with § 9200) of the Elections Code shall be accompanied by the following form statement to be signed by each proponent, and by each author, if different, of the argument:

The undersigned proponent (s) or author(s) of the (primary/rebuttal) argument (in favor of/against) ballot Measure _____ at the General Municipal Election to be held on November 4, 2008, hereby state that the argument is true and correct to the best of (his/her/their) knowledge and belief.

Sign Name	Print Name	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**All Authors must print his/her name and sign this form (EC 9600)
AND
Print his/her name and sign the Argument itself (EC 9283)
AND
Print his/her name and sign the Rebuttal Argument itself (EC 9285)**

Further, pursuant to Election Code § 9282, printed arguments submitted to the voters shall be titled either "Argument In Favor Of Measure ___" or "Argument Against Measure ___".

Likewise, printed rebuttal arguments submitted pursuant to Election Code § 9285 shall be titled either "Rebuttal To Argument In Favor Of Measure ___" or "Rebuttal to Argument Against Measure ___".

Give this form to Council Members, Proponents, and Opponents of Measures

Resolution No. 08-

§ 9600, E.C.