

**RESOLUTION NO. 6095**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR AN INITIATIVE MEASURE TO CHANGE AND/OR READOPT THE CITY OF CARPINTERIA'S GENERAL PLAN DESIGNATION AND ZONING DESIGNATION FOR TWO PARCELS OF CITY-OWNED PROPERTY (APN 004-105-011 AND APN 004-105-026) LOCATED ADJACENT TO THE RAILROAD TRACKS TO THE WEST OF LINDEN AVENUE AND TO AMEND THE DEFINITION OF THE OPEN SPACE/ RECREATION (OSR) LAND USE CATEGORY OF THE GENERAL PLAN LAND USE ELEMENT**

**WHEREAS**, Elections Code Section 9282 provides for written arguments to be filed in favor of or against measures placed on the ballot by petition, which shall not exceed 300 words in length; and

**WHEREAS**, Elections Code Section 9285 authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments.

**NOW, THEREFORE, THE CITY COUNCIL DOES BE IT RESOLVED, 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 shall 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 8, 2022, and then shall be repealed.

**SECTION 4.** The City Council recognizes that at the time this Resolution is adopted that the City is still in a state of local emergency relating to the COVID-19 pandemic and that as such, it may be necessary to adjust the procedures, rules and policies for filing of rebuttal arguments in order to ensure social distancing and safe practices to prevent the spread of the virus. The City Council therefore authorizes the City Clerk to modify the form, method, and manner of submittal of rebuttal arguments should the same be necessary to prevent the spread of COVID-19. Such modification may include the acceptance of electronic submittals. This authorization to the City Clerk shall not include the authority to adjust, amend, or modify the date or time by which such rebuttals are due or the length of such rebuttals.

**PASSED, APPROVED AND ADOPTED** on the 10<sup>th</sup> day of January, 2022, by the following vote:

AYES: COUNCILMEMBER: Alañcon, Carty, Lee, Clark, Nomura

NOES: COUNCILMEMBER: None

ABSENT: COUNCILMEMBER: None

ABSTAIN: COUNCILMEMBER: None

  
\_\_\_\_\_  
Mayor, City of Carpinteria


ATTEST:

  
Acting City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held on January 10, 2022.

  
Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

  
Jena Shoaf Acos, on behalf of Brownstein  
Hyatt Farber Schreck, LLP Acting as  
City Attorney of the City of Carpinteria

