

Guide for Preparing Direct Arguments and Rebuttals

For City of Anaheim Ballot Measures



**General Municipal Election
November 6, 2018**

Office of the City Clerk
200 S. Anaheim Blvd, 2nd Floor
Anaheim, CA 92805
(714) 765-5166
www.anaheim.net/elections

All references contained in this Guide are to the California Elections Code, unless otherwise stated.

The purpose of this Guide is to provide general assistance to any eligible person or group who wishes to submit a ballot argument or rebuttal to a ballot argument for a city measure. This Guide has been prepared to provide overview information relating to city measures; it is not intended nor does the guide have the full force and effect of law. The information provided within this pamphlet should be used as a guide and should not be substituted for legal counsel.

This Guide contains sample forms that should be used when submitting a ballot argument to guarantee the elements of the Elections Code are met.

Please contact the Office of the City Clerk for any questions relating to the preparation and submission of ballot arguments at (714) 765-5166.

Election-related resources and forms can be accessed at anaheim.net/elections; the website is updated prior to each municipal election.

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Division 9, Chapter 3, Article 4 of the California Elections Code allows for and sets forth requirements concerning City measures during any special or general municipal election.

Direct Arguments (in Favor or Against any City Measure):

No argument shall exceed 300 words in length. The use of the *standard word count* outlined in Elections Code Section 9 shall be followed and is included at the end of this guide for your reference as Attachment A.

FORMAT OF ARGUMENTS

- The format of arguments shall be substantially in the form of the ***Direct Argument Form*** attached hereto as Attachment B. This form is available online, in Word, for easy access and use (anaheim.net/elections).
- The following statement shall be printed as the heading of the Direct Argument (EC §9282):

**“Arguments in support or opposition of the proposed laws
are the opinions of the authors”**

“Argument in Favor of Measure _____”

or

“Argument Against Measure _____”

- The *Statement of Authors* form provided by the City Clerk shall be filed, at the same time, with the direct argument (Attachment C) (available online, in Word for easy access and use; anaheim.net/elections). The argument will not be accepted without submission of this form.
 - Why is this form required? It is required by EC §9600 and will be further used to verify eligibility and to send confirmation letters and Rebuttal Argument information to the chosen argument per Elections Code §§9282 and 9285.
- No argument shall exceed five authors. If more than five (5) authors are submitted, only the first five (5) shall be printed. Individual signers must be eligible to vote on the city measure.

Acceptable uses within arguments: bullets, stars, asterisks, or numbers that function as bullet points to off-set paragraphs; italics, tables, indentation, boldface type, words with all capital letters, and underlines.

Rebuttal Arguments:

No argument shall exceed 250 words in length. The use of the *standard word count* outlined in Elections Code, Section 9 shall be followed and is included at the end of this guide for your reference as Attachment A.

FORMAT OF REBUTTAL ARGUMENTS

- The format of Rebuttal Arguments shall follow the same format of Direct Arguments, with the exception of the heading (see Attachment D)
- The following statement shall be printed as the heading of the Rebuttal Argument (EC §9285):

**“Arguments in support or opposition of the proposed laws
are the opinions of the authors”**

“Rebuttal to Argument in Favor of Measure _____”

or

“Rebuttal to Argument Against Measure _____”

- The *Statement of Authors* form provided by the City Clerk shall be filed, at the same time, with the rebuttal argument (Attachment C, and also available online, in Word for easy access and use; anaheim.net/elections). The rebuttal will not be accepted without submission of this form.
 - Why is this form required? It is required by EC §9600 and will be further used to verify eligibility and to send confirmation letters.
- No argument shall exceed five authors. If more than five (5) authors are submitted, only the first five (5) shall be printed. Individual signers must be eligible to vote on the city measure.
 - Rebuttal arguments must be signed by the author or a majority of the same authors who signed the Direct Arguments, unless they authorize in writing any other person(s) to sign the Rebuttal Argument. If a rebuttal author wishes to relinquish his/her author status, the *Release of Rebuttal Author Status* form shall be submitted with the Rebuttal Form (Attachment E, and also available online, in Word for easy access and use; anaheim.net/elections).
 - There can be fewer signers of the Rebuttal Argument than the signers of the Direct Argument.

Acceptable uses within rebuttal arguments: bullets, stars, asterisks, or numbers that function as bullet points to off-set paragraphs; italics, tables, indentation, boldface type, words with all capital letters, and underlines.

What is the Deadline for Filing Arguments?:

The California Elections Code provides that the City Clerk shall establish deadlines for filing of arguments based on the time reasonably necessary to allow for the 10-day required public examination period, and to prepare, print, and mail Sample Ballot Pamphlets.

Direct Argument and Rebuttal submissions are due to the Office of the City Clerk no later than 5:00 p.m. on the due date. The Office of the City Clerk is located at 200 S. Anaheim Boulevard, 2nd Floor, Anaheim, CA 92805.

Due dates for the following measures are as follows (November 6, 2018 election):

Initial Arguments: Friday, August 10, 2018

Rebuttals: Monday, August 20, 2018

- 1) **INITIATIVE ORDINANCE TO INCREASE MINIMUM WAGE PAYABLE BY CERTAIN HOSPITALITY INDUSTRY EMPLOYERS** -- Shall the initiative ordinance to increase the minimum wage payable by hospitality industry employers located in the Anaheim or Disneyland Resort Specific Plan Zones that have tax rebate agreements with the City, and to require that service charges imposed by such employers be paid entirely to employees, be adopted?
- 2) **REFERENDUM MEASURE APPROVING DEVELOPMENT AGREEMENT NO. 2016-00001** – Shall Anaheim City Council Ordinance No. 6376, which would approve a Development Agreement and provide a vested right to develop a Four Diamond 580-room, eight-story hotel on property located at 1700 S. Harbor Blvd. during the five-year term of that Development Agreement in accordance with governmental approvals and entitlements granted by the City, be adopted?
- 3) **REFERENDUM MEASURE APPROVING DEVELOPMENT AGREEMENT NO. 2016-00002** – Shall Anaheim City Council Ordinance No. 6377, which would approve a Development Agreement and provide a vested right to develop a Four Diamond 634-room, eight-story hotel on property located at 1030 W. Katella Ave. during the five-year term of that Development Agreement in accordance with governmental approvals and entitlements granted by the City, be adopted?

Public Access:

Direct and Rebuttal arguments are public records and are available for inspection and duplication immediately following the filing deadline for submission. During the public review period and thereafter, arguments and any other election related information will be made available on the City Clerk's election webpage at anaheim.net/elections.

ATTACHMENT A
STANDARD WORD COUNT
(California Elections Code Section 9)

(a) Counting of words, for purposes of this code, shall be as follows:

(1) Punctuation is not counted.

(2) Each word shall be counted as one word except as specified in this section.

(3) All proper nouns, including geographical names, shall be considered as one word; for example, "City and County of San Francisco" shall be counted as one word.

(4) Each abbreviation for a word, phrase, or expression shall be counted as one word.

(5) Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

(6) Dates shall be counted as one word.

(7) Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as "one," shall be considered as a separate word or words. "One" shall be counted as one word whereas "one hundred" shall be counted as two words. "100" shall be counted as one word.

(8) Telephone numbers shall be counted as one word.

(9) Internet Web site addresses shall be counted as one word.

(b) This section shall not apply to counting words for ballot designations under Section 13107.

(Amended by Stats. 2014, Ch. 697, Sec. 3. Effective January 1, 2015.)

ATTACHMENT B

DIRECT ARGUMENT FORM

Arguments in support or opposition of the proposed laws are the opinions of the authors.

Use one of the following titles:

Argument In Favor of Measure _____ (if no letter assigned, use name of measure)

OR

Argument Against Measure _____ (if no letter assigned, use name of measure)

(ENTER THE BODY OF THE DIRECT ARGUMENT HERE.)

The argument **shall not exceed 300 words**. Refer to the Standard Word Count. Argument shall not exceed five authors; all authors shall sign the argument, in addition to the “Statement of Authors.”

(signature) _____ Type name & Title, which will appear on ballot	(signature) _____ Type name & Title, which will appear on ballot
(signature) _____ Type name & Title, which will appear on ballot	(signature) _____ Type name & Title, which will appear on ballot
(signature) _____ Type name & Title, which will appear on ballot	

ATTACHMENT C

**STATEMENT OF AUTHORS
(to be filed by authors of arguments)**

All arguments concerning measures filed pursuant to Division 9 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)** (circle one) argument **(in favor of/against)** (circle one) ballot Measure _____ at the **General Municipal Election** for the **City of Anaheim** to be held on **November 6, 2018**, hereby state that such argument/rebuttal is true and correct to the best of **(his/her/their)** (circle one) knowledge and belief.

- 1. Print Name: _____ Date: _____
Signature: _____ Telephone (optional): _____
Address: _____ Email (optional): _____
- 2. Print Name: _____ Date: _____
Signature: _____ Telephone (optional): _____
Address: _____ Email (optional): _____
- 3. Print Name: _____ Date: _____
Signature: _____ Telephone (optional): _____
Address: _____ Email (optional): _____
- 4. Print Name: _____ Date: _____
Signature: _____ Telephone (optional): _____
Address: _____ Email (optional): _____
- 5. Print Name: _____ Date: _____
Signature: _____ Telephone (optional): _____
Address: _____ Email (optional): _____

Contact person regarding this argument:

Name

Telephone

Address

ARGUMENT/REBUTTAL filed by (check any of the following that apply):

- Governing Body Bona Fide Sponsors or Proponents of the Measure
- Bona Fide Association of Citizens: Association: _____
- Individual Eligible Voter

ATTACHMENT D

REBUTTAL ARGUMENT FORM

Arguments in support or opposition of the proposed laws are the opinions of the authors.

Use one of the following titles:

Rebuttal to Argument In Favor of Measure _____

OR

Rebuttal to Argument Against Measure _____

(ENTER THE BODY OF THE REBUTTAL ARGUMENT HERE)

The Rebuttal **shall not exceed 250 words**. Refer to the Standard Word Count. There may be less signers of the Rebuttal than the signers of the Direct argument; however, signers must be the same authors unless an authorization relinquishing author status is filed together with the Rebuttal Argument. All authors shall sign the Rebuttal Argument, in addition to the “Statement of Authors.”

(signature)_____ Type name & Title, which will appear on ballot	(signature)_____ Type name & Title, which will appear on ballot
(signature)_____ Type name & Title, which will appear on ballot	(signature)_____ Type name & Title, which will appear on ballot
(signature)_____ Type name & Title, which will appear on ballot	

ATTACHMENT E

RELEASE FOR REBUTTAL ARGUMENT

If anyone other than the original author(s) of the initial argument will be signing the rebuttal argument, the completed release shall be submitted at the time the rebuttal is filed with the Office of the City Clerk.

The undersigned author(s), of the initial direct argument (**in favor / against**) (circle one) Measure ____ at the General Municipal Election for the City of Anaheim to be held on **November 6, 2018**, do hereby authorize the below individual(s) to sign the rebuttal arguments on (**my / our**) (circle one) behalf:

Authorized signature(s) of initial Direct Argument:

1. Print Name: _____ Signature: _____ Date: _____
2. Print Name: _____ Signature: _____ Date: _____
3. Print Name: _____ Signature: _____ Date: _____
4. Print Name: _____ Signature: _____ Date: _____
5. Print Name: _____ Signature: _____ Date: _____

Individual(s) authorized to sign the rebuttal argument on our behalf:

1. Print Name: _____
2. Print Name: _____
3. Print Name: _____
4. Print Name: _____
5. Print Name: _____