

**2016**

**CITY OF EL CERRITO**

**GUIDE TO FILING  
MEASURE ARGUMENTS**

CITY CLERK, 10890 San Pablo Avenue, CA 94530 | (510) 215-4305

[cmorse@ci.el-cerrito.ca.us](mailto:cmorse@ci.el-cerrito.ca.us)

## **DISCLAIMER**

This informational guide was developed in an effort to provide answers to questions frequently asked concerning the filing of arguments and rebuttals for local measures. This document contains general information only and does not have the force and effect of law, regulations or rule. In case of conflict, the law, regulation or rule will apply. Persons using this guide accept responsibility for all legal standards and duties. For information on filing an argument on an El Cerrito ballot measure, please contact the City Clerk at 215-4305.

## Table of Contents

VOTER INFORMATION GUIDE/FORMAT .....	1
ORDER OF APPEARANCE .....	2
Order of Measures in the Voter Information Guide .....	2
LETTER ASSIGNMENTS .....	3
Timeline for Assigning Measure Letters .....	3
Multiple Jurisdictions (County, City, School and Special Districts) on Ballot.....	3
Assignment of Letters .....	3
When a Jurisdiction Covers Two or More Counties.....	3
If a Measure is Withdrawn.....	3
WHO CAN SUBMIT AN ARGUMENT .....	4
If More Than One Argument In Favor or Against Is Filed .....	4
ARGUMENT SUBMISSION DEADLINES AND INFORMATION .....	5
ARGUMENT & REBUTTAL GUIDELINES .....	6
SUBMITTING ARGUMENTS .....	6
ATTACHMENT A - 2016 MEASURE KEY DATES.....	A-1
November 8, 2016 General Election.....	A-1
ATTACHMENT B - WORD COUNT GUIDELINES .....	B-1
ATTACHMENT C - PRIMARY ARGUMENT SAMPLES .....	C-1
ATTACHMENT D – SIGNATURE FORMS.....	D-1

## PURPOSE OF THIS GUIDE

Local Measures are published in the Voter Information Guide with an Impartial Analysis. Arguments In Favor and Against those Measures, and rebuttals, are also published.

This booklet is intended to be a guide to political entities, interested organizations and individuals on how to participate in this process.

## VOTER INFORMATION GUIDE/FORMAT

The following components comprise the information provided to voters in the Sample Ballot Pamphlet.

### **Measure Wording**

The Measure Wording is a 75-word ballot question that appears on the official ballot and in the Sample Ballot Pamphlet. *EC 9051*

### **Impartial Analysis**

The City Attorney prepares an Impartial Analysis of the City measure showing the effect the measure will have on 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. *EC 9280*

The Impartial Analysis may be up to 500 words.

### **Tax Rate Statement (applicable this election)**

A Tax Rate Statement is supplied for each bond measure which constitutes a lien on a property within the jurisdiction.

The Tax Rate Statement follows the Impartial Analysis in the Voter Information Guide. There is no word limit for Tax Rate Statements.

### **Arguments In Favor or Against a Measure**

Arguments In Favor or Against a Measure are filed with the City Clerk, 10890 San Pablo Avenue, El Cerrito, 94530 **no later than 4:00 p.m. on August 24, 2016.**

The arguments may be up to 300 words.

## **Rebuttal Argument**

A Rebuttal Argument is a statement which refutes an Argument In Favor or Against a Measure. The Rebuttal Arguments must be filed with the City Clerk, 10890 San Pablo Avenue, El Cerrito, 94530, no later than **4:00 p.m., August 29, 2016.**

Rebuttal Arguments may be up to 250 words.

## **Full Text (optional)**

The full text of the measure being voted upon, including the ordinance approved by the City Council, will be published in the official voter information guide along with the tax rate statement to provide voters more information than the 75- word measure which appears on the Official Ballot.

The full text follows the arguments in the Voter Information Guide.

There is no word limit for the full text.

## **ORDER OF APPEARANCE**

Arguments, Rebuttal Arguments and analyses are printed in the Voter Information Guide which is mailed to all registered voters in the City of El Cerrito who are eligible to vote for the particular measure.

The information will appear in the following order:

1. Measure Wording
2. Impartial Analysis
3. Tax Rate Statement
4. Argument In Favor
5. Argument Against
6. Rebuttal to Argument In Favor
7. Rebuttal to Argument Against
8. Full Text

## **Order of Measures in the Voter Information Guide**

The order of precedence of state propositions and local measures on the ballot is:

1. State Initiatives, Amendments and Referenda
2. School Measures
3. County Initiatives and Referenda
4. City Initiatives and Referenda
5. Local District Measures

## LETTER ASSIGNMENTS

Letters are assigned to local measures to identify them and to prevent voter confusion.

### **Timeline for Assigning Measure Letters**

The Registrar of Voters assigns measure letters the Thursday (E-82) following the deadline to submit a measure (E-88).

### **Multiple Jurisdictions (County, City, School and Special Districts) on Ballot**

When there are multiple jurisdictions on the ballot, the jurisdictions are first arranged in alphabetical order within each type of jurisdiction before the letters are assigned.

### **Assignment of Letters**

- All letters will be assigned in alphabetical order, beginning with the letter “A” and continuing through the alphabet to the letter “Z”. It is the policy of Contra Costa County not to designate the letters “I” and “F”.
- When the year is complete all leftover letters will remain unused. Each year begins with the letter “A”.
- If during the year all letters have been used, lettering will continue with “AA”, “BB”, etc.

### **When a Jurisdiction Covers Two or More Counties**

When a jurisdiction covers two or more counties, the Registrar of Voters in each county can mutually agree to use the same letter for the measure.

### **If a Measure is Withdrawn**

A legislative body may amend or withdraw its measure by filing a resolution stating the specifics concerning the amendment or withdrawal not later than 83 days before an election. An initiative or referendum measure may be withdrawn by filing a “Notice of Withdrawal” signed by all proponents. If a measure is withdrawn after the letters have been assigned, the letter which was assigned to that measure will not be used by other measures.

## WHO CAN SUBMIT AN ARGUMENT

The governing board (i.e. City Council), any individual voter who is eligible to vote on the measure, a bona fide association of citizens, or any combination of these voters and associations may file a written Argument In Favor or Against any measure placed on the ballot by the governing body or by initiative.

### **What is a Bona Fide Association of Citizens?**

The Contra Costa County Elections Office states that a Bona Fide Association of Citizens as a recognized group of citizens bound together by a common interest or cause such as:

1. A group or organization primarily formed as a ballot measure committee to support or oppose a measure.
2. An organization that meets on a regular basis.

The individuals signing an argument on behalf of a bona fide association do not have to be registered voters in the jurisdiction.

### **If More Than One Argument In Favor or Against Is Filed**

Only one Argument In Favor and one Argument Against any measure will be printed in the Voter Information Guide. If more than one Argument In Favor or more than one Argument Against any measure is filed, a single argument will be selected by the City Clerk.

In selecting a single argument, the City Clerk gives preference and priority to arguments submitted by:

1. Members of the governing board.
2. The bona fide sponsors or proponents of the measure.
3. Bona fide associations.
4. Individual voters who are eligible to vote on the measure.

Parties are encouraged to collaborate when multiple arguments are submitted.

### **Rebuttal Arguments**

Arguments In Favor and Against the Measure are sent immediately after the submission deadline to those arguing the opposite position for the purpose of preparing a rebuttal statement.

Rebuttal Arguments must be signed by the same authors of the arguments unless the original signers of the arguments authorize, in writing, others to sign the Rebuttal Arguments. A "Ballot Measure Rebuttal Signor Change Authorization" should be filed with the Rebuttal Arguments. The authorization may be accepted after the filing deadline.

Rebuttal Arguments have a 250 word limit.

## ARGUMENT SUBMISSION DEADLINES AND INFORMATION

**Place to File Arguments:** Cheryl Morse, City Clerk  
City Hall, Second Floor  
10890 San Pablo Avenue  
El Cerrito, CA 94530

**Deadlines:** Arguments, Rebuttals and associated paperwork and signature forms must be filed with the City Clerk no later than:

**Arguments Due by 4:00 p.m. on Wednesday, August 24, 2016**  
**Rebuttals Due by 4:00 p.m. on Monday, August 29, 2016**

**Submitting the Argument:** Signatures on Arguments and Rebuttal Arguments must appear on the same page as the Argument or Rebuttal Arguments. Arguments and Rebuttals must be filed in person with the City Clerk to ensure you are present during the word count and any issues or questions that might ensue. Additionally, emailing the Primary Argument must occur prior to the August 24, 2016, 4 pm deadline to be accepted as filed. The Rebuttal Argument must be emailed to the City Clerk prior to the 4:00 p.m. deadline on August 29, 2016. Email is [cmorse@ci.el-cerrito.ca.us](mailto:cmorse@ci.el-cerrito.ca.us).

**Confidentiality:** Arguments, Rebuttals and analyses shall remain confidential until the close of business on the date they are due.

**Withdrawal/Changes:** Arguments, Rebuttal Arguments and analyses may be changed or withdrawn until the final submission deadline.

**Public Review:** Following the final deadline for filing documents, arguments and rebuttals are available at the City Clerk's Office for a 10-day public review period.

There is no administrative challenge of arguments, rebuttals and analyses.

A Writ of Mandate or injunction challenging any or all of the materials may be sought from the Superior Court to require amendments or deletions. A Writ of Mandate or an injunction will be issued by the Superior Court upon clear and convincing proof that the material in question is false, misleading, or inconsistent.

## ARGUMENT & REBUTTAL GUIDELINES

- The page must be labeled with the type of argument being submitted in the heading title. (ex. Argument in Favor of Measure \_\_\_\_ ) This is not part of the word count.
- Arguments and Rebuttal Arguments, including the names and titles of the signers, must be typed.
- Documents must be printed as submitted. Spelling, punctuation and grammatical errors will not be corrected by the City Clerk.
- An Argument or Rebuttal Argument must be written to address a single measure on the ballot. A document combining statements pertaining to more than one measure will not be accepted.
- No more than five signatures will appear with any argument. If more than five are submitted, the first five will be printed.
- Signatures must appear on the same page as the argument. Multiple pages with signatures are acceptable.
- Arguments and Rebuttal Arguments, including the names and titles of the signers, must be typed.
- No profanity or other objectionable language may be used.
- The heading for all arguments is standardized. Subheadings and deviations from the standardized heading will not be accepted.

See Attachment C – Primary Argument Samples

## SUBMITTING ARGUMENTS

In addition to filing the required signature forms and a hardcopy of the argument, an editable text format of the argument must be also be emailed to the City Clerk at the following email address: [cmorse@ci.el-cerrito.ca.us](mailto:cmorse@ci.el-cerrito.ca.us).

The argument will be formatted for the Voter Information Guide to appear as closely as possible to the hardcopy submitted.

## ATTACHMENT A - 2016 MEASURE KEY DATES

### November 8, 2016 General Election

<b>Filing Deadline</b>	
August 2, 2016	City Council adopted the Ordinance placing the Library Project Bond Measure on the November 8, 2016 ballot.
August 18, 2016	Local Measure Letter assigned
August 19, 2016	Deadline for Impartial Analysis
August 24, 4:00 p.m.	Deadline for Primary Arguments
August 29, 4:00 p.m.	Deadline for Rebuttal Arguments
September 29	Estimated Voter Information Guide Mailing

## ATTACHMENT B - WORD COUNT GUIDELINES

The following are the guidelines for computing the word count for measures.

Abbreviations - UCLA, PTA	one word
Abbreviations - U.C.L.A. P.T.A.	four words three words
California Geographical names: Examples: County of Contra Costa, Contra Costa Community College District, Antioch Unified School District, East Bay Regional Park District, Bay Area Rapid Transit District.	one word
Contra Costa County Fire Protection District	one word
Bay Area	one word
Whole Numbers - Digits (1 - 10 - 100, etc.)	one word
Number combinations (1990, 1990-1991, 100%)	one word
Dates - all digits (11/5/96) Word and digits (June 2, 1998)	one word two words
Monetary amounts: If the dollar sign is used with figures - \$1,000 Spelled out numbers - One Hundred, Ten Thousand are counted as separate words.	one word one for each word
Regularly 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.	one word
Normal punctuation	not counted
Telephone Numbers	one word
Website Addresses (i.e. www.com.etc) / email	one word

# ATTACHMENT C - PRIMARY ARGUMENT SAMPLES

(Each Argument may have up to 5 Signers)

**PRIMARY ARGUMENT IN FAVOR  
OF MEASURE \_\_\_\_\_**

**ARGUMENT  
TEXT**

The undersigned Proponent(s) or Author(s) hereby state that such argument is true and correct to the best of their knowledge and belief.

Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____
Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____
Print Name _____	
Title _____	
Signature _____	

**PRIMARY ARGUMENT AGAINST  
MEASURE \_\_\_\_\_**

**ARGUMENT  
TEXT**

The undersigned Proponent(s) or Author(s) hereby state that such argument is true and correct to the best of their knowledge and belief.

Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____
Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____
Print Name _____	
Title _____	
Signature _____	

**ATTACHMENT D – SIGNATURE FORMS**

**CITY OF EL CERRITO  
CITY CLERK  
(510) 215-4305, [cmorse@ci.el-cerrito.ca.us](mailto:cmorse@ci.el-cerrito.ca.us)**

**NOVEMBER 8, 2016 GENERAL MUNICIPAL ELECTION**

**DECLARATION OF FILER OF ARGUMENTS OR REBUTTALS**

**All arguments and rebuttal arguments concerning measures filed pursuant to Division 9 of the Elections Code shall be accompanied by the following declaration signed by the filer.**

**I am the filer of the:**

\_\_\_\_\_ **Argument in Favor** \_\_\_\_\_ **Rebuttal to Argument in Favor**

\_\_\_\_\_ **Argument Against** \_\_\_\_\_ **Rebuttal to Argument Against**

**Ballot Measure** \_\_\_\_\_ *(insert letter or title)*

**I, \_\_\_\_\_ am the designated filer of the above titled argument. Please notify me of any questions pertaining to this filing. Below is my contact information:**

**Address:** \_\_\_\_\_,

**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**SIGNATURE FORM FOR  
STATEMENT TO BE FILED BY PROPONENTS OR AUTHORS OF  
◆PRIMARY ARGUMENTS◆**

**Election Code 9600:** "All arguments concerning measures filed pursuant to this division 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 or author of the ballot argument  in favor of or  against ballot measure \_\_\_\_\_<sup>1</sup> at the General Municipal Election for the City of El Cerrito to be held on November 8, 2016, hereby states that such argument is true and correct to the best of his/her knowledge and belief:*

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_  
(Name will be printed exactly as written on this line)

**Full Title:** \_\_\_\_\_  
(Title will be printed exactly as written on this line)

**Address:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**Email:** \_\_\_\_\_

- *All Proponents or Authors must print his/her name **and sign this form** (EC 9600) AND print his/her name **and sign the Argument itself** (EC 9285). Printed arguments submitted pursuant to Election Code §9285 shall be titled either "Argument in Favor of Measure \_\_\_\_\_ or "Argument Against Measure \_\_\_\_\_."*
- *For any signor on a city ballot measure, a consent form is required for the use of any organization name in the signor's title(s). The organization must consent to the use of its name for all signors. If using more than one organization name in the full title(s), a separate consent form is required for each organization.*

---

<sup>1</sup> Insert subject or measure letter.

**SIGNATURE FORM FOR  
STATEMENT TO BE FILED BY PROPONENTS OR AUTHORS OF  
◆REBUTTAL ARGUMENTS◆**

**Election Code 9600:** "All arguments concerning measures filed pursuant to this division 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 or author of the REBUTTAL  in favor of OR  against ballot measure \_\_\_\_\_<sup>2</sup> at the General Municipal Election for the City of El Cerrito to be held on November 8, 2016, hereby states that such argument is true and correct to the best of his/her knowledge and belief:*

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_  
(Name will be printed exactly as written on this line)

**Full Title:** \_\_\_\_\_  
(Title will be printed exactly as written on this line)

**Address:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

- *All Proponents or Authors must print his/her name **and sign this form** (EC 9600) AND print his/her name **and sign the Rebuttal itself** (EC 9285) 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 \_\_\_\_\_."*
- *For any signor on a city ballot measure, a consent form is required for the use of any organization name in the signor's title(s). The organization must consent to the use of its name for all signors. If using more than one organization name in the full title(s), a separate consent form is required for each organization. Offices held with public agencies (including city boards and commissions do not require a consent form from the jurisdiction.*

---

<sup>2</sup> Insert subject or measure letter.

**CONSENT FORM FOR USE OF ORGANIZATION NAME**

**◆PRIMARY ARGUMENT◆**

I hereby consent that my organization's name may be referred to as an endorser either within the text of the primary argument or in the title of the signatory listed below for city ballot measure \_\_\_\_\_<sup>3</sup> at the City of El Cerrito General Municipal Election to be held on November 8, 2016.

**To be completed by Organization Principal:** \_\_\_\_\_

Signature of Principal

\_\_\_\_\_  
Title

\_\_\_\_\_  
Organization Name

\_\_\_\_\_  
Date

**To be completed by Signatory:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
<sup>3</sup> Insert subject or measure letter.

**CONSENT FORM FOR USE OF ORGANIZATION NAME**

**◆REBUTTAL ARGUMENT◆**

I hereby consent that my organization's name may be referred to as an endorser either within the text of the rebuttal argument or in the title of the signatory listed below for city ballot measure \_\_\_\_\_<sup>4</sup> at the City of El Cerrito General Municipal Election to be held on November 8, 2016.

**To be completed by Organization Principal:** \_\_\_\_\_

Signature of Principal

\_\_\_\_\_  
Title

\_\_\_\_\_  
Organization Name

\_\_\_\_\_  
Date

**To be completed by Signatory:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
<sup>4</sup> Insert subject or measure letter.

**BALLOT MEASURE ARGUMENTS**

**AUTHORIZATION FOR ANOTHER PERSON TO SIGN REBUTTAL ARGUMENT**

The author or a majority of the author(s) of the Argument  In Favor of /  Against Measure \_\_\_\_\_ authorizes the following person(s) to prepare, submit or sign the Rebuttal to the Argument  In Favor of /  Against Measure \_\_\_\_\_ for the Municipal Election to be held on November 8, 2016.

Signature of the author or majority of author(s) of the Argument  In Favor of /  Against Measure \_\_\_\_\_.

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

The following authors are authorized to prepare, submit or sign the Rebuttal to the Argument  In Favor of /  Against Measure \_\_\_\_\_.

**(One or more people who signed the argument may be replaced with different people to sign the rebuttal)**

1. \_\_\_\_\_ to sign instead of \_\_\_\_\_.  
(Print name of rebuttal signer) (Print name of argument signer)

2. \_\_\_\_\_ to sign instead of \_\_\_\_\_.  
(Print name of rebuttal signer) (Print name of argument signer)

3. \_\_\_\_\_ to sign instead of \_\_\_\_\_.  
(Print name of rebuttal signer) (Print name of argument signer)

4. \_\_\_\_\_ to sign instead of \_\_\_\_\_.  
(Print name of rebuttal signer) (Print name of argument signer)

5. \_\_\_\_\_ to sign instead of \_\_\_\_\_.  
(Print name of rebuttal signer) (Print name of argument signer)