

REPORT TO THE CITY COUNCIL



DATE: July 3, 2018

TITLE: Resolution Calling and Noticing a General Municipal Election for November 6, 2018, regarding a proposed Measure to be submitted to the Voters on proposing the Change of Term of the Directly- Elected Mayor from Two Years to Four Years

Submitted by: At the request of the City Council

RECOMMENDATION

Take whatever action the City Council deems appropriate.

BACKGROUND:

Measure – Term of Mayor

Currently the seat of Mayor is directly elected by the people of Desert Hot Springs for a term of two years. The Measure would ask the voters the following question: ***Shall the Measure to have a directly-elected Mayor by the people of Desert Hot Springs be a four-year term, rather than the current two-year term, commencing in the year 2020 be adopted?***

Proposed Ordinance

The Measure would enact a new ordinance to change the term of a directly-elected Mayor from two years, to four years.

Resolution Regarding Proposed Ballot Measure

The Resolution calls and orders to be held in the City of Desert Hot Springs, a general municipal election of the qualified electors of the City of Desert Hot Springs on November 6, 2018, for the purpose of submitting to the voters a ballot measure asking: ***Shall the Measure to have a directly-elected Mayor by the people of Desert Hot Springs be a four-year term, rather than the current two-year term, commencing in the year 2020 be adopted??***

The ballot measure ("Measure") will appear on the November 6, 2018, general municipal election ballot as follows:

DESERT HOT SPRINGS TERM OF MAYOR MEASURE		
<i>Shall the Measure to have a directly-elected Mayor by the people of Desert Hot Springs be a four-year term, rather than the current two-year term, commencing in the year 2020 be adopted?</i>	YES	NO

The full text of the proposed Ordinance that will be submitted to the voters is set forth in the Proposed Ordinance that is attached to the Resolution.

The City Clerk will make available for public inspection: (a) the arguments filed For or Against the Measure and the City Attorney's Impartial Analysis during the period commencing August 21, 2018, and ending on August 30, 2018; and (b) the rebuttals to the arguments filed For or Against the Measure, during the period commencing August 31, 2018, and ending September 9, 2018.

The arguments in Favor or Against the Measure must be filed with the City Clerk of the City of Desert Hot Springs on or before August 20, 2018, after which no arguments for or against the Measure may be submitted to the City Clerk. Arguments in favor shall comply with Section 9282 of the Elections Code, and may be written by the legislative body, or a member or members of

the legislative body authorized by the City Council, or an individual voter who is eligible to vote on the measure, or a bona fide association of citizens, or a combination of voters and associations. The Mayor is hereby authorized to select two members of the City Council to prepare a written argument in favor of the proposed Measure, not to exceed 300 words, on behalf of the City Council.

In the event that an argument is filed against the Measure, the Mayor is also authorized to select two members of the City Council to prepare a rebuttal argument on behalf of the City Council, which may be signed by members of the City Council or bona fide associations or by individual voters who are eligible to vote. The rebuttal arguments must be filed with the City Clerk by August 30, 2018, and shall not exceed 250 words in length.

If more than one argument is submitted for or against any measure, the City Clerk shall select only one argument, using the following order of priority of the argument's signatories:

- 1) The City Council, or any member or members of the City Council authorized by the City Council;
- 2) The bona fide sponsor of the measure;
- 3) Bona fide associations of citizens; and
- 4) Individual voters eligible to vote on the measure.

Arguments may be signed by up to five persons. Persons signing a ballot argument may identify themselves by both name and affiliation. City Council members may identify themselves as such with or without the consent of the City Council.

If there are conflicting measures on the ballot which both majority vote, Elections Code Section 9221 shall apply which currently reads: *"If the provisions of two or more ordinances adopted at the same election conflict, the ordinance receiving the highest number of affirmative votes shall control."* If neither measure passes, the status quo shall remain.

The City Attorney will prepare an impartial analysis of the Measure by August 20, 2018, showing the effect of the Measure on the existing law and the operation of the Measure in accordance with Section 9280 of the Elections Code, not to exceed 500 words in length.

If a majority of the qualified voters voting on the Measure vote in favor of the Measure, the Measure will be deemed effective ten (10) days after the election results are certified by the City Council.

The Resolution requests that the Board of Supervisors issue instructions to the Riverside County Registrar of Voters to take any and all steps necessary for the holding of the election, including without limitation, canvassing the returns of the election. In the resolution, the City agrees to reimburse the County for all costs that the County incurs in connection with the election.

CEQA Analysis

Under CEQA Guidelines 15060(c) (2) and 15378, subdivisions (2) and (4) of subdivision (b), this proposed special tax does not constitute a project under CEQA and therefore review under CEQA is not required.

FISCAL IMPACT:

The estimated cost to add the measure to the ballot is approximately \$10,000. This expenditure is not included in the FY 2018-2019 Budget, therefore a budget adjustment to Account No. 001-41-11-4320 (City Council / Contract Services) would be necessary using existing fund balance.

EXHIBITS:

- 1) Resolution
- 2) Proposed Ordinance (Exhibit A to Resolution)