

REPORT TO THE CITY COUNCIL



DATE: June 19, 2018

TITLE: Resolution Calling and Noticing a Proposed Measure to be Submitted to the Voters at the General Municipal Election on November 6, 2018 to Select the Mayor on a Rotating Basis

Submitted by: Council Member, Russell Betts; and
Council Member, Joe McKee

RECOMMENDATION

Take whatever action the City Council deems appropriate.

BACKGROUND/DISCUSSION:

Measure – Proposed Rotating 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 select the Mayor of the City of Desert Hot Springs City Council annually on the basis of the longest length of continuous service on the City Council, for a one year term, commencing in the year 2020 be adopted?***

The City Council conducts business in an orderly manner. This responsibility falls to the Mayor. It is the Mayor who chairs Council Meetings, facilitates Council initiative through the agenda and who carries out certain functions on a limited basis to codify council decisions such as signing resolutions and other documents. In addition, the Mayor fulfills a ceremonial role at Community and other events and other functions.

Desert Hot Springs functions with a five member City Council, one of which is the Mayor. Each City Council Member and the Mayor are elected to their respective positions, with the Mayor being elected specifically to fulfill the responsibilities as one of the five Council Members and to also undertake the additional duties as Mayor as enumerated above. The mayor is directly elected. The term of Council Members is for four years while the term of office for the Mayor is two years.

Besides the normal contentiousness that comes with an election, the contention becomes almost perpetual as no sooner than a new Mayor is elected, the next election season is ready to begin.

Lending to political tension are Council Members who also want to serve as Mayor and thus throw their hat into the ring. Often times, such candidates run from what is termed a safe seat. The term safe seat refers to a Council Member that is midway through their four year term and decides to run for Mayor, knowing that if they lose in their bid for Mayor they still retain their seat as a Council Member.

While these reasons are not exhaustive, they provide sufficient reason to adopt a more common method of delivering a Mayor to the City Council dais, one that is used by the majority of cities of similar size to Desert Hot Springs. Our proposal is to adopt a process whereby the Mayor is selected from the five Council Members on a rotating basis. We propose each Council Member would rotate into the Mayors position for a period of one year. Before passing the seat to the next council member via seniority.

Proposed Ordinance

The Measure would enact a new ordinance to change the process for designating the Mayor, from a directly-elected mayor, to a rotating mayor's position. In a nutshell, the Ordinance proposes that commencing in the year 2020, at the meeting at which new council members are installed during election years and at the second regular meeting in November in non-election years, the City Council shall determine the order of the line of succession for the Mayor's position based on the criteria set forth in the Proposed Ordinance. The Mayor's seat would have a one (1) year term.

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 select the Mayor of the City of Desert Hot Springs City Council annually on the basis of the longest length of continuous service on the City Council, for a one 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 SELECTION OF MAYOR MEASURE		
Shall the Measure to select the Mayor of the City of Desert Hot Springs City Council annually on the basis of the longest length of continuous service on the City Council, for a one year term, commencing in the year 2020 be adopted?	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. The Mayor will be 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.

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.

EXHIBIT:

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