

RESOLUTION NO. 2018- _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF DESERT HOT SPRINGS ON NOVEMBER 6, 2018, REGARDING A PROPOSED ORDINANCE OF THE PEOPLE TITLED “AN ORDINANCE OF THE PEOPLE OF THE CITY OF DESERT HOT SPRINGS, ADDING SECTION 2.04.055 (“TERM OF MAYOR”) TO THE CITY OF DESERT HOT SPRINGS’ MUNICIPAL CODE CHAPTER 2.04 (“CITY COUNCIL”) PROVIDING THAT A DIRECTLY-ELECTED MAYOR SHALL HAVE A FOUR (4) YEAR TERM, TO COMMENCE IN THE YEAR 2020.

WHEREAS, the City of Desert Hot Springs is a municipal corporation and a charter city in the State of California; and

WHEREAS, pursuant to Section 5, Article XI of the California Constitution, and pursuant to Section 101 of the Desert Hot Springs Charter, the City Council of the City of Desert Hot Springs desires to submit to voters of the City a proposed ordinance that will make the selection of Mayor on the City Council, currently which is a directly-elected, two (2) year term position, into a directly-elected position which shall have a four (4) year term; and

WHEREAS, the next regularly scheduled general election for the City of Desert Hot Springs is November 6, 2018.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY COUNCIL FOR THE CITY OF DESERT HOT SPRINGS, AS FOLLOWS:

Section 1. RECITALS

That the recitals set forth above are true and correct and are hereby incorporated herein as findings of the City Council.

Section 2. ELECTION

That the City Council of the City of Desert Hot Springs hereby 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?

Section 3. BALLOT MEASURE

That a ballot measure (“Measure”) shall be submitted to the voters on the November 6, 2018, general municipal election ballot in the form of the following question:

DESERT HOT SPRINGS TERM OF MAYOR MEASURE		
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?	YES	NO

Section 4. **COPY OF MEASURE**

That the full text of the proposed Measure that will be submitted to the voters is attached hereto as Exhibit A.

Section 5. **PUBLIC INSPECTION**

That the City Clerk shall 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.

Section 6. **DEADLINE FOR SUBMISSION OF ARGUMENTS**

That arguments in Favor or Against the Measure shall 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.

Section 7. **ARGUMENTS IN FAVOR**

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.

Section 8. **REBUTTALS**

That 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 also be signed by members of the City Council or bona fide associations or by individual voters who are eligible to vote. The rebuttal arguments shall be filed with the City Clerk by August 30, 2018, and shall not exceed 250 words in length.

Section 9. **MULTIPLE ARGUMENTS**

That if more than one argument is submitted For or Against the 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.

Section 10. **AUTHORIZED SIGNATORIES**

That 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.

Section 11. **CITY ATTORNEY ANALYSIS**

That the City Clerk is hereby directed to transmit a copy of the Measure and proposed ordinance to the City Attorney, who shall 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.

Section 12. **ELECTION RETURNS**

That the Riverside County Registrar of Voters is hereby authorized to canvass the returns of the election.

Section 13. **PARTY RESPONSIBLE FOR MANAGING ELECTION**

That the Board of Supervisors of the County of Riverside is hereby requested to issue instructions to the Riverside County Registrar of Voters to take any and all steps necessary for the holding of the election.

Section 14. **REIMBURSEMENTS**

That the City of Desert Hot Springs recognizes that costs will be incurred by the County of Riverside in connection with the election and agrees to reimburse the County for any such costs.

Section 15. **CITY CLERK DUTIES**

That the City Clerk is hereby directed to: (a) file a certified copy of this Resolution with the Board of Supervisors and the Riverside County Registrar of Voters; and (b) cause the posting, publication, and printing of notices and all other matters pursuant to the requirements of the Elections Code and Government Code of the State of California.

Section 16. **ADDITIONAL NOTICE**

That the notice of the time and place of holding the election is hereby given and the City Clerk is hereby authorized, instructed and directed to give further or additional notice of the election, in such time, form and manner as required by law.

Section 17. **CONFLICTING ORDINANCES**

If there are conflicting measures on the ballot, 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.

Section 18. **EFFECTIVE DATE**

That this Resolution shall take effect upon its adoption.

Section 19. **CERTIFICATION**

That the City Clerk shall certify to the passage of this Resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a special meeting held on the 24th day of July, 2018, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

[SIGNATURES FOLLOW ON THE NEXT PAGE]

ATTEST:

Jerryl Soriano, CMC, City Clerk

APPROVED:

Scott Matas, Mayor

APPROVED AS TO FORM:

Jennifer A. Mizrahi, City Attorney

EXHIBIT A
PROPOSED ORDINANCE