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RESOLUTION NO. 2014-315

RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN BERNARDINO CALLING A SPECIAL MUNICIPAL ELECTION ON A PROPOSED CHARTER AMENDMENT RELATING TO CIVIL SERVICE DISCHARGE OR REDUCTION OF COMPENSATION AND REQUESTING THAT SAID CITY OF SAN BERNARDINO'S SPECIAL MUNICIPAL ELECTION BE CONSOLIDATED WITH THE NOVEMBER 4, 2014 STATEWIDE GENERAL ELECTION CONDUCTED BY THE COUNTY OF SAN BERNARDINO.

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN BERNARDINO AS FOLLOWS:

SECTION 1. Recitals.

- a) In accordance with the Constitution of the State of California, the City of San Bernardino, a municipal corporation, has adopted a Charter.
- b) The Mayor and Common Council of the City of San Bernardino desire to submit to the electors a Charter Amendment concerning civil service discharge or reduction of compensation.

SECTION 2. Special Municipal Election Called. A special municipal election is hereby called and will be held in the City of San Bernardino on Tuesday, November 4, 2014, for the purpose of submitting to the qualified electors of the City, for their approval or disapproval, the proposed Charter Amendment as set forth in Exhibit "A" attached hereto.

SECTION 3. Request for Consolidation of Elections. Pursuant to Section 10400 of the California Elections Code, the Mayor and Common Council of the City of San Bernardino request that the Board of Supervisors of the County of San Bernardino consolidate the City's special municipal election with the statewide general election to be held on November 4, 2014.

1 The polls for said election shall be open at 7:00 a.m. of the day of said election and shall
2 remain open continuously from said time until 8:00 p.m. of the same day when said polls shall
3 be closed, except as provided in Section 14401 of the California Elections Code.

4
5 **SECTION 4. Measure.** The measure to be voted on at the consolidated special
6 municipal election as it is to appear on the ballot shall be as follows:

7 MEASURE _____. Approve a Charter 8 Amendment to replace the language in Section 9 254 with language providing that the 10 suspension, discharge or reduction in 11 classification be immediate upon written 12 notice given to the employee.	For the Amendment <hr/> Against the Amendment
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11 The measure shall be designated on the ballot by a letter printed on the left margin of
12 the square containing the description of the measure as provided in the California Elections
13 Code.

14 **SECTION 5. Canvass of Returns.** The Registrar of Voters of the County of San
15 Bernardino is hereby authorized to canvas the returns of the special municipal election in all
16 respects as if there were only one election with only one form of ballot. Results of said special
17 election shall be certified by the Mayor and Common Council of the City of San Bernardino.

18
19 **SECTION 6. Notice of Election.** The City clerk is hereby directed to publish a notice
20 of the special municipal election which shall contain the following:

- 21
22 A. The date of the election;
- 23 B. The hours the polls will be open;
- 24 C. That the last day for receipt of primary arguments for or against the measure has
25 been established as 5:00 p.m. on August 21, 2014 in the City Clerk's Office, Second
26 Floor, City Hall, 300 North "D" Street, San Bernardino, California;
- 27
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1 D. That the last day for receipt of rebuttal arguments is 5:00 p.m. on September 2, 2014
2 in the City Clerk's Office at the above location.

3 The City Clerk is directed to make arrangements to accept arguments and to arrange for
4 sample ballots, which shall include the text of the proposed Charter Amendment, in accordance
5 with the California Elections Code. This notice may be combined with a notice of any other
6 municipal election to be held on the same date.
7

8 **SECTION 7. Conduct of Election.** The special municipal election so called shall be
9 held in such precincts and at such polling places as shall be determined by the Registrar of
10 Voters of the County of San Bernardino. The Board of Supervisors of the County of San
11 Bernardino is hereby requested to issue instructions to the Registrar of Voters to take all steps
12 necessary for the holding of the consolidated election. The City Manager is hereby authorized
13 to execute a contract for services necessary for conducting the special municipal election. The
14 City of San Bernardino recognizes that additional costs will be incurred by the County by
15 reasons of this consolidation and agrees to reimburse the County for any such costs.
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18 **SECTION 8. Filing of Resolution.** The City Clerk of the City of San Bernardino is
19 directed to file a certified copy of this Resolution with the Board of Supervisors of the County
20 of San Bernardino and to file a copy of this Resolution with the Registrar of Voters.
21

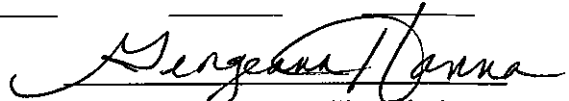
22 **SECTION 9. Transmission of Proposed Charter Amendment.** Pursuant to the
23 California Elections Code, the City Clerk is hereby directed to transmit a copy of the Charter
24 Ballot Measure, and all other necessary documents, to the Office of the City Attorney for
25 purposes of preparation of an Impartial Analysis.
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1 **RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN**
 2 **BERNARDINO CALLING A SPECIAL MUNICIPAL ELECTION ON A PROPOSED**
 3 **CHARTER AMENDMENT RELATING TO CIVIL SERVICE DISCHARGE OR**
 4 **REDUCTION OF COMPENSATION AND REQUESTING THAT SAID CITY OF SAN**
 5 **BERNARDINO'S SPECIAL MUNICIPAL ELECTION BE CONSOLIDATED WITH**
 6 **THE NOVEMBER 4, 2014 STATEWIDE GENERAL ELECTION CONDUCTED BY**
 7 **THE COUNTY OF SAN BERNARDINO.**

8 I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Mayor and
 9 Common Council of the City of San Bernardino at a Regular meeting thereof, held on the 7th
 10 day of August, 2014, by the following vote, to wit:

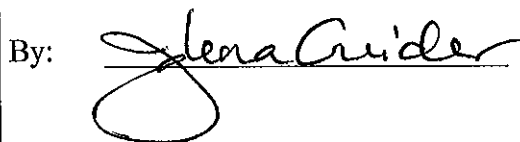
<u>Council Members:</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
MARQUEZ	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
BARRIOS	<u> </u>	<u> X </u>	<u> </u>	<u> </u>
VALDIVIA	<u> </u>	<u> X </u>	<u> </u>	<u> </u>
SHORETT	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
NICKEL	<u> </u>	<u> X </u>	<u> </u>	<u> </u>
JOHNSON	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
MULVIHILL	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

19 
 20 Georgeann Hanna, City Clerk

21 The foregoing Resolution is hereby approved this 7th day of August, 2014.

22 
 23 R. Carey Davis, Mayor
 24 City of San Bernardino

25 Approved as to form:
 26 Gary D. Saenz, City Attorney

27 By: 
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