AUG 0 8 2018

BY REGISTRAR OF VOTERS

RESOLUTION NO. R-96-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON, CALIFORNIA, CALLING FOR THE PLACEMENT OF A MEASURE ON THE BALLOT AT THE NOVEMBER 6, 2018 GENERAL MUNICIPAL ELECTION FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF A PROPOSED ORDINANCE REDUCING THE NUMBER OF CITY COUNCIL MEMBERS FROM SIX WITH AN AT-LARGE ELECTED MAYOR TO FOUR WITH AN AT-LARGE ELECTED MAYOR AND ESTABLISHING NEW CITY COUNCIL ELECTORAL DISTRICT BOUNDARIES WITHIN THE CITY.

WHEREAS, pursuant to Colton Municipal Code Chapter 2.02, the Colton City Council currently consists of six (6) members who are elected by-districts with an at-large elected Mayor; and

WHEREAS, Colton Municipal Code Chapter 2.02 defines the boundaries of the City's current six (6) electoral districts by which Colton City Councilmembers are elected; and

WHEREAS, the City Council desires to submit to the voters an amendment to the Colton Municipal Code which would reduce the number of City Councilmembers from six (6) to four (4) while retaining an at-large elected Mayor; and

WHEREAS, consistent with the above, the City Council also desires to submit to the voters an amendment to the Colton Municipal Code which would establish new boundaries for City Council electoral districts, thereby reducing the number of electoral districts within the City from six (6) to four (4); and

WHEREAS, pursuant to California Government Code Section 34871, this reduction in the number of City Council members and the corresponding reduction in the number of electoral districts within the City must be approved by a majority vote of the qualified electors of Colton voting at a municipal election; and

WHEREAS, pursuant to California Elections Code Section 9222, the City Council has authority to place local measures on the ballot to be considered at a municipal election; and

WHEREAS, pursuant to California Government Code Section 34874, no amendatory ordinance altering the boundaries of legislative/electoral districts may be submitted to the voters until it has been submitted to the City's Planning Commission for an examination as to the definiteness and certainty of the boundaries of the districts proposed; and

WHEREAS, the City of Colton Planning Commission conducted a noticed public hearing on July 10, 2018 at which time it reviewed the amendatory ordinance and examined the boundary map for proposed legislative/electoral districts; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission made the following findings by resolution (Resolution No. R-20-18), as required by California Government Code Sections 34875 and 34876:

- A. All legislative/electoral districts proposed in the district boundary map close; and
- B. No legislative/electoral districts will be eliminated prior to the termination of the term of office of the Councilmember from the district; and
- C. A greater number of Councilmembers will not be qualified to hold office concurrently than are authorized by State law or the amendatory ordinance.

WHEREAS, pursuant to California Government Code Section 34877.5 and California Elections Code Section 21607, if the City Council is proposing to adjust legislative/electoral district boundaries, the City Council shall hold two public hearings – first to adjust the boundaries of the proposed districts and the second to consider placing the proposal on the ballot; and

WHEREAS, the Colton City Council conducted two noticed public hearings on July 17, 2018 and August 7, 2018 to adjust the boundaries of the proposed districts and to consider placing this measure on the ballot; and

WHEREAS, the next regularly scheduled General Municipal Election for the election of members of the City Council will be held on Tuesday, November 6, 2018; and

WHEREAS, the City Council desires to place the above-described measure reducing the number of City Council members and electoral districts on the ballot for the same election to be held on November 6, 2018.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Findings. The City Council finds that all of the preceding recitals are true and correct and are hereby incorporated and adopted as findings and determinations by the City Council as if fully set forth herein.

SECTION 2. Submission of Measure. Pursuant to California Government Code Section 34871, California Elections Code Section 9222 and any other applicable requirements of the laws of the State of California relating to general law cities, the City Council, by a majority vote, hereby orders the proposed Measure/ordinance, attached hereto as Attachment "A" and incorporated herein by reference, to be submitted to the

voters of the City at the General Municipal Election to be held on Tuesday, November 6, 2018.

SECTION 3. The Measure shall be presented and printed upon the ballot submitted to the voters in the manner and form set forth in this Section 3. On the ballot to be submitted to the qualified voters at the City General Municipal Election to be held on Tuesday, November 6, 2018, in addition to any other matters required by law, there shall be printed substantially the following:

"Starting with the November 8, 2022	YES
election, shall the Colton City Council be	
reduced in number from 6 members with an	
at-large Mayor to 4 members with an at-	
large Mayor, and shall members of the	
Colton City Council be elected by 4 districts	
as described in Ordinance No. O-09-18, with	
the Mayor of the City of Colton being	
elected on a citywide basis by the voters of	
the entire City?"	710
	NO

SECTION 4. Conduct of Election. The City Clerk is authorized, instructed, and directed to procure and furnish any and all official ballots, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 5. Notice of Election. Notice of the time and place of holding the election is hereby given, and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 6. Impartial Analysis. Pursuant to California Elections Code Section 9280, the City Council hereby directs the City Clerk to transmit a copy of the Measure as set forth herein to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the measure, and transmit such impartial analysis to the City Clerk not later than end of business on August 20, 2018. The impartial 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 City Council. In the event the entire text of the Measure is not printed on the ballot, or in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-font bold type, the following: "The above statement is an impartial analysis of Ordinance or Measure "____". If you desire a copy of the ordinance or measure, please call the election official's office at (909) 370-5001 and a copy will be mailed at no cost to you."

<u>SECTION 7</u>. Certification. The City Clerk shall certify to the adoption of this Resolution.

SECTION 8. Filing with County. The City Clerk shall, not later than the 88th day prior to the General Municipal Election to be held on Tuesday, November 6, 2018, file with the Board of Supervisors and the County Clerk – Registrar of Voters of the County of San Bernardino, State of California, a certified copy of this Resolution.

SECTION 9. Public Examination. Pursuant to California Elections Code Section 9295, this measure will be available for public examination for no fewer than ten (10) calendar days prior to being submitted for printing in the voter information guide. The Clerk shall post notice in the Clerk's office of the specific dates that the examination period will run.

[signatures on next page]

PASSED, APPROVED and ADOPTED this 7th day of August, 2018.

RICHARD A. DELAROSA, Mayor

ATTEST:

CAROLINA R. PADILLA, City Clerk

APPROVED AS TO FORM:

CARLOS CAMPOS, City Attorney

Best Best & Krieger

1	STATE OF CALI	FORNIA)	
2	COUNTY OF SAI	N BERNARDINO) ss.	
3	CITY OF COLTO	N)	
4	CERTIFICATION			
5	I CAROLII	NA D DADITE A CH	to Clark for the City of Call. Call Call	
6	I, CAROLINA R. PADILLA, City Clerk for the City of Colton, California, do hereby			
7	certify that the foregoing is a full, true and correct copy of RESOLUTION NO. R-96-18,			
8	duly adopted by the City Council of said City, and approved by the Mayor of said City, at its			
9	Regular Meeting of said City Council held on the 7 th day of August 2018, and that it was adopted by the following vote, to wit:			
10	adopted by the folic	wing vote, to wit.		
11	AYES:	COUNCILMEMBE	R Cisneros, Navarro, González, Woods,	
12	NOES:	COUNCILMEMBE	Mayor DeLaRosa R Toro, Suchil	
13				
14	ABSTAIN:	COUNCILMEMBE	R None	
15	ABSENT:	COUNCILMEMBE	R None	
16	-		165	
17	IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Colton, California, this 8 day of Quaust, 2018.			
18	the City of Colton, C	alifornia, this 8 day	of <u>August</u> , <u>2018</u> .	
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20	CAROLINA R. PADILLA			
21	City Clerk			
22	City of Colton			
23	(SEAL)			
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26				
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