

DRAFT RESOLUTION

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, ORDERING, CALLING, PROVIDING FOR AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON THE 3RD DAY OF NOVEMBER 2020, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF RIVERSIDE CERTAIN AMENDMENTS TO THE CHARTER OF THE CITY OF RIVERSIDE, AND GIVING NOTICE AND ORDERING THAT SAID SPECIAL MUNICIPAL ELECTION IS CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION AND ALL OTHER ELECTIONS BEING HELD IN THE SAME TERRITORY ON THE SAME DATE

WHEREAS, Section 1403 of the Charter of the City of Riverside requires the City Council, by February of 2019, and in February every eight years thereafter, to appoint and appropriate adequate funds for a Charter Review Committee ("Committee"); and

WHEREAS, the Committee shall have the power and duty to recommend to the City Council which, if any, Charter amendments should be placed on the ballot at the next regular municipal election for Mayor; hold public meetings to receive input on proposed Charter amendments; and present a final report with its recommendations to the City Council by the last Tuesday in May preceding the next regular municipal election for Mayor; and

WHEREAS, the Committee was comprised of one person appointed by each member of the City Council from their respective Ward, two at-large persons appointed by the Mayor from the City as a whole, and six additional at-large and two alternate positions appointed by the Mayor and City Council following interviews on December 18, 2018, for a total composition of fifteen members and two alternates; and

WHEREAS, the Committee met fifteen times, from January 16, 2019, to March 9, 2020; and

WHEREAS, on May 19, 2020, the Committee presented its final report to the City Council recommending that numerous substantive and non-substantive Charter amendments should be submitted to the voters at the November 3, 2020 statewide general election; and

WHEREAS, City Council held two public hearings, on July 7, 2020 and July 21, 2020, to receive public input and consider which, if any, of the Committee's recommendations should be submitted to the voters at the November 3, 2020 statewide general election; and

1 WHEREAS, under Section 1403, the City Council shall act upon the recommendations of the
2 Charter review committee prior to the last day to place measures on the ballot for the next regular
3 municipal election for Mayor; and

4 WHEREAS, Article XI, Section 3, of the Constitution of the State of California, Elections
5 Code section 9255, and Government Code section 34458 further authorize the City Council, on its
6 own motion, to submit to the qualified electors of the City any ballot measure by ordinance or
7 resolution proposing amendments to the City Charter at any time; and

8 WHEREAS, on April 21, 2020, the City Council adopted Resolution No. 23564, calling for a
9 special municipal run-off election for Mayor to be held on November 3, 2020; and

10 WHEREAS, the State of California will conduct an election on November 3, 2020, which shall
11 be concurrent with that special municipal run-off election for Mayor, which is a regular municipal
12 election per Section 400 of the City Charter, and consolidation of the special election for Charter
13 amendment proposals with those elections on November 3, 2020, is required by Section 1403 of the
14 City Charter.

15 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,
16 California, as follows:

17 Section 1: The City Council, pursuant to its right and authority under California law, hereby
18 orders that the following questions be submitted to the qualified electors of the City of Riverside at
19 the general election on November 3, 2020:

20
21 Shall the Charter of the City of Riverside be amended to give the Mayor a vote on all
22 matters requiring action before the City Council, change the definition of “City
23 Council” to be seven Councilmembers and the Mayor, eliminate the Mayor’s veto and
24 tie-breaking vote, and to increase by one vote the required number of votes to set City
25 Council compensation by ordinance, to adopt an ordinance or resolution, to adopt an
26 emergency ordinance or resolution, to remove members of Boards and Commissions
27 from their office, and to waive competitive bidding requirements for certain public
28 works contracts?

1
2 Shall the Charter of the City of Riverside be amended to require the City Council to
3 appoint to fill a vacancy in elected office with up to one year remaining on the term, to
4 call a special election to fill a vacancy with over one year remaining on the term, to call
5 a special run-off election when no candidate receives a majority of the votes cast for
6 the vacant office, and to prohibit appointed officials from referencing “incumbent”,
7 “member of the City Council”, or other designation indicating incumbency in a future
8 election for the same seat?
9

10 In order to comply with state law requirements, shall the Charter of the City of
11 Riverside be amended to consolidate Mayor elections with the statewide primary and
12 general election, consolidate City Council elections beginning in 2022 with the
13 statewide primary and general election, consolidate Mayor and City Council runoff
14 elections with the statewide general election, provide an exception to allow Wards 2,
15 4, and 6 runoff elections on November 2, 2021 before transitioning to the statewide
16 general election, and delete Charter subsections 400(f), 400(g), and 400(h) as obsolete;
17 and specify that City Council members are nominated by their ward voters?
18

19 Shall the Charter of the City of Riverside be amended to require the City Council to
20 submit any proposed City Charter amendment, except those proposed by voter
21 initiative, to the Charter Review Committee for recommendation before the City
22 Council places the Charter amendment proposal on a ballot?
23

24 Shall the Charter of the City of Riverside be amended to require the City Council to
25 publish an annual report specifying the nature of any material written complaints or
26 whistle-blower complaints alleging fraud, waste, abuse, or criminal conduct, the
27 outcome of the City’s investigation of substantiated claims or complaints, and the
28 annual budget (including internal costs) for such investigations?

1 Shall the Charter of the City of Riverside be amended to eliminate the requirement
2 that the adopted budget be placed in all public libraries in the City, to eliminate the
3 requirement that the budget be reproduced and copies made available for the use of
4 departments, offices, and agencies of the City other than on the City website, to
5 clarify that "City Council approved" capital projects "and funding" shall be exempt
6 from lapsing at the end of each fiscal year, to add the word "transparent" to the
7 Charter preamble, and to replace the word "citizen" with "person" with respect to
8 commenting at public meetings?

9 Section 2: That only the qualified electors of the City of Riverside are entitled to vote at said
10 election on these proposals to amend the City Charter and that if a majority of the qualified electors
11 voting on any of the Charter proposals votes in favor of one or more of the proposals, said proposal(s)
12 shall be deemed approved.

13 Section 3: The City Clerk is authorized, instructed and directed to take all action necessary to
14 place the measures described herein on the regular municipal election ballot for the regular municipal
15 election on November 3, 2020.

16 Section 4: The City Clerk is directed to transmit a copy of the measures to the City Attorney.
17 The City Attorney shall prepare an impartial analysis of the measures pursuant to Elections Code
18 section 9280, showing the effect of the measure on the existing law and the operation of the measure.
19 The analysis shall be printed preceding the arguments for and against the measure.

20 Section 5: That in accordance with the provisions of the Charter of the City of Riverside
21 and the Constitution and Election Laws of the State of California, a special municipal election be held
22 and the same is hereby called and ordered to be held in the City of Riverside on November 3, 2020,
23 for the purpose of submitting to the qualified electors of the City of Riverside such amendments to the
24 City Charter as may be proposed by the City Council.

25 Section 6: That the polls for said election shall be open at 7:00 a.m. of the day of said
26 election and shall remain open continuously from said time until 8:00 p.m. of the same day, when the
27 polls shall be closed, except as provided in section 14401 of the Elections Code of the State of
28 California.

Section 7: That the City Council consents to the consolidation of the special municipal

1 election hereby called with all other elections being held in the same territory on November 3, 2020,
2 and said elections, where possible, shall be held in all respects as if there were only one election within
3 the City of Riverside and only one form of ballot shall be used in the precincts, and polling places and
4 officers of election for said elections shall be the same as provided for the statewide general election.

5 Section 8: That for the purpose of holding said special municipal election, there shall be and
6 hereby are established consolidated voting precincts, consisting of a consolidation of the regular
7 election precincts in the City of Riverside established for the holding of state and county elections as
8 said regular election precincts exist on the date of this resolution.

9 Section 9: That the form and contents of the ballot to be used at said election shall be as
10 provided by law.

11 Section 10: That in accordance with section 10002 of the Elections Code, the Board of
12 Supervisors of Riverside County is hereby requested to consent to the Registrar of Voters rendering
13 election services to the City of Riverside as may be requested by the City Clerk of said city, the County
14 of Riverside to be reimbursed in full, for such services as are performed.

15 Section 11: That the elections services of the City of Riverside request the Registrar of Voters,
16 or such other official as may be appropriate, to perform, and that such officer is hereby authorized and
17 directed to perform if the said Board of Supervisors consents, include: the preparation, printing and
18 mailing of sample ballots and polling place cards; the establishment or appointment of precincts,
19 polling places, and election officers, and making such publications as are requested by law in
20 connection therewith; the furnishing of ballots, voting booths and other necessary supplies or
21 materials for polling places; the canvassing of the returns of election and the furnishing of the results
22 of such canvassing to the City Clerk of the City of Riverside; and the performance of such other
23 election services as may be requested by said City Clerk.

24 Section 12: That the City Clerk of said City shall receive the canvass of the regular municipal
25 election and shall certify the results to the City Council, as required by law.

26 ADOPTED by the City Council this _____ day of _____, 2020.

27
28

WILLIAM R. BAILEY, III
Mayor of the City of Riverside

1 Attest:
2

3 _____
4 COLLEEN J. NICOL
5 City Clerk of the City of Riverside
6
7
8

9 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
10 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at
11 its meeting held on the _____ day of _____, 2020, by the following vote, to wit:

12 Ayes:

13 Noes:

14 Absent:

15 Abstain:
16

17 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
18 City of Riverside, California, this _____ day of _____, 2020.
19

20 _____
21 COLLEEN J. NICOL
22 City Clerk of the City of Riverside
23
24
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27

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18-1653 EHM 06/22/20