



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: August 3, 2021**

FROM: CITY CLERK'S OFFICE **WARDS: ALL**
CITY ATTORNEY'S OFFICE
CITY MANAGER'S OFFICE

SUBJECT: RESOLUTION CALLING SPECIAL MUNICIPAL ELECTION ON NOVEMBER 2, 2021, REPEALING RESOLUTION NO. 23740 AND CONSIDER WHETHER TO DEFER TO BALLOT ARGUMENTS SUBMITTED BY OTHER PERSONS OR GROUPS.

ISSUE:

Adopt 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 2nd Day of November, For the Purpose of Submitting to the Qualified Electors an Amendment to the Charter of the City of Riverside, Repealing Resolution No. 23740 and consider whether to defer submitting a ballot argument if ballot arguments are submitted by other individual voters, or bona fide association of citizens, or combination of voters and associations, bona fide association of citizens or individual voters who are eligible to vote on the measure.

RECOMMENDATION:

That the City Council:

1. Adopt Resolution Ordering, Calling, Providing For, and Giving Notice of a Special Municipal Election to be Held in Said City on the 2nd Day of November, For the Purpose of Submitting to the Qualified Electors an Amendment to the Charter of the City of Riverside, Repealing Resolution No. 23740 and
2. Consider whether to defer submitting a ballot argument in favor of the proposed ballot measure if ballot arguments are submitted by other individual voters, or a bona fide association of citizens, or combination of voters and associations, or individual voters who are eligible to vote on the measure.

BACKGROUND

On July 20, 2021, the City Council adopted the 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 2nd Day of November 2021, for the Purpose of Submitting

to the Qualified Electors an Amendment to the Charter of the City of Riverside (“Resolution”). The adopted Resolution is attached hereto as **Attachment 1**.

Following the City Council’s adoption of the Resolution, the City Attorney and City Clerk discovered that the Resolution required: clarification of the City Council’s authority to call a special municipal election on November 2, 2021, for the purpose of submitting a City Charter amendment; clarifying that the City Council is calling a special municipal election to be held on November 2, 2021; and, include language requesting the County of Riverside to consolidate the November 2, 2021, special municipal election with the County’s Uniform District Election Law (UDEL) election.

DISCUSSION:

The language of the Resolution has been amended to clarify the City Council’s authority to call a special municipal election on November 2, 2021 for the purpose of submitting a City Charter amendment, and to clarify that the City Council is calling a special municipal election to be held on that date. The Resolution has also been amended to include a request to the County of Riverside to consolidate the special municipal election with the County’s UDEL election as Attachment 2.

At the July 20, 2021 Council meeting, the City Council authorized five Councilmembers to sponsor a ballot argument in favor of the ballot measure. However, as noted in the July 20, 2021 Council report, the City Council is not legally required to submit an argument for or against a measure and could choose to not designate one or more of their members to submit such arguments or defer to other sponsors of ballot arguments if such arguments are submitted.

If more than one argument for or against any measure is submitted to the City Clerk, one will be selected for printing in the ballot materials. Elections Code Section 9287 provides that preference and priority be given in the order below to the arguments of the following:

1. The City Council, or one or more Councilmembers authorized by the City Council.
2. An individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
3. Bona fide association of citizens.
4. Individual voters who are eligible to vote on the measure.

The current due date for such a ballot argument is August 16, 2021. The City Councilmembers who have been designated could opt to delay filing a ballot argument in favor until August 16, 2021 in order to allow others to submit an argument.

FISCAL IMPACT:

There is no fiscal impact associated with the adoption of the amended Resolution.

Prepared by: Donesia Gause, MMC, City Clerk
Elliot Min, Deputy City Attorney
Al Zelinka, City Manager

Approved by: Al Zelinka, FAICP, City Manager
Approved as to form: Phaedra Norton, City Attorney

Attachment:

1. Resolution No. 23740 adopted by the City Council on July 20, 2021
2. Resolution