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RESOLUTION NO. 20751

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 2ND DAY OF NOVEMBER 2004, 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 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 that by February of 2004, and in February every eight years thereafter, the City Council appoint and appropriate adequate funds for a Charter review committee; and

WHEREAS, the Charter review 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, Section 1403 of the Charter of the City of Riverside also provides that the City Council may appoint Charter review committees more often if it desires; and

WHEREAS, the City Council so appointed such Charter review committee on May 22, 2003; and

WHEREAS, the City Council reaffirmed such appointment on February 10, 2004; and

WHEREAS, the committee was comprised of 17 members and met 21 times, from August 5, 2003, to July 1, 2004; and

WHEREAS, on July 13, 2004, 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 2004 statewide general election; and

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

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

5 WHEREAS, the State of California will conduct an election on November 2, 2004, which
6 shall be prior to the next municipal election for Mayor; and

7 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside as
8 follows:

9 Section 1: The City Council, pursuant to its right and authority under California law, hereby
10 orders that the following questions be submitted to the qualified electors of the City of Riverside at
11 a special election on November 2, 2004:

12
13 Shall the Charter of the City of Riverside be amended by amending the
14 Preamble to better reflect the diversity and inclusiveness of Riverside,
15 changing the title of Article II, and correcting typographical errors in sections
16 1110 and 1111?

17
18 Shall the Charter of the City of Riverside be amended to (1) add a new Section
19 201, entitled "Access to public meetings and public records;" (2) provide that
20 meetings of ad hoc Council committees and Mayoral-appointed bodies be open
21 to the public; (3) all closed session meetings of the City Council be
22 audiorecorded; and (4) provide that the City Clerk shall help members of the
23 public examine and copy all public records?

24
25 Shall the Charter of the City of Riverside be amended by adding a new Section
26 202, entitled "Adoption of ethics code," which would require the City of
27 Riverside to adopt within six months a Code of Ethics and Conduct?

1 Shall the Charter of the City of Riverside be amended to (1) provide that the
2 City Council review the compensation of the Mayor and City Council every
3 two years and that any increase be limited to five percent every two years; and
4 (2) eliminate the Mayor and Council members salary commission?
5

6 Shall the Charter of the City of Riverside be amended to provide that the
7 Mayor shall appoint the chairperson to all City Council standing committees?
8

9 Shall the Charter of the City of Riverside be amended to provide that each City
10 board or commission shall have at least one member from each Council Ward?
11

12 Shall the Charter of the City of Riverside be amended to provide that minors
13 may be appointed to City boards or commissions with preferential voting
14 privileges only or to a youth commission?
15

16 Shall the Charter of the City of Riverside be amended to add a new section
17 810, which would add the Community Police Review Commission to the
18 Charter?
19

20 Shall the Charter of the City of Riverside be amended to allow the City
21 Council (1) to conduct an election for a bonded indebtedness by a mail-ballot
22 election; and (2) to sell such bonds, notes or other evidences of indebtedness
23 at public sale by notice inviting bids or by negotiated private sale?
24

25 Shall the Charter of the City of Riverside be amended to (1) provide that bids
26 on public works contracts can be accompanied by such other form of bidder's
27 security as the City Council establishes by ordinance; and (2) add a new

1 Section 1114, entitled "Use of design-build procurement for public works
2 projects," which would permit the award of contracts for the combined design
3 and construction of public works projects?
4

5 Shall the Charter of the City of Riverside be amended to provide that the City
6 change its independent auditor at least every five years?
7

8 Shall the Charter of the City of Riverside be amended to (1) allow the board
9 of public utilities to award and execute contracts for construction, goods or
10 services for the public utility; (2) allow the director of public utilities to
11 approve work to be done at the customers' request and expense; and (3) allow
12 the director of public utilities to negotiate and execute contracts with individual
13 retail customers for utility services?
14

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

19 Section 3: The City Clerk is authorized, instructed and directed to take all action necessary
20 to place the measures described herein on the special municipal election ballot for the special
21 municipal election on November 2, 2004.

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

26 Section 5: That in accordance with the provisions of the Charter of the City of Riverside
27 and the Constitution and Election Laws of the State of California, a special municipal election be held

1 and the same is hereby called and ordered to be held in the City of Riverside on November 2, 2004,
2 for the purpose of submitting to the qualified electors of the City of Riverside such amendments to
3 the City Charter as may be proposed by the City Council.

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

8 Section 7: That the City Council consents to the consolidation of the special municipal
9 election hereby called with all other elections being held in the same territory on November 2, 2004,
10 and said elections, where possible, shall be held in all respects as if there were only one election within
11 the City of Riverside and only one form of ballot shall be used in the precincts, and polling places and
12 officers of election for said elections shall be the same as provided for the statewide general election.

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

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

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

23 Section 11: That the elections services of the City of Riverside request the Registrar of
24 Voters, or such other official as may be appropriate, to perform, and that such officer is hereby
25 authorized and directed to perform if the said Board of Supervisors consents, include: the preparation,
26 printing and mailing of sample ballots and polling place cards; the establishment or appointment of
27 precincts, polling places, and election officers, and making such publications as are requested by law


1 in connection therewith; the furnishing of ballots, voting booths and other necessary supplies or
2 materials for polling places; the canvassing of the returns of election and the furnishing of the results
3 of such canvassing to the City Clerk of the City of Riverside; and the performance of such other
4 election services as may be requested by said City Clerk.

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

7 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk
8 this 27th day of July, 2004.

9 
10 Mayor of the City of Riverside

11 Attest:

12 
13 City Clerk of the City of Riverside

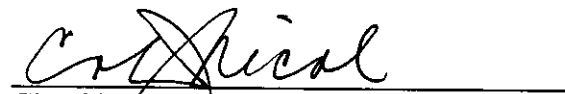
14
15 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
16 foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council
17 of said City at its meeting held on the 27th day of July, 2004, by the following vote, to wit:

18 Ayes: Councilmembers Betro, Moore, Gage, Schiavone, Adkison, Hart and Adams

19 Noes: None

20 Absent: None

21 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the
22 City of Riverside, California, this 27th day of July, 2004.

23 
24 City Clerk of the City of Riverside

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