

**RESOLUTION NUMBER 5242**

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE.***

***WHEREAS***, the City Council of the City of Perris has called a General Municipal Election to be held on Tuesday, November 6, 2018, and consolidated with the statewide general election, by Resolution No. 5216 adopted on January 9, 2018, for the purpose of submitting a ballot measure relating to taxation of commercial cannabis activities; and,

***WHEREAS***, the City Council now desires to submit an additional measure to the voters regarding the question of establishing term limits for elected officials in the City of Perris (“Term Limits Measure”); and,

***WHEREAS***, it is desirable that the City’s general municipal election be consolidated with the statewide general election to be held on the same date and that within the city the precincts, polling places and election officers of the two elections be the same, and that the county election department of the County of Riverside canvass the returns of the general municipal election and that the election be held in all respects as if there were only one election;

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

***Section 1.*** The recitals set forth above are true and correct and incorporated herein by this reference.

***Section 2.*** That pursuant to the requirements of the laws of the State of California relating to general law cities, the City Council, by Resolution No. 5216, previously called and ordered to be held in the City of Perris, California, on Tuesday, November 6, 2018, a general municipal election, for the purpose of submitting a ballot measure relating to taxation of commercial cannabis activities.

***Section 3.*** That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Riverside is hereby requested to consent and agree to the consolidation of the election for the Term Limits Measure with the statewide general election to be held on Tuesday, November 6, 2018, for the purpose of submitting the Term Limits Measure to the voters of the City of Perris.

***Section 4.*** That the additional Term Limits Measure is to appear on the ballot as follows:

<b>Term Limits for Elected Officials.</b> Shall the measure, establishing a lifetime term limit of three (3) terms served as an elected official in the City of Perris, including Mayor, member of the City Council, and City Clerk, in which the terms served by a person elected or appointed to one elected office shall not be aggregated with terms served by that person in another elected office, be approved?	YES
	NO

**Section 5.** That the text of the Ordinance, as provided in the question above, is to be submitted to the voters as a proposed measure and is attached as Exhibit B to this resolution.

**Section 6.** That the vote requirement for the ballot measure to pass is a majority (50% +1) of the votes cast.

**Section 7.** That the City Clerk is authorized, instructed and directed to coordinate with the Registrar of Voters of the County of Riverside (“Registrar”) to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election; and, further that, pursuant to the consolidation request herein, the City of Perris requests the Registrar to perform, and which such officer is hereby authorized and directed to perform, the following specified services: the preparation, printing and mailing of sample ballots and polling place cards; the establishment or appointment of precincts, polling places and election officers; the furnishing of ballots, voting booths and other necessary supplies or materials for polling places; and the performance of such other election services as may be requested by the City Clerk which may be necessary in order to properly and lawfully conduct the said Election, as more specifically detailed in Exhibit A of this Resolution.

**Section 8.** That the Election shall be held in all respects as if there were only one election, and only one form of ballot shall be used, and the Registrar is authorized to canvass the returns of the General Municipal Election and furnish the results of such canvassing to the City Clerk of the City of Perris, as provided by law. The election will be held and conducted in accordance with the provisions of law regulating the statewide election.

**Section 9.** That the City Council of the City of Perris, pursuant to Elections Code section 320, hereby designates Nancy Salazar, City Clerk, or her designee, as the City of Perris Elections Official for purposes of this election and its related process.

**Section 10.** That the Board of Supervisors of the County of Riverside is requested to issue instructions to the Registrar to take any and all steps necessary for the holding of the consolidated election.

**Section 11.** The City of Perris recognizes that additional costs will be incurred by the County of Riverside by reason of this consolidation, and agrees to reimburse the County of Riverside for services rendered, upon presentation of a properly detailed invoice to the City Clerk of the City of Perris.

**Section 12.** That the polls for said Election shall be opened at seven o'clock a.m. (7:00 a.m.) of the day of said Election and shall remain open continuously from said time until eight o'clock p.m. (8:00 p.m.) of the same day, when said polls shall be closed, pursuant to Elections Code section 10242, except as provided in Section 14401 of the Elections Code.

**Section 13.** That in all particulars not recited in this Resolution, said Election shall be held and conducted as provided by law for holding municipal elections in said City and that pursuant to Elections Code sections 10403 and 10418, the City Council of the City of Perris hereby acknowledges that the consolidated election shall be held and conducted in the manner prescribed in Elections Code section 10418 and in accordance with the provisions of law regulating the statewide election;

**Section 14.** That the City Clerk of the City of Perris is hereby directed to file a certified copy of this Resolution with the Registrar of Voters of the County of Riverside.

**Section 15.** That the notice of time and place of holding said Election is hereby given and the City Clerk is authorized, instructed and directed to give such further or additional notice of said Election, in time, form and manner as required by law.

**Section 16.** That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City of Perris; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council of the City of Perris, in the minutes of the meeting at which same is passed and adopted.

**ADOPTED, SIGNED and APPROVED** this 13<sup>th</sup> day of March, 2018.

  
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Michael M. Vargas, MAYOR

ATTEST:

  
\_\_\_\_\_  
Nancy Salazar, CITY CLERK

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) §  
CITY OF PERRIS )

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 5242 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 13<sup>th</sup> day of March, 2018, and that it was so adopted by the following vote:

AYES: BURKE, CORONA, RABB, VARGAS

NOES: ROGERS

ABSENT: NONE

ABSTAIN: NONE

  
\_\_\_\_\_  
City Clerk Nancy Salazar

**EXHIBIT B**

**Ordinance Establishing Term Limits for Elected Officials in the City of Perris**

**ORDINANCE NUMBER 1362**

***AN ORDINANCE OF THE PEOPLE OF CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, SETTING TERM LIMITS FOR THE ELECTED OFFICIALS IN THE CITY OF PERRIS BY ADDING A NEW CHAPTER 2.05 "TERM LIMITS FOR ELECTED OFFICIALS" TO TITLE 2 OF THE PERRIS MUNICIPAL CODE***

**WHEREAS**, the elected officials of the City of Perris currently are Mayor, members of the City Council, and City Clerk; and,

**WHEREAS**, the City of Perris currently does not have term limits for the elected officials of the City; and,

**WHEREAS**, the anticipated positive aspects of term limits for elected city officials include the following:

- Encourages new people to get involved in local government
- Broadens the base of potential candidates
- Encourages fresh ideas
- Provides voters with more choices
- Increases voter turnout
- Encourages broader representation of different neighborhoods; and,

**WHEREAS**, it is in the best interests of the City that term limits be established for all elected offices in the City, and it is the purpose and intent of this Ordinance to achieve the positive impacts of term limits mentioned above.

**THE PEOPLE OF THE CITY OF PERRIS DO HEREBY ORDAIN AS FOLLOWS:**

**Section 1. Recitals Incorporated.** The foregoing Recitals are incorporated herein by reference as if set forth in full.

**Section 2. New Chapter.** A new Chapter 2.05 is added to Title 2 of the Perris Municipal Code to read, in its entirety, as follows:

**"Chapter 2.05. TERM LIMITS FOR ELECTED OFFICIALS**

**Section 2.05.010. Term Limits.**

No person shall be elected or appointed to more than three (3) terms as an elected official in the City of Perris. For the purposes of calculating the number of terms in the limitation on terms of office, the terms served by a person elected or appointed to one elected office in the City of Perris shall not be aggregated with terms served by that person in another elected office in the City of Perris. For example, a single person may serve three (3) terms as mayor, three (3) terms as a city council member, and three (3) terms as city clerk.

**Section 2.05.020. Elected Officials.**

The term "elected official" as used in this Chapter shall mean the:

- A. Mayor,
- B. Member of the City Council, and
- C. City Clerk.

**Section 2.05.030. Partial Terms of Office.**

The limitation on terms of office described in section 2.05.010 shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the term is less than one-half of the full term of office.

**Section 2.05.040. Application.**

The term limits described in this Chapter shall apply prospectively to terms of office beginning after the November 2018 election.

**Section 2.05.050. Amendments.**

The City Council may by majority vote amend the provisions of this Chapter contained in Section 2.05.030 to implement the substantive provisions of this Chapter, provided that such amendments are consistent with and further the purposes and intent of this Chapter.

**Section 2.05.060. Severability.**

If any subsection, subdivision, paragraph, sentence, clause, or phrase of this Chapter or any part thereof is for any reason held to be unenforceable or otherwise invalid, such decision shall not affect the validity of the remaining portion of this Chapter or any part thereof."

**Section 3. Amendment or Repeal.** The City Council may by majority vote amend the provisions of this Ordinance to implement the substantive provisions of this Ordinance, provided that such amendments are consistent with and further the purposes and intent of this Chapter.

**Section 4. Severability.** If any subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be

unconstitutional or otherwise unenforceable, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The People of the City of Perris hereby declare that they would have passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional or otherwise unenforceable.

*Section 5.* Effective Date. After its adoption by the voters, this Ordinance shall be in full force and effect ten (10) days after the vote is declared by the City Council of the City of Perris, pursuant to the provisions of Election Code §§ 9217 and 15400 and as provided by law.

The Mayor of the City of Perris is hereby authorized and ordered to attest to the adoption of the Ordinance by the voters of the City of Perris by signing where indicated below.

I hereby certify that the foregoing Ordinance was *PASSED, APPROVED and ADOPTED* by the People of the City of Perris, California voting on the 6th day of November, 2018.

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MAYOR, MICHAEL M. VARGAS

ATTEST:

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City Clerk, Nancy Salazar