

RESOLUTION NO. 7621

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SOUTH PASADENA, CALIFORNIA,
CALLING FOR AND GIVING NOTICE OF THE SUBMISSION
TO THE VOTERS OF AN ORDINANCE TO CONVERT THE
ELECTIVE OFFICE OF CITY CLERK TO AN APPOINTIVE
OFFICE TO BE PLACED ON THE BALLOT AT THE
NOVEMBER 5, 2019, SPECIAL MUNICIPAL ELECTION**

WHEREAS, the regular City Council meeting of June 19, 2019, the City Council adopted Resolution No. 7614, declaring a fiscal emergency and Calling a Special Election to be held on November 5, 2019 and requested Los Angeles County to consolidate this special election with other local elections on that same date; and

WHEREAS, pursuant to California Elections Code Section 9222, the City Council has authority to place initiative measures on the ballot to be considered at a special or general Municipal Election; and

WHEREAS, the office of City Clerk is currently an elective office; and

WHEREAS, Government Code Section 36508 authorizes the City Council to submit to the electors the question whether the city clerk shall be appointed by the City Council; and

WHEREAS, the City Council may submit to the voters, without a petition, an ordinance for the repeal, amendment, enactment of any ordinance pursuant to Elections Code Section 9222; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE 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. The City Council hereby submits the ordinance to the electorate for approval, and requests that this election be consolidated with the county and local special election to be held on November 5, 2019. This resolution shall constitute the request for consolidation, and the City Clerk shall forward a certified copy of this resolution to the Clerk of the Los Angeles County Board of Supervisors not later than 88 days prior to November 5, 2019.

SECTION 3. The City Council hereby proposes the ordinance attached hereto as “Exhibit A” to make the office of City Clerk appointive and authorize the City Council to appoint a new the Chief City Clerk immediately.

SECTION 4. The City Clerk is hereby authorized, instructed, and directed to procure and furnish (or cause to be procured and furnished) any and all official ballot notices, printed matter, and all other supplies, equipment, and paraphernalia that may be necessary to prepare and lawfully conduct the election.

SECTION 5. The City Clerk is authorized to canvass the returns of the election and to certify the same to City Council at the time and in the manner provided by law.

SECTION 6. The City Clerk is hereby authorized to utilize the services of the Los Angeles County Clerk for the conduct of the special election. The City of South Pasadena agrees to reimburse Los Angeles County for the City’s prorated share of the costs of the consolidated special election.

SECTION 7. If approved by a majority of the electorate voting on the measure, the ordinance will make the office of City Clerk appointive rather than elective and authorize the City Council to appoint a new City Clerk at the earliest opportunity following execution of the ordinance. If the ordinance is passed, the election of any City Clerk in the November 3, 2020 general election will be invalidated.

SECTION 8. The full text of the ordinance is hereby ordered to be printed in the sample ballot pamphlet provided to the registered voters of the County.

SECTION 9. The question to be submitted to the City voters at said election shall be:

<u>APPOINTMENT OF CITY CLERK</u>	YES
Shall the office of city clerk be appointive?	NO

SECTION 10. Approval of this Ordinance shall require a majority vote of the total number of valid ballots cast and counted.

SECTION 11. 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 within 10 (10) days following the adoption of this Resolution.

SECTION 12. Filing with County. The City Clerk shall, not later than the 88th day prior to the Special Municipal Election to be held on Tuesday, November 5, 2019, file with the Board of Supervisors and the County Clerk - Registrar of Voters of the County of Los Angeles, State of California, a certified copy of this Resolution.

SECTION 13. 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.

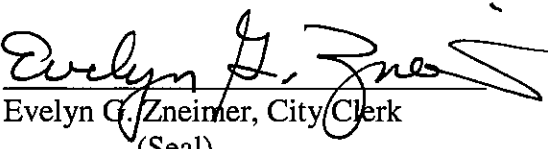
SECTION 14. The City Clerk shall certify to the adoption of this Resolution. Passed, approved and adopted this 17th day of July, 2019.

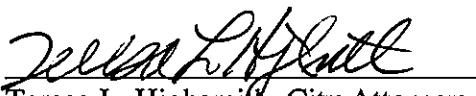
PASSED, APPROVED and ADOPTED on this 17th day of July, 2019.


Marina Khubesrian, M.D., Mayor

ATTEST:

APPROVED AS TO FORM:


Evelyn G. Zneimer, City Clerk
(Seal)


Teresa L. Highsmith, City Attorney

I HEREBY CERTIFY the foregoing resolution was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 17th day of July 2019, by the following vote:

AYES: Cacciotti, Mahmud, Joe, and Mayor Khubesrian

NOES: None

ABSENT: None

ABSTAINED: Schneider



Evelyn G. Zneimer, City Clerk
(Seal)

Exhibit A

**AN ORDINANCE OF CITY'S QUALIFIED ELECTORS
AT THE SPECIAL MUNICIPAL ELECTION
HELD ON NOVEMBER 5, 2019 TO MAKE
THE OFFICE OF CITY CLERK APPOINTIVE**

The People of the City of South Pasadena do ordain as follows:

SECTION 1. The city clerk shall hereby be appointed by the City Council.

SECTION 2. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 3. ELECTION. Voter approval of this ordinance shall have the effect of making the office of city clerk appointive rather than elective. If the measure is defeated, the Municipal Code remains unchanged.

SECTION 4. ADOPTION. If a majority of qualified electors vote in favor of the ballot measure regarding this Ordinance, this Ordinance shall be adopted upon the date the vote therefor is declared by the City Council.

SECTION 5. EFFECTIVE DATE. If approved by a majority of qualified electors vote in favor of the ballot measure regarding this Ordinance, which shall add Section 2-11.1 to the Municipal Code as specified in Section 1, above, shall be effective January 1, 2020.

SECTION 6. EXECUTION. The People of the city of South Pasadena hereby authorize the Mayor and City Clerk of the City to execute this Ordinance to reflect its adoption at the November 5, 2019 election.