RESOLUTION NO. 22967

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF RIVERSIDE AN AMENDMENT TO THE CHARTER OF THE CITY OF RIVERSIDE AT THE MUNICIPAL ELECTION OF JUNE 7, 2016.

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

WHEREAS, on January 12, 2016, the City Council adopted Resolution No. 22948, ordering, calling, providing for and giving notice of a General Municipal Election to be held in the City of Riverside on the 7th day of June, 2016, to be conducted in the City of Riverside for the purpose of electing the Mayor of the City of Riverside; and

WHEREAS, pursuant to Government Code Section 72193, the voters may amend the City Charter to designate the City Attorney as the City Prosecutor, having the primary duty to prosecute all state law misdemeanors committed within the City of Riverside; and

WHEREAS, City Council wishes to submit a certain Charter Amendment to the voters at the June 7, 2016, General Municipal Election.

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

Section 1: The City Council, pursuant to its right and authority under California law, hereby orders that the following question be submitted to the qualified electors of the City of Riverside at the General Municipal Election on June 7, 2016, as referenced in Resolution No. 22948:

> **The Riverside City Prosecution And Crime Reduction Measure.** Shall Section 702 of the City Charter be amended to establish that the Office of City Prosecutor be created within the City Attorney's Office, and the City Attorney acts as City Prosecutor and charged with the duty on behalf of the people of prosecuting misdemeanor offenses arising out of violations of state law?

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CITY ATTORNEY'S OFFICE
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Section 2: That only the qualified electors of the City of Riverside are entitled to vote at said election on this proposal to amend the City Charter and that if a majority of the qualified electors voting on the Charter proposal votes in favor of the proposal, said proposal shall be deemed approved.

Section 3: The City Clerk is authorized, instructed, and directed to take all action necessary to place the Measure described herein on the regular municipal election ballot for the municipal election on June 7, 2016.

Section 4: That the form and contents of the ballots to be used at said election shall be as provided by law.

Section 5: That in accordance with Section 10002 of the Elections Code, the Board of Supervisors of Riverside County is hereby requested to consent to the Riverside County Registrar of Voters rendering election services to the City of Riverside as may be requested by the City Clerk of said City, the County of Riverside to be reimbursed in full for such services as are performed.

Section 6: That the City Clerk shall have charge of all City elections pursuant to Riverside City Charter section 703(f).

Section 7: That the City Clerk is hereby designated the "Elections Official" for the purposes of this election pursuant to Elections Code section 320(b).

Section 8: That based upon the foregoing authority, the City Clerk shall have charge of this election and shall make all determinations necessary to conducting this election.

Section 9: That the City Clerk of said City shall receive the canvass of the General Municipal Election and shall certify the results to the City Council, as required by law.

Section 10: The City Clerk is directed to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure pursuant to Elections Code section 9280, showing the effect of the measure on the existing law and the operation of the measure. The analysis shall be printed preceding the arguments for and against the measure.

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ADOPTED by the City Council this 9th day of February, 2016.

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

Attest:

COLLEEN J. NICOL
City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at its meeting held on the 9th day of February, 2016, by the following vote, to wit:

Ayes: Councilmembers Gardner, Soubirous, Mac Arthur, and Perry

Noes: Councilmembers Melendrez, Davis, and Burnard

Absent: None

Abstained: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 11th day of February, 2016.

COLLEEN J. NICOL
City Clerk of the City of Riverside

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