

## **RESOLUTION NO.**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION ON TUESDAY, \_\_\_\_\_, 2020 FOR THE SUBMISSION TO THE QUALIFIED VOTERS MEASURES.**

**WHEREAS**, the City Council of the City of Commerce on July 16, 2019, adopted Ordinance No. 731, and Ordinance No. 732 (also, "Ordinances"); and

**WHEREAS**, the Ordinances were published as required by law; and

**WHEREAS**, pursuant to authority provided by Division 9, Chapter 3, Article 2 (commencing at 9235) of the Election Code of the State of California, two Referendum Petitions have been filed with the City of Commerce City Clerk, signed by more than ten percent (10%) of the registered voters of the City to repeal Ordinance No. 731 and Ordinance No. 732, or submit them to a vote of the voters; and

**WHEREAS**, the City of Commerce has received a certificate from the County of Los Angeles Registrar of Voters certifying the results of the Registrar's examination of the numbers of signatures and verification of the signatures affixed to the two Petitions for two referendum measures to City of Commerce Ordinances No. 731 and No. 732; and

**WHEREAS**, said certification shows that the two Referendum Petitions were signed by not less than 10 percent of the voters of the City according to the report of registration by the County Elections Official to the Secretary of State pursuant to Elections Code §2187; and

**WHEREAS**, Elections Code §9241 provides that in those circumstances where the above-stated facts exist, as they do here, the City Council must either: (a) entirely repeal the Ordinances; (b) submit the Ordinances to the voters at the next regular municipal election occurring not less than 88 days after the order of the legislative body; or (c) submit the Ordinances to the voters at a special election called for that purpose occurring not less than 88 days after the order of the legislative body; and

**WHEREAS**, the submittal of an Ordinance to a vote of the electorate is exempt from California Environmental Quality Act (CEQA) review (CEQA Guidelines Section 15378(b)(3)); and

**WHEREAS**, the City Council has not voted in favor of repeal of the Ordinances; and

**WHEREAS**, the City Council is authorized and directed by statute to submit the Ordinances to the voters.

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

SECTION 1. That under the provisions of the Elections Code, there is called and ordered to be held in the City of Commerce, California, on Tuesday, \_\_\_\_\_, 2020 a special municipal election for the purpose of submitting two (2) measures to consider Ordinance No. 731 and Ordinance No. 732.

SECTION 2. That pursuant to the requirements of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Commerce, California, on Tuesday, \_\_\_\_\_, 2020 a Special Municipal Election for the purpose of submitting the following questions to the voters regarding the Ordinance No. 731 and Ordinance No. 732:

**City of Commerce Ordinance No. 731:** Shall Ordinance No. 731 of the City Council of the City of Commerce Approving and Adopting Development Agreement No. 18-032 between the City of Commerce and Citadel Holdings Group, LLC for the Improvement and Expansion of the Citadel Shopping Outlet Center; Making findings consistent with and pursuant to Government Code Section 65867.5; Making findings of a CEQA Environmental Impact Report be adopted?

Yes\_\_\_\_\_/ No\_\_\_\_\_/

**City of Commerce Ordinance No. 732:** Shall Ordinance No. 732 of the City Council of the City of Commerce Approving and Adopting Development Agreement No. 18-033 between the City of Commerce and Citadel Holdings Group, LLC and Wash-Tel Commerce, LLC for the development of a ten acre parcel at the corner of Washington Boulevard and Telegraph Road for commercial, public facility and industrial purposes; Making findings consistent with and pursuant to Government Code Section 65867.5; and Making findings of a CEQA Environment ImpactReport be adopted?

Yes\_\_\_\_\_/ No\_\_\_\_\_/

SECTION 3. That the text of the Ordinance No. 731 submitted to the voters is attached as Exhibit A, and Ordinance No. 732 is attached as Exhibit B.

SECTION 4. That the vote requirements for the measures to pass is a majority (50%+1).

SECTION 5. That the ballots be used at the election shall be in form and content as required by law.

SECTION 6. That the City Clerk is authorized, instructed and directed to procure and furnish all and all official ballots, notices, printed material and supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 7. That the polls shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from the time until 8 p.m. o'clock p.m. of the same day when polls shall be closed, pursuant to Election Code 10242, except as provided in 14401 of the Elections Code of the State of California.

SECTION 8. That pursuant to Elections Code 12310, a stipend for services for the persons names as precinct board members is fixed at the sum of \$100 for each Inspector and \$80 for each Clerk for the election. In addition, the sum of \$25 will be given to each precinct board member to attend a training class and the sum of \$25 to be given to each inspector to pick up precinct supplies.

SECTION 9. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 10. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, for and manner as required by law.

SECTION 11. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolution.

PASSED, APPROVED AND ADOPTED ON \_\_\_\_\_, 2020

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Mayor John Soria

ATTEST:

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Lena Shumway, City Clerk