RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, WITH THE STATEWIDE ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE

WHEREAS, the City Council of the City of Commerce called a Municipal Election to be held on November 3, 2020, for the purpose of the allowing voters to decide on referendum petitions related to Ordinance 731 and Ordinance 732; and

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.

WHEREAS, the City Council is submitting to the voters at the municipal election the questions relating to the approval or rejection of Ordinance No. 731 and Ordinance No. 732; and

WHEREAS, it is desirable that the 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 Los Angeles canvass the returns of the 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 COMMERCE DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of § 10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a Municipal Election with the Statewide General election on Tuesday, November 3, 2020, for the purpose of the vote relating to referendum.

SECTION 2. The City Council intends to submit the following questions to the voters in the City of Commerce on Tuesday, November 3, 2020:

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;

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making findings consistent with and pursuant to Government Code Section 65867.5; and Making findings of a CEQA Environment Impact Report be adopted?

Yes___/ No___/

SECTION 3. That the proposed complete text of the measure (Ordinance No. 731) submitted to the voters as Exhibit A, and the text of the measure (Ordinance No. 732) submitted to the voters as Exhibit B.

SECTION 4. That the vote requirement for the measure to pass is a majority (50%+ 1) of the votes cast.

SECTION 5. That the county election department is authorized to canvass the returns of the Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. *The election will be held and conducted in accordance with the provisions of law regulating the statewide or special election.*

SECTION 6. That the Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary for the holding of the consolidated election.

SECTION 7. That the City of Commerce recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 8. That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Election Department of the County of Los Angeles.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this _____, 2020

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Mayor John Soria

ATTEST:

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Lena Shumway, City Clerk