

**RESOLUTION NO. 15-490**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA, REQUESTING PLACEMENT OF A BALLOT MEASURE ON THE GENERAL ELECTION BALLOT FOR THE CITY OF MENIFEE ON TUESDAY, NOVEMBER 2, 2016, TO CONSIDER A BALLOT MEASURE AMENDING MEASURE Z AND MUNICIPAL CODE SECTION 2.32.010 TO APPLY THE TERM LIMITS OTHERWISE APPLICABLE TO THE OFFICES OF CITY COUNCIL MEMBERS OF THE CITY OF MENIFEE TO THE OFFICE OF THE MAYOR OF THE CITY OF MENIFEE**

**WHEREAS**, pursuant to the requirements of the laws of the State of California relating to general law cities, the City Council of the City of Menifee requests that a ballot measure be placed on the General Election ballot for the election to be held in the City of Menifee, California, on Tuesday, November 2, 2016, relating to the term limits of the office of Mayor within the City of Menifee; and

**WHEREAS**, it is desirable that the election be consolidated with the general election to be held on the same date (November 2, 2016) and that within the City precincts, polling places and election officers of the 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.

**WHEREAS**, the City Council requests the Registrar of Voters, County of Riverside, to conduct the consolidated election.

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

**SECTION 1.** Pursuant to the requirements of the laws of the State of California relating to general law cities within the state, there shall be, and there is hereby called and ordered to be held in the City of Menifee, California, on Tuesday, November 2, 2016, an election of the qualified electors of Menifee on a ballot measure set forth as Exhibit A hereto and incorporated herein by reference relating to the term limits of the office of Mayor of the City of Menifee.

**SECTION 2.** The election called and ordered by this Resolution shall be consolidated with the general election to be held on November 2, 2016.

**SECTION 3.** 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 with the general election on Tuesday, November 2, 2016, for the purpose of consideration of adoption of a council-sponsored initiative ordinance relating to the amendment of Measure Z and Municipal Code Section 2.32.010 to apply the term limits otherwise applicable to the offices of City Council Members of the City of Menifee to the office of the Mayor of the City of Menifee:

**MEASURE** \_\_\_\_\_

Shall Measure Z and Menifee Municipal Code Section 2.32.010 be amended to provide that, if the Mayor of the City of Menifee serves four year terms, then the Mayor of the City of Menifee shall be subject to the same term limitations as are otherwise applicable to members of the City Council of the City of Menifee?	<b>YES</b>
	<b>NO</b>

**SECTION 4.** That the County Election Division is authorized to canvass the returns of the consolidated 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.

**SECTION 5.** That the Board of Supervisors is requested to issue instructions to the County Election Division to take any and all steps necessary for the holding of the special consolidated election.

**SECTION 6.** That the City of Menifee 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 7.** That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Election Division of the County of Riverside.

**SECTION 10.** The polls for the election shall be open at seven o'clock a.m. on the day of the election, and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

**SECTION 11.** In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding special elections in the City.

**SECTION 12.** The notice of the time and place of holding the special election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the special election, in time, form and manner as required by law.

**SECTION 13.** The City Clerk is directed to forward without delay to the County Registrar of Voters, a certified copy of this Resolution.

**SECTION 14.** 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 on the 18th day of November, 2015.



\_\_\_\_\_  
Scott A. Mann, Mayor

Resolution No. 15-490

Ballot Measure for Applying Measure Z Term Limits to Office of Mayor

Attest:



Sarah A. Manwaring, City Clerk

Approved as to form:



Jeffrey T. Melching, City Attorney



**Scott A. Mann**  
Mayor

**John V. Denver**  
Mayor Pro Tem

**Greg August**  
Councilmember

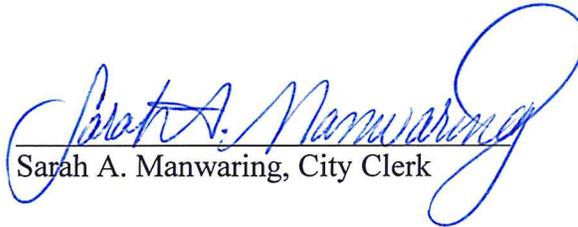
**Matthew Liesemeyer**  
Councilmember

**Vacant**  
Councilmember  
District 3

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE   ) ss  
CITY OF MENIFEE         )

I, Sarah Manwaring, City Clerk of the City of Menifee, do hereby certify that the foregoing Resolution No. 15-490 was duly adopted by the City Council of the City of Menifee at a meeting thereof held on the 18<sup>th</sup> day of November, 2015 by the following vote:

Ayes: August, Denver, Liesemeyer, Mann  
Noes: None  
Abstain: None

  
\_\_\_\_\_  
Sarah A. Manwaring, City Clerk

**EXHIBIT A**

**COUNCIL-SPONSORED INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**

The City Council for the City of Menifee submits the following initiative measure to the voters of the City for approval and enactment:

**ORDINANCE NO. 2015-\_\_\_\_\_**

**AN ORDINANCE OF THE PEOPLE OF THE CITY OF MENIFEE, CALIFORNIA, AMENDING MEASURE Z AND THE MUNICIPAL CODE OF THE CITY OF MENIFEE TO CREATE TERM LIMITS ON THE OFFICE OF THE MAYOR OF THE CITY OF MENIFEE**

THE PEOPLE OF THE CITY OF MENIFEE ORDAIN AS FOLLOWS:

SECTION 1. Amendment of Measure Z. Measure Z, enacted in 2010 by a vote of the people to set term limitations of members of the City Council of the City of Menifee, is hereby amended.

SECTION 2. Term Limits on the Office of Mayor. Any person who has served two successive four-year terms or eight consecutive years as mayor shall be ineligible to serve again in that office until an intervening period of two years has elapsed. Any person who serves as a mayor for two or more years of an appointed or elected term shall be considered to have served a term. Four year terms existing prior to this measure taking effect shall not be counted in determining eligibility.

SECTION 3. Amendment of Municipal Code. Municipal Code Section 2.32.010 is hereby amended to read as follows (deletion shown as ~~strike out~~ and addition as underline):

**2.32.010 ELECTION; TERM OF OFFICE; SALARY.**

(A) The Mayor of the city shall be elected on a citywide basis by the voters of the entire city.

(B) The term of office of the Mayor shall be for two years.

(C) Compensation of the Mayor shall be set at \$100 more per month than the compensation set for members of the City Council and shall be subject to adjustment in accord with the provisions and procedures set forth in Cal. Gov't Code § 36516.

(D) Any person who has served two successive four-year terms or eight consecutive years as mayor shall be ineligible to serve again in that office until an intervening period of two years has elapsed. Any person who serves as a mayor for two or more years of an appointed or elected term shall be considered to have served a term. Four year terms existing prior to this measure taking effect shall not be counted in determining eligibility.

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SECTION 4. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall take effect according to law ten days after certification of the election at which it is adopted, and in accordance with the provisions of the approved initiative.