

RESOLUTION NO. 18-07

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, INITIATING PROCEDURES FOR ESTABLISHING AND IMPLEMENTING BY-DISTRICT ELECTIONS FOR TOWN COUNCIL MEMBERS

WHEREAS, members of the Town Council of the Town of Yucca Valley (“Town”) are currently elected in “at-large” elections, in which each Town Council member is elected by the registered voters of the entire Town, held concurrently with the Statewide General Election in November of even numbered years; and

WHEREAS, California Government Code section 34886, effective January 1, 2016, permits the Town Council of a Town with a population of fewer than 100,000 people, to change the Town’s method of election by ordinance, with certain formalities, to a “by-district” system in which each Town Council member is elected only by the voters in the district in which the candidate resides; and

WHEREAS, the law firm of Shenkman and Hughes sent the Town a letter and threatened litigation against the Town if it does not convert to district-based elections for Town Council members; and

WHEREAS, on February 20, 2018, the Town Council, after meeting in closed session with the Town Attorney to discuss the threatened litigation committed to switching from “at-large” elections to a “by-district” electoral system; and

WHEREAS, California Elections Code section 10010 requires a total of four public hearings before a public hearing is held for the adoption of an ordinance to establish district boundaries for a by-district electoral system is approved; and

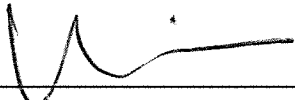
NOW, THEREFORE, BE IT RESOLVED as follows:

- A. The above recitals are true and correct.
- B. The Town Council hereby resolves to adopt a by-district election system as authorized by Government Code section 34886 for use in the Town’s General Municipal Election for Town Council Members in November 2018.
- C. The Town Council hereby approves the tentative timeline contained in Exhibit A hereto, and incorporated herein by this reference, for conducting a public process to solicit public input and testimony on proposed by-district electoral plans before adopting any such plan.
- D. This timeline contained in Exhibit A shall be subject to adjustment by the Town

Council as it deems necessary, provided that such adjustments shall not prevent the Town from meeting its goal of finalizing the change to by-district elections in time for the November 2018 elections.

E. The Town Manager shall consult with the Town Attorney to resolve all legal issues necessary to give effect to this Resolution

APPROVED AND ADOPTED by the Town Council and signed by the Mayor and attested by the Town Clerk this 26th day of February, 2018.



MAYOR

ATTEST:



TOWN CLERK



TOWN OF YUCCA VALLEY NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Yucca Valley Town Council will hold a public hearing on the following dates and times in the Yucca Valley Community Center Yucca Room, 57090 Twentynine Palms Highway, Yucca Valley California 92284

Tuesday	March 6, 2018	6:00 pm
Monday	March 12, 2018	5:30 pm
Monday	March 26, 2018	3:30 pm
Monday	April 9, 2018	6:00 pm
Tuesday	April 24, 2018	5:30 pm

The purpose of the public hearings is to consider draft plans and receive public input relative to potential voting district boundaries and creation of a Town Council district based electoral system pursuant to Elections Code section 10010. At the conclusion of all the public hearings, the Council may adopt an ordinance changing the method of electing Town Council Members to “by-district” elections, rather than by the current “at-large” system. “By-district” voting provides a candidate may only run for the Council seat that represents the district in which that candidate resides, and only the voters in a given district may vote on which candidate will represent that district. An “at-large” system provides each voter may vote for any candidate for each Council seat up for election. If such an ordinance is adopted, “by-district” elections would start with the Town’s November 2018 election.

All interested parties are invited to attend the public hearing(s) and express opinions. The public hearing may be continued from time to time, as necessary, by giving notice at the aforementioned hearing.

Copies of all support materials will be available for public inspection in the Town Clerk’s Office at Yucca Valley Town Hall or by visiting the Town’s website at www.yucca-valley.org. Arrangements for reviewing this material and/or obtaining copies of the documents may be made by contacting the Town Clerk’s Office at (760) 369-7209 x226.

If you challenge the proposed action in court, you may be limited to raising only those issues raised at the subject public hearing or in written correspondence timely delivered to the Town Clerk at, or prior to, the public hearing.

Dated this 27nd day of February, 2018

/s/ Lesley R. Copeland, CMC
Town Clerk

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Lesley R. Copeland, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Resolution No. 18-07 as duly and regularly adopted at a meeting of the Town Council of the Town of Yucca Valley, California at a meeting thereof held on the 26th day of February 2018, by the following vote:

Ayes:	Council Members Abel, Drozd, Leone, Lombardo and Mayor Denison
Noes:	None
Abstain:	None
Absent:	None



Lesley R. Copeland, CMC
TOWN CLERK