

FILED

NOV 16 2023

BY  DEPUTY
REGISTRAR OF VOTERS

EXHIBIT "A"

ORDINANCE NO. O-23-____

AN ORDINANCE OF THE PEOPLE OF THE CITY OF COLTON, CALIFORNIA, AMENDING SECTION 2.12.010 OF CHAPTER 2.12 AND ADDING CHAPTER 2.14 (CITY CLERK) TO TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE COLTON MUNICIPAL CODE TO CHANGE THE OFFICE OF CITY CLERK FROM AN ELECTED OFFICE TO AN APPOINTED OFFICE.

NOW THEREFORE, THE PEOPLE OF THE CITY OF COLTON DO ORDAIN AS FOLLOWS:

SECTION 1. Subject to the approval of a majority of the voters of the City of Colton at the scheduled election so designated by the City Council in a separate resolution placing this proposal on the ballot for such election, Section 2.12.010 of Chapter 2.12 is amended and Chapter 2.14 is hereby added to Title 2 of the Colton Municipal Code and shall read as follows:

[NOTE: deletions are identified in ~~strikeout text~~ and additions are identified in *bold italics*]

"TITLE 2: ADMINISTRATION AND PERSONNEL.

CHAPTER 2.12 - COMPENSATION OF CITY OFFICIALS - BONDS

2.12.010 - City Clerk.

~~As consideration for those duties required by State Law to be performed by the City Clerk, t~~*The appointed* City Clerk Shall be paid a salary *as set by the City Council* ~~of three hundred seventy dollars per Month,~~ payable at the time and in the manner that other salaries of the City are paid. The City Council ~~May also, in its sole discretion,~~ *Shall* assign to the *appointed* City Clerk, through the adoption of a job description, ~~any other supplemental~~ *those* duties reasonably related to the ~~elected~~ *appointed* City Clerk position, and ~~May~~ *Shall* provide by Resolution for the *administrative* oversight of *and compensation to be paid for* such supplemental duties and for supplemental compensation to be paid for such supplemental duties. The City Council ~~May also provide for such duties to be terminated in any manner it deems necessary. The City Clerk's acceptance and performance of the supplemental duties and supplemental compensation shall not give the City Clerk tenure at the City or otherwise confer regular employment status upon the City Clerk.~~

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CHAPTER 2.14 – APPOINTED CITY CLERK

2.14.010 Appointed Position.

As of the November 5, 2024 General Municipal Election, or such earlier time should a vacancy occur in the office prior to said Election, the office of the City Clerk shall be cease to be elected and shall become an appointive office. Pursuant to California Government Code section 36510, such appointive officer shall hold office during the pleasure of the City Council and, notwithstanding Government Code section 36502 to the contrary, shall not be required to be a resident or elector in the City. The City Council may by subsequent ordinance vest in the City Manager its authority to appoint such officer."

SECTION 2. If any portion of this Ordinance is declared invalid by a court of law or other legal body with applicable authority, the invalidity shall not affect or prohibit the force and effect of any other provision or application of the Ordinance that is not deemed invalid. The voters of the City hereby declare that they would have circulated for qualification and/or voted for the adoption of this section, and each portion thereof, regardless of the fact that any portion of the initiative may be subsequently deemed invalid.

SECTION 3. To the fullest extent allowed by law, the provisions of this Ordinance shall prevail over, and supersede, all other provisions of the Municipal Code and any ordinances, resolutions or administrative policies of the City of Colton which are in conflict with any provision of this Ordinance.

SECTION 4. This section shall not be repealed or amended except by a measure approved by a majority of the electors voting on the issue at a Special Municipal Election, or at a special election called for that purpose.

SECTION 5. This Ordinance shall take effect only if approved by a majority of the eligible voters of the City of Colton voting at a Special Municipal Election to be held on March 5, 2024, and shall take effect ten (10) days after the City Council has certified the results of the Special Municipal Election by resolution.

SECTION 6. The Mayor is hereby authorized to attest to the adoption of this Ordinance by the People voting thereon on March 5, 2024, by signing where indicated below.

I hereby certify that the foregoing Ordinance was passed, approved and adopted by the People of the City of Colton on the 5th day of March, 2024.

Dated: _____

FRANK NAVARRO, MAYOR

ATTEST:

APPROVED AS TO FORM:

**STEPHANIE VARGAS
DEPUTY CITY CLERK**

**CARLOS CAMPOS
CITY ATTORNEY**