

RESOLUTION NO. 2024-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF MORENO VALLEY ON TUESDAY, NOVEMBER 5, 2024, TO FILL THE REMAINING TERM OF THE VACANCY CREATED BY THE RESIGNATION OF THE FORMER DISTRICT 3 COUNCIL MEMBER, PURSUANT TO THE PROVISIONS OF STATE LAW RELATING TO GENERAL LAW CITIES, AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE THE SPECIAL MUNICIPAL ELECTION WITH THE CONSOLIDATED GENERAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

WHEREAS, the office of District 3 City Council Member became vacant as a result of the resignation of David Marquez on April 16, 2024; and

WHEREAS, the remaining term of former Council Member Marquez expires and ends in December 2024, upon the installation of the individual elected by the voters at the November 2024 General Municipal Election to serve as the District 3 Council Member for the 2024-2028 term; and

WHEREAS, Government Code Section 36512(b) provides that if a vacancy occurs in an elective office, the City Council shall, within 60 days from the commencement of the vacancy, either fill the vacancy by appointment or call a special election to fill the vacancy for the unexpired term of the former incumbent; and

WHEREAS, Government Code Section 36512(b) further provides that the special election shall be held on the next regularly established election date not less than 114 days from the call of the special election; and

WHEREAS, Elections Code Section 1000 provides that the "Regular Election Dates" include: (a) the first Tuesday after the first Monday in March of each year; (b) the second Tuesday of April in each even-numbered year; (c) the first Tuesday after the first Monday in June in each even-numbered year that is not evenly divisible by four (not applicable); and (d) the first Tuesday after the first Monday in November of each year; and

WHEREAS, since the special election to fill the vacancy must be held on the "next regularly established election date" that falls on or after the 114th day from the date the special election is called, the special election will have to take place on the first Tuesday after the first Monday in November, which is November 5, 2024; and

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 Moreno Valley calls and orders to be held in the City of Moreno Valley, California, on Tuesday, November 5, 2024, a

Special Municipal Election to consider the election of an individual to fill the remaining term of the vacancy created by the resignation of the former District 3 Council Member which expires in December 2024, upon the installation of the individual elected by the voters at the November 2024 General Municipal Election to serve as the District 3 Council Member for the 2024-2028 term; and

WHEREAS, since the Special Municipal Election will be consolidated with the Consolidated General Election on November 5, 2024, the precincts, polling places and election officers of the two elections shall be the same, and that the Registrar of Voters of the County of Riverside shall canvass the returns of the Special Municipal Election, and that the elections be held in all respects as if there were only one election.

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

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, including without limitation Government Code Section 36512, there is called and ordered to be held in the City of Moreno Valley, California, on Tuesday, November 5, 2024, a Special Municipal Election for the purpose of electing one (1) member of the City Council in District 3, to fill the vacancy resulting from the resignation of David Marquez, which term shall expire in December 2024 upon the installation of the individual elected by the voters at the November 2024 General Municipal Election to serve as the new District 3 Council Member for the 2024-2028 term.

SECTION 2. That pursuant to the requirements of Elections Code Section 10403, the Board of Supervisors of the County of Riverside is hereby requested to consent and agree to the consolidation of the City of Moreno Valley's Special Municipal Election with the Consolidated General Election, which may be held on said day in whole or in part of the territory of the City, as provided in Elections Code Section 10400, for the purpose of electing the District 3 Council Member to fill the vacancy resulting from the resignation of David Marquez, which term shall expire in December 2024 upon the installation of the individual elected by the voters at the November 2024 General Municipal Election to serve as the new District 3 Council Member for the 2024-2028 term.

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the City Clerk is authorized, instructed and directed to coordinate with the County of Riverside Registrar of Voters to procure and furnish any and all ballots, notices, printed matter and supplies, services, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 5. That 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, pursuant to California

Elections Code Section 10242, except as provided in Elections Code Section 14401.

SECTION 6. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for the holding of municipal elections in the City.

SECTION 7. That the County of Riverside Registrar of Voters Office is authorized to canvass the returns of the City of Moreno Valley's Special Municipal Election, that the elections shall be held in all respects as if there were only one election, and only one form of ballot shall be used, and that the City of Moreno Valley's Special Municipal Election shall be held and conducted in accordance with the provisions of law regulating the Consolidated General Election, including without limitation, Elections Code § 10418.

SECTION 8. That the Board of Supervisors is hereby requested to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

SECTION 9. That the City of Moreno Valley recognizes that additional costs will be incurred by the County of Riverside by reason of this consolidation and agrees to reimburse the County for any such costs upon presentation of a properly submitted invoice.

SECTION 10. That the 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, form and manner as required by law.

SECTION 11. That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the Registrar of Voters of the County of Riverside.

SECTION 12. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

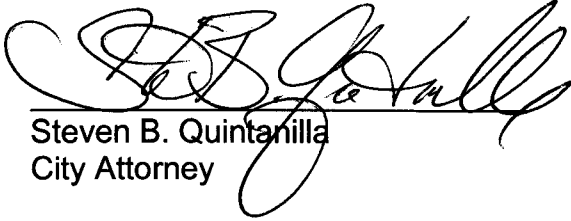
SECTION 13. That all the provisions of any existing resolution as heretofore adopted by the City Council that are in conflict with the provisions of this Resolution are hereby repealed.

APPROVED AND ADOPTED this 7th day of May, 2024.



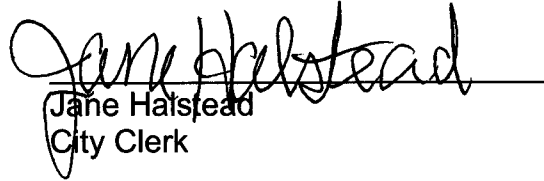
Ulises Cabrera
Mayor
City of Moreno Valley

APPROVED AS TO FORM:



Steven B. Quintanilla
City Attorney

ATTEST:



Jane Halstead
City Clerk

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2024-18 was duly and regularly adopted by the City Council of the City of Moreno Valley at a Regular Meeting held on the 7th day of May 2024, by the following vote:

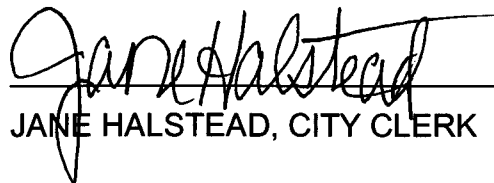
AYES: Council Member Baca-Santa Cruz, Council Member Delgado, Mayor Pro Tem Delgado, and Mayor Cabrera

NOES:

ABSENT:

ABSTAIN:

(Council Member, Mayor Pro Tem, Mayor)



JANE HALSTEAD, CITY CLERK

(SEAL)

