

RESOLUTION NO. (Call for Special Election)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL, CALIFORNIA, CALLING FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION ON TUESDAY, JUNE 7, 2016, FOR THE SUBMISSION TO THE QUALIFIED VOTERS AN ORDINANCE.

WHEREAS, the City Council of the City of Morgan Hill, California on April 1, 2015, adopted Ordinance No. 2131, New Series, providing for a zoning amendment to a 3.39 acre site located at the northeast quadrant of the intersection of Madrone Parkway and Lightpost way; and

WHEREAS, the ordinance was 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, a petition has been filed with the legislative body of the City of Morgan Hill signed by more than ten per cent of the registered voters of the city to repeal the ordinance or submit it to a vote of the voters; and

WHEREAS, the City Clerk examined the records of registration and ascertained that the petition is signed by the requisite number of voters and verified by the Santa Clara County – Registrar of Voters Office, and has so certified; and

WHEREAS, the City Council has not voted in favor of the repeal of the ordinance; and

WHEREAS, the City Council is authorized and directed by statute to submit the ordinance to the voters;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL, CALIFORNIA, DOES 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, there is called and ordered to be held in the City of Morgan Hill, California, on Tuesday, June 7, 2016, a Special Municipal Election for the purpose of submitting the following ordinance:

Shall the ordinance amending the zoning designation of a 3.39 acre site located at the northeast corner of the intersection of Madrone Parkway and Lightpost Way from the ML – Light Industrial District to the CG – General Commercial District (APN 726-33-026) be adopted?	Y E S
	N O

SECTION 2. That the text of the Ordinance No. 2131, New Series is available at the City Clerk's Office. If you desire a copy of the ordinance, please contact the City Clerk's Office at (408) 779-7271, and a copy will be mailed or e-mailed at no cost to you.

SECTION 3. That the vote requirement for the referendum to pass is a majority (50%+1) of the votes cast.

SECTION 4. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 5. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 6. That the polls shall be open at seven o'clock a.m. of 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 Election Code § 10242, except as provided in § 14401 of the Elections Code of the State of California.

SECTION 7. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 8. That 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 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 AND ADOPTED by the City Council of the City of Morgan Hill at a Regular Meeting held the ____ of March _ 16.

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

STEVE TATE, Mayor

ATTEST:

IRMA TORREZ, City Clerk

DATE: _____

∞ CERTIFICATION ∞

I, Irma Torrez, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. ____, adopted by the City Council at the meeting held on _____, 2016.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk