

FULL TEXT FOR MEASURE R

ORDINANCE NO. O-09-18

AN ORDINANCE OF THE PEOPLE OF THE CITY OF COLTON, CALIFORNIA, AMENDING CHAPTER 2.02 OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE COLTON MUNICIPAL CODE REDUCING THE NUMBER OF CITY COUNCIL MEMBERS FROM SIX WITH AN AT-LARGE ELECTED MAYOR TO FOUR WITH AN AT-LARGE ELECTED MAYOR AND ESTABLISHING NEW CITY COUNCIL ELECTORAL DISTRICT BOUNDARIES WITHIN THE CITY.

THE PEOPLE OF THE CITY OF COLTON, CALIFORNIA DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 2.02 of Title 2 (Administration and Personnel) of the Colton Municipal Code is hereby amended to read as follows:

"Chapter 2.02 - ELECTION OF CITY COUNCILMEMBERS BY DISTRICT.

2.02.010 - Purpose and number of Districts.

The purposes of this chapter are to establish fair representation on the City Council by the establishment of ~~six~~ **four** electoral districts to assure that the needs of all areas of the City are represented by the City Council at all times and to provide for the position of Mayor elected by the City at-large. The City Council districts shall be drawn with the underlying purpose of creating neighborhoods to bring people together and shall additionally be drawn to create districts as nearly equal in population as possible according to the latest Federal decennial census. District boundaries may be amended from time to time **by City Council ordinance** as provided by law to assure continued fair representation.

2.02.020 - Definitions.

As used in this chapter, the following terms shall be defined as set forth in this section:

"By District" means the election of members of the City Council only by voters residing in the district in which such Councilmembers also reside.

~~"Initial Term" means the two- or four-year term of office for each Councilmember beginning with the election of Councilmembers by district in 1992 in order to establish continuity of representation on the City Council by electing Councilmembers By District in three Districts only in any one election Year.~~

~~"Transition Period" means that period of time during which Initial Terms of office remain in effect.~~

2.02.030 - Manner of election.

One member of the City Council shall be elected by each district established by this chapter as identified and described in Sections 2.02.080 **and 2.02.090** of this chapter.

2.02.040 - Initial Adjustment to Councilmember Terms of office.

All incumbent City Councilmembers shall be entitled to fulfill the balance of their existing terms of office **to which they were elected by their respective six (6) districts at either the November 8, 2016 or November 6, 2018 General Municipal Election, or to which they were appointed to such an office in lieu of an election pursuant to existing law.** To effect that policy, the ~~Initial Terms of office during the Transition Period shall be determined as follows~~ **special rules shall apply to**

future terms of office in order to match the timing of future elections with the reduction in districts from six (6) to four (4):

- A. **November 6, 2018 General Municipal Election:** Districts 1, 2 and 4 shall not be subject to election in 1992. The initial term of office for the *each* Councilmember in Districts 1, 2 and 4 shall be ~~two~~ **four** years and shall expire in ~~1994~~**2022**, concurrently with expiration of the term of office of the current incumbent Councilmember in that District.
- B. **November 3, 2020 General Municipal Election:** Districts 2, 3, 5 and 6 shall be subject to election in 1992. The initial term of office ~~for~~ **for each Councilmember in** Districts 2, 3, 5 and 6 shall be two years and shall expire in ~~1994~~**2022**, and any ~~after which the~~ **after which the** incumbent Councilmember who resides in District 2 may elect to run for election **in his or her new** By District 2 of residence in the election to be held in November of ~~1992~~**2022**.
- C. **November 8, 2022 General Municipal Election:** *As of this election, Districts 1 through 6 shall cease to exist as six separate electoral districts. Instead an election shall be held for the Office of City Councilmember amongst duly-nominated and qualified candidates residing in and being voted upon by registered voters residing within the four Electoral Districts 1 through 4, as identified in Section 2.02.090 of this chapter. The term of office for each Councilmember in Electoral Districts 1 and 2 shall be two years and shall expire in 2024. The term of office for each Councilmember in Electoral Districts 3 and 4 shall be four years and shall expire in 2026. The incumbent Councilmember in District 2 whose current term expires in 1994, shall elect, immediately following final adoption of the Ordinance codified in this chapter, either:*
 1. ~~To become a candidate for Council to be elected By District 2 for the Initial Term of two Years and if not elected to terminate his current term of office; or~~
 2. ~~To fill out his current term by representing another District, selected by Lot, within the City.~~
- D. **November 5, 2024 and Future General Municipal Elections:** *Elections shall be held for the Office of City Councilmember amongst duly-nominated and qualified candidates residing in and being voted upon by registered voters residing within their respective Electoral Districts 1, 2, 3 or 4, as identified in Section 2.02.090 of this chapter. The term of office for each Councilmember shall be four years. General elections shall be staggered so that Councilmembers from Electoral Districts 1 and 2 are elected in November, 2024, 2028, 2032, etc., and Councilmembers from Electoral Districts 3 and 4 are elected in November, 2026, 2030, 2034, etc. In the event that the incumbent Councilmember in District 2 whose term expires in 1994 elects to fulfill the unexpired remainder of his term of office by representing another District, selected by Lot, that District shall not be subject to election in 1992 and the term of office for that District shall expire in 1994, concurrently with the expiration of that incumbent's term of office.*
- E. ~~All other Districts not otherwise addressed in this section, shall be subject to election in 1992 and the Initial Term of office for those Districts shall be four Years terminating in 1996, unless the incumbent Councilmember in District 2 whose term expires in 1994 elects to stand for election to the initial two Year term commencing in 1992. In that case, the Initial Term of office for one other~~

~~District Shall be determined by Lot to be a two-Year term expiring in 1994, so that a total of three Districts Shall have Initial Terms expiring in 1994 and three Districts have Initial Terms expiring in 1996. Thereafter, all Districts Shall have Councilmember terms of four Years.~~

~~2.02.050 - Terms of office for Councilmembers after Transition Period.~~
~~[Reserved]~~

~~The terms of office for Councilmembers after the Initial Term established in Section 2.02.040 for the Transition Period Shall be four Years.~~

2.02.060 - Term of office for Mayor.

The term of office for the Mayor Shall be four years. ***The Mayor shall be elected at the November 6, 2018 General Municipal Election and at each general municipal election in every fourth year following that election.***

~~2.02.070 - Eligibility of City Councilmembers after Transition Period - District Residency Required.~~

~~After the Transition Period and the expiration of the term of office of any incumbent Councilmember, a Person is eligible to hold office as a member of the City Council elected By District if he or she resides in the geographical area making up the District from which he or she is elected and if he or she is registered to vote in that District at the time at which ***nomination*** papers must be filed declaring his or her candidacy for office ***are issued to the person.***~~

2.02.080 - District numbers and boundaries until November 8, 2022 Election.

Until the November 8, 2022 General Municipal Election, there shall be six Districts in the City described in the map which is set forth in this chapter as Exhibit "1", attached hereto and incorporated herein by reference, and which are more particularly described as follows:

- A. District 1. All that land located in the City lying within the Following described boundaries:

Beginning at the intersection of the Ellen Street and the City of Colton Corporate Boundary, Thence easterly along Ellen Street to Watwood Street, Thence southerly along Watwood Street to Johnston Street, Thence easterly on Johnston Street to Grand Avenue, Thence southerly along Grand Avenue to Citrus Street, Thence westerly along Citrus Street to Grand Avenue, Thence Southerly along Grand Avenue to Long Beach Drive, Thence westerly along Long Beach Drive to Latham Street, Thence southerly along Latham Street to Laurel Street, also being a point in the City of Colton Corporate Boundary, thence easterly and southerly along the City of Colton Corporate Boundary, Following its various courses to its intersection with Agua Mansa Road, Thence easterly along Agua Mansa Road to Rancho Avenue, Thence southerly and easterly along Rancho Avenue to La Cadena Drive, Thence southerly along La Cadena Drive to the north line of the San Bernardino County Rood Control District Right-of-Way as described in Official Records 7556-795, PCL. 61 Records of San Bernardino County, State of California, Thence southerly and westerly along said north line through its various courses to its intersection with the City of Colton Corporate Boundary at Riverside Avenue, Thence, northerly and easterly along the City of Colton Corporate Boundary to the Point of Beginning.

Excluding all unincorporated areas within this District boundary.

- B. District 2. All that land located in the City lying within the Following described boundaries:

Beginning at the intersection of the City of Colton Corporate Boundary with Ellen Street Thence easterly along Ellen Street to Watwood Avenue, Thence southerly along Watwood Avenue to Johnston Street, Thence easterly along Johnston Street to Grand Avenue, Thence southerly along Grand Avenue to Citrus Street, Thence westerly along Citrus Street to Grand Avenue, Thence southerly along Grand Avenue to Long Beach Drive, Thence westerly along Long Beach Drive to Latham Street, Thence southerly along Latham Street to Laurel Street, also being a point in the City of Colton Corporate Boundary, thence easterly and southerly along the City of Colton Corporate Boundary, Following its various courses to its intersection with Olive Street, Thence easterly along Olive Street to Pennsylvania Avenue, Thence southerly along Pennsylvania Avenue to B Street, Thence easterly along B Street to La Cadena Drive, Thence northerly along La Cadena Drive to Olive Street, Thence easterly along Olive Street to 10th Street, Thence northerly along 10th Street to La Cadena Drive, Thence northeasterly along La Cadena Drive to Laurel Street, Thence westerly along Laurel Street to the Burlington Northern and Santa Fe Railroad, Thence northeasterly along said Railroad to City of Colton Corporate Boundary at Mill Street, Thence northerly and westerly along the City of Colton Corporate Boundary to the Point of Beginning.

- C. District 3 - All that land located in the City lying within the Following described boundaries:

Beginning at the intersection of Mill Street, also being the City of Colton Corporate Boundary, with the Burlington Northern and Santa Fe Railroad, Thence Following the City of Colton Corporate Boundary through its various courses easterly and southerly to Fairway Drive, Thence westerly along Fairway Drive to Mt. Vernon Avenue, Thence northerly along Mt. Vernon Ave to C Street, Thence westerly along C Street to 10th Street, Thence northerly along 10th Street to B Street, Thence westerly along B Street to La Cadena Drive, Thence northerly along La Cadena Drive to Olive Street, Thence easterly along Olive Street to 10th Street, Thence northerly along 10th Street to La Cadena Drive, Thence northeasterly along La Cadena Drive to Laurel Street, Thence westerly along Laurel Street to the Burlington Northern and Santa Fe Railroad, Thence northeasterly along said Railroad to the Point of Beginning.

- D. District 4. All that land located in the City lying within the Following described boundaries:

Beginning at the intersection of the City of Colton Corporate Boundary and Agua Mansa Road, Thence northerly along the City of Colton Corporate Boundary through its various courses to Olive Street, Thence easterly along Olive Street to Pennsylvania Avenue, Thence southerly along Pennsylvania Avenue to B Street, Thence easterly along B Street to 10th Street, Thence southerly along 10th Street to C Street, Thence easterly along C Street to Mt. Vernon Avenue, Thence southerly along Mt. Vernon Avenue to Fairway Drive, Thence easterly along Fairway Drive to the Warm Creek Flood Control Channel, Thence southerly along the Warm Creek Flood Control Channel to the Interstate 10 Freeway, Thence westerly along the Interstate 10 Freeway to Mt. Vernon Avenue, Thence southerly along Mt. Vernon Avenue to M Street, Thence westerly along M Street to Fogg Street, Thence southerly

along Fogg Street to Congress Street, Thence westerly along Congress Street to 8th Street, Thence southerly along 8th Street to Fogg Street, Thence westerly along Fogg Street to La Cadena Drive, Thence southerly along La Cadena Drive to Rancho Avenue, Thence westerly and northerly along Rancho Avenue to Agua Mansa Road, Thence westerly along Agua Mansa Road to the Point of Beginning.

- E. District 5. All that land located in the City lying within the Following described boundaries:

Beginning at the intersection of the City of Colton Corporate Boundary and Interstate 10 Freeway, Thence westerly and northerly along the City of Colton Corporate Boundary to its intersection with the Interstate 215 Freeway, Thence leaving said Colton corporate boundary, southerly along the Interstate 215 Freeway to the Reche Canyon Flood Control Channel, Thence easterly along the Reche Canyon Flood Control Channel to its intersection with the northerly prolongation of Meadow Lane, Thence southerly along Meadow Lane to Washington Street, Thence easterly along Washington Street to Center Street, Thence southerly along Center Street to Barton Road, Thence southwestly along Barton Road to its intersection with the City of Colton Corporate Boundary, Thence southerly along the City of Colton Corporate Boundary through its various courses to the Riverside County Line, also being City of Colton Corporate Boundary, Thence easterly along City of Colton Corporate Boundary to the Loma Linda City Boundary, also being City of Colton Corporate Boundary, Thence northerly along the City of Colton Corporate Boundary through its various courses to the Point of Beginning.

Excluding there from all unincorporated area lying within the District boundary.

- F. District 6. All that land located in the City lying within the Following described boundaries:

Beginning at the most southwestly corner of the City of Colton, Thence easterly and northerly along the City of Colton Corporate Boundary, also being the boundary between San Bernardino County and Riverside County, through its various courses to its intersection with Barton Road near Hilltop Drive, Thence leaving said Colton Corporate Boundary northeasterly along Barton Road to Center Street, Thence northerly along Center Street to Washington Street, Thence westerly along Washington Street to Meadow Lane, Thence northerly along Meadow Lane and its northerly prolongation to the Reche Canyon Flood Control Channel, Thence westerly along Reche Canyon Flood Control Channel to the Interstate 215 Freeway, Thence northerly along the Interstate 215 Freeway to its intersection with the City of Colton Corporate Boundary, Thence westerly along the City of Colton Corporate Boundary through its various courses to the intersection of Fairway Drive with Auto Plaza Drive, Thence leaving said Colton Corporate Boundary westerly along Fairway Drive to the Warm Creek Flood Control Channel, Thence southerly along the Warm Creek Flood Control Channel to the Interstate 10 Freeway, Thence westerly along Interstate 10 Freeway to Mt. Vernon Avenue, Thence southerly along Mt. Vernon Avenue to M Street, Thence westerly along M Street to Fogg Street, Thence southerly along Fogg Street to Congress Street. Thence westerly along Congress Street to 8th Street, Thence southerly along 8th Street to Fogg Street, Thence westerly along Fogg Street to La Cadena Drive, Thence southerly along La Cadena Drive to the north line of the San Bernardino County Flood Control District

Right-of-Way as described in document recorded in Official Record No. 7556-795 PCL 61, Records of San Bernardino County, State of California, Thence southerly and westerly along said north line through its various courses to its intersection with the City of Colton Corporate Boundary at Riverside Avenue, Thence southerly and westerly along the City of Colton Corporate Boundary to the Point of Beginning.

Excluding there from all unincorporated area lying within the District boundary.

All calls to a roadway or drainage device shall be to the centerline unless otherwise noted.

2.02.090 - Adjusted District numbers and boundaries for November 8, 2022 Election and Future Elections.

- A. For the November 8, 2022 General Municipal Election, Districts 1 through 6, as defined in Section 2.02.080 (A) through (F), shall cease to exist as six separate electoral districts, and shall be replaced by four Districts 1 through 4, as those Districts are described in the map which is set forth in this chapter as Exhibit "2", attached hereto and incorporated herein by reference, and which are more particularly described as follows:**

- 1. District 1. All that land located in the City lying within the following described boundaries:**

Beginning at the intersection of the Rancho Ave and the City of Colton Corporate Boundary, thence southerly along Rancho Ave to Citrus Street, thence easterly along Citrus Street to Pennsylvania Ave, thence southerly on Pennsylvania Ave to Olive St, thence westerly along Olive St to the City of Colton Corporate Boundary approximately 175 feet west of the intersection of Olive St and Rancho Ave, thence counter-clockwise along the Corporate Boundary to Agua Mansa Road, thence easterly along Agua Mansa Road to Rancho Avenue, thence southerly and easterly along Rancho Avenue to La Cadena Drive, thence southerly along La Cadena Drive to the north line of the San Bernardino County Flood Control District Right-of-Way as described in Official Records 7556-795, PCL. 61 Records of San Bernardino County, State of California, thence southerly and westerly along said north line through its various courses to its intersection with the City of Colton Corporate Boundary at Riverside Avenue, thence, clockwise along the City of Colton Corporate Boundary to the point of beginning.

Excluding all unincorporated areas within this District boundary.

- 2. District 2. All that land located in the City lying within the following described boundaries:**

Beginning at the intersection of the Rancho Ave and the City of Colton Corporate Boundary, thence southerly along Rancho Ave to Citrus Street, thence easterly along Citrus Street to Pennsylvania Ave, thence southerly on Pennsylvania Ave to Olive St, thence easterly along Olive St to Pennsylvania Ave; thence proceeding southerly along Pennsylvania Ave to B St; thence proceeding easterly along B St to La Cadena Ave; thence proceeding northerly along La Cadena Ave to Olive St; thence proceeding easterly along Olive St to 10th St; thence

proceeding southerly along 10th St to B St; thence proceeding easterly along B St to Colton Ave; thence proceeding northeasterly along Colton Ave to Mt Vernon Ave; thence proceeding southerly along Mt. Vernon Ave to Fairway Dr; thence proceeding easterly along Fairway Dr to the City of Colton Corporate Boundary; thence proceeding counter-clockwise along the Corporate Boundary to the point of beginning.

Excluding all unincorporated areas within this District boundary.

3. District 3. All that land located in the City lying within the following described boundaries: :

Beginning at the intersection of the City of Colton Corporate Boundary and Agua Mansa Road, thence northerly along the City of Colton Corporate Boundary through its various courses to Olive Street, thence easterly along Olive Street to Pennsylvania Avenue, thence southerly along Pennsylvania Avenue to B Street, thence easterly along B Street to Colton Ave; thence proceeding northeasterly along Colton Ave to Mt Vernon Ave; thence proceeding southerly along Mt Vernon Ave to Fairway Dr; thence proceeding easterly along Fairway Dr to the City of Colton Corporate Boundary; thence proceeding counter-clockwise along the Corporate Boundary to Interstate 215; thence proceeding southerly along the Interstate 215 Freeway to Washington St; thence proceeding westerly along Washington St to Santo Antonio Dr; thence proceeding northerly along Santo Antonio Dr to Porta Mediterranean; thence proceeding westerly along Porta Mediterranean to Porta Roma; thence proceeding northerly along Porta Roma and its northerly extension about 115 feet to the drainage canal thence westerly along the drainage canal and southwesterly along the south line of the San Bernardino County Flood Control District Right-of-Way as described in Official Records 7556-795, PCL. 61 Records of San Bernardino County, State of California, thence southerly and westerly along said south line through its various courses to its intersection with the Burlington Santa Fe Railroad; thence proceeding southerly along the Railroad to the Corporate Boundary; thence proceeding clockwise along the Corporate Boundary to the intersection of the Corporate Boundary with the north line of the San Bernardino County Flood Control District Right-of-Way as described in Official Records 7556-795, PCL. 61 Records of San Bernardino County, State of California, northerly and easterly along said north line through its various courses to its intersection with La Cadena Dr; thence proceeding northerly along La Cadena Dr to Rancho Ave; thence proceeding northwesterly along Rancho Ave to Agua Mansa Rd; thence proceeding westerly along Agua Mansa Rd to the point of beginning.

Excluding all unincorporated areas within this District boundary.

4. District 4. All that land located in the City lying within the following described boundaries:

Beginning at the intersection of the City of Colton Corporate Boundary and Interstate 215 Freeway; thence proceeding southerly along the Interstate 215 Freeway to Washington St; thence proceeding westerly along Washington St to Santo Antonio Dr; thence proceeding northerly along Santo Antonio Dr to Porta Mediterranean; thence proceeding westerly along Porta Mediterranean to Porta Roma; thence proceeding

northerly along Porta Roma and its northerly extension about 115 feet to the drainage canal thence westerly along the drainage canal and southwesterly along the south line of the San Bernardino County Flood Control District Right-of-Way as described in Official Records 7556-795, PCL. 61 Records of San Bernardino County, State of California, thence southerly and westerly along said south line through its various courses to its intersection with the Burlington Santa Fe Railroad; thence proceeding southerly along the Railroad to the Corporate Boundary; thence proceeding counter-clockwise along the Corporate Boundary to the point of beginning.

Excluding all unincorporated areas within this District boundary.

- B. All calls to a roadway or drainage device shall be to the centerline unless otherwise noted.*
- C. All future general municipal elections for City Councilmembers shall be conducted by the four electoral districts (Districts 1 through 4) as those Districts are described in the map which is set forth in this chapter and which are more particularly described in subsection (A) above.*
- D. The City Council may, from time to time, by ordinance, adjust the boundaries of Districts 1 through 4, as required by law or as desirable in order to create electoral districts as nearly equal in population as possible according to the latest Federal decennial census to assure continued fair representation within the City of Colton."*

SECTION 2. Effective Date. Pursuant to California Elections Code Section 9217, this Measure must be approved by at least a majority of the eligible voters of the City of Colton voting at the General Municipal Election of November 6, 2018. If approved, this Measure shall be deemed adopted and take effect ten (10) days after the City Council has certified the results of that election by resolution.

SECTION 3. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The People of the City of Colton hereby declare that they would have adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 4. Certification/Summary. Following the City Clerk's certification that the citizens of Colton have approved this Ordinance, the Mayor shall sign this Ordinance and the City Clerk shall cause the same to be entered in the book of original ordinances of said City; and shall cause the same, or a summary thereof, to be published as required by law.

PASSED, APPROVED and ADOPTED this 6th day of November, 2018.

RICHARD A. DELAROSA, Mayor

ATTEST:

CAROLINA R. PADILLA, City Clerk

APPROVED AS TO FORM:

CARLOS CAMPOS, City Attorney
Best Best & Krieger

[Official Map on File with Colton City Clerk].



