DRAFT RESOLUTION A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY, A CERTAIN MEASURE RELATING TO AMENDING THE GENERAL PLAN AND ZONING CODE, AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008, AS CALLED BY RESOLUTION NO. __________

WHEREAS, a General Municipal Election on Tuesday, November 4, 2008 has been called by Resolution No. __________, adopted on June 24, 2008, and

WHEREAS, pursuant to authority provided by statute a petition has been filed with the legislative body of the City of Atascadero, California, signed by more than 10 per cent of the number of registered voters of the city to submit a proposed ordinance relating amending the General Plan and Zoning Code; and

WHEREAS, the City Clerk examined the records of registration and ascertained that the petition is signed by the requisite number of voters, and has so certified; and

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

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

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

SECTION 1. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following question:

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<th>Should the City amend the General Plan and Zoning Code to Prohibit Commercial Establishments in Excess of 150,000 Square Feet of Gross Floor Area or Retail Discount Stores in Excess of 90,000 Square Feet with at Least 5% of Gross Floor Area Dedicated To Items Such As Groceries.</th>
<th>YES</th>
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<td>NO</td>
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SECTION 2. That the proposed measure submitted to the voters is attached as Exhibit A.
SECTION 3. 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 4. 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 5. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

On motion by _______________ and seconded by _______________, the foregoing Resolution is hereby adopted on the following roll call vote:

AYES:

NOES:

ABSENT:

ADOPTED:

ATTEST:                      CITY OF ATASCADERO

___________________________________  _____________________________
Marcia McClure Torgerson, C.M.C., City Clerk        Mike Brennler, Mayor

APPROVED AS TO FORM:

___________________________________
Brian A. Pierik, City Attorney