



DEBRA BOWEN | SECRETARY OF STATE | STATE OF CALIFORNIA
BUSINESS PROGRAMS | SPECIAL FILINGS

1500 11th Street | Sacramento, CA 95814 | P.O. Box 942877 | Sacramento, CA 94277-0001 | (916) 653-3984 | www.sos.ca.gov

May 11, 2010

Geri K. Bryan, City Clerk
City of Lancaster
44933 Fern Ave.
Lancaster, CA 93534

A Charter for the City of Lancaster, ratified by the voters at the election on April 27, 2010, was filed in this office on May 10, 2010 and assigned Charter Chapter Number 5 for publication in the Statutes of 2010.

Sincerely,

Special Filings Unit

MAY 10 2010

**MEASURE C
PROPOSED CHARTER**

**EXHIBIT A
CHARTER OF CITY OF LANCASTER
PREAMBLE**

We the people of the City of Lancaster, State of California, declare our intent to restore to our community the historic principles of self governance inherent in the doctrine of home-rule. Sincerely committed to the belief that local government has the closest affinity to the people governed, and firm in the conviction that the economic and fiscal independence of our local government will promote the health, safety and welfare of all the citizens of this City, we do hereby exercise the express right granted by the Constitution of the State of California to enact and adopt this Charter for the City of Lancaster.

CHARTER

Article I - Municipal Affairs

Section 100. Powers. The City shall have all powers possible for a City to have under the Constitution and laws of the State of California as fully and completely as though they were specifically enumerated in this Charter. Specifically, but not by way of limitation, the City shall have the power to make and enforce all laws and regulations with respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution of the State of California. It shall also have the power to exercise any and all rights, powers and privileges heretofore or hereafter established, granted, or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise under the Constitution of the State of California. Without limiting in any manner the foregoing power and authority, each of the powers, rights, and responsibilities described in this Charter is hereby declared to be a municipal affair, the performance of which is unique to the benefit and welfare of the citizens of the City of Lancaster. The enumeration in this Charter of any particular power, duty or procedure shall not be held to be exclusive of, or any limitation or restriction upon, this general grant of power.

Section 101. General Law Powers. In addition to the power and authority granted by the terms of this Charter and the Constitution of the State of California, the City shall have the power and authority to adopt, make, exercise and enforce all legislation, laws and regulations and to take all actions and to exercise any and all rights, powers, and privileges heretofore or hereafter established, granted or prescribed by any law of the State of California or by any other lawful authority. In the event of any conflict between the provisions of this Charter and the provisions of the general laws of the State of California, the provisions of this Charter shall control.

Section 102. Elections. The City of Lancaster shall have the power to adopt ordinances establishing procedures, rules or regulations concerning City of Lancaster elections and public officials, including but not limited to, the qualifications and compensation of elected officials, the method, time and requirements to hold elections, to fill vacant offices and for voting by mail. Unless in conflict with ordinances adopted by the City, state law regarding elections shall apply.

Section 103. Fines and Penalties. The City of Lancaster shall have the power to adopt ordinances establishing penalties, fines and forfeitures for violations of the provisions of the Lancaster Municipal Code.

Section 104. Incorporation and Succession. The City shall continue to be a municipal corporation known as the City of Lancaster. The boundaries of the City of Lancaster shall continue as now established until changed in the manner authorized by law. The City shall remain vested with and shall continue to own, have, possess, control and enjoy all property rights and rights of action of every nature and description owned, had, possessed, controlled or enjoyed by it at the time this Charter takes effect, and is hereby declared to be the successor of same. It shall be subject to all debts, obligations and liabilities, which exist against the City at the time this Charter takes effect. All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect and not in conflict with or inconsistent herewith, are hereby continued in force until the same have been duly repealed, amended, changed or superseded by proper authority.

Article II -- Form of Government

Section 200. Council-Manager Form of Government. The municipal government established by this Charter shall be the "Council-Manager" form of government, under which the Mayor and City Council set policy and the City Manager carries out that policy. The City Manager shall meet and confer with the Mayor prior to conducting a final interview or making the appointment of a Department Head or the Assistant or Deputy City Manager.

Section 201. Mayor and City Council. The City shall be governed by, and all powers of the City shall be vested in, the Mayor and City Council. The City Council consists of four Council Members each elected to office from the City at large in the manner provided by the laws of the State or procedures adopted by ordinance. The Mayor shall be elected to office from the City at large. The Mayor and each City Council Member shall have equal votes on all matters coming before the City Council. The Mayor and each City Council Member in office at the time this Charter takes effect shall continue in office until the end of the term for which he or she was elected or appointed subject to the right of the people to recall the Mayor or a City Council Member from office as provided in the laws of the State.

Section 202. The Mayor. In addition to any other authority granted to the Mayor by this Charter, the ordinances and regulations of the City or laws of the State, but not by way of limitation, as provided in Government Code Section 40605, the Mayor, with the consent of the City Council, shall have the authority to make all appointments to, or removals from all boards, commissions and committees.

Section 203. Compensation. Compensation for the Mayor and each City Council Member may be set, and from time to time may be changed by ordinance, which ordinance shall be adopted by a four-fifths vote of the Mayor and City Council.

Article III - Revenue, Savings and Generation

Section 300. Public Works Contracts. Except as provided in Section 301, the City shall have the power to establish standards, procedures, rules or regulations to regulate all aspects of the bidding, award and performance of any public works contract, including, but not limited to, the compensation rates to be paid for the performance of such work.

Section 301. Prevailing Wages. Except for public works projects of one thousand dollars (\$1,000) or less, not less than the general prevailing rate of per diem wages as provided in California Labor Code section 1770 et seq., as now existing and as may be amended, shall be paid to all workers employed on public works projects. This section shall not apply to work that is performed which is not under contract, work that is performed by the City's own forces or on work performed under a declaration of a state of emergency, pursuant to the provisions of the California Emergency Services Act, Government Code section 8550.

Section 302. Public Financing. The City shall have the power to establish standards, procedures, rules or regulations related to any public financing.

Section 303. Utility Franchises. The City shall have the power to adopt any ordinance providing for the acquisition, development, or operation by the City of any public utility, or any ordinance providing for the granting of a franchise to any public utility not owned by the City which proposes to use or is using City streets, highways or other rights-of-way.

Section 304. Enterprises. The City shall have the power to engage in any enterprise deemed necessary to produce revenues for the general fund or any other fund established by the City Council to promote a public purpose.

Article IV - Revenue Retention

Section 400. Reductions Prohibited. Any revenues raised and collected by the City shall not be subject to subtraction, retention, attachment, withdrawal or any other form of involuntary reduction by any other level of government.

Section 401. Mandates Limited. No person, whether elected or appointed, acting on behalf of the City, shall be required to perform any function which is mandated by any other level of government, unless and until funds sufficient for the performance of such function are provided by said mandating authority.

Article V - Amendment

Section 500. Amendment to Charter, Revision or Repeal. This Charter and any of its provisions may be amended by a majority vote of the electors voting on the question. Amendment, revision or repeal may be proposed by initiative or by the governing body.

Article VI - Interpretation

Section 600. Construction and Interpretation. The language contained in this Charter is intended to be permissive rather than exclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter which is a municipal affair.

Section 601. Severability. If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.

ATTEST:

Gerie K. Bryan
GERIE K. BRYAN, CMC
City Clerk
Lancaster, California

Date: 5-7-10

APPROVED:

R. Rex Parris
R. REX PARRIS
Mayor
Lancaster, California

Date: 5-7-10

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss
CITY OF LANCASTER }

CERTIFICATION OF PROPOSED CHARTER

I, Gerie K. Bryan, City Clerk for the City of Lancaster, California, do hereby certify that this is a true and correct copy of the Proposed Charter for the City of Lancaster, California.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this 7th day of MAY, 2010.

(seal)

Gerie K. Bryan