

RESOLUTION NO. 24-2975

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARTESIA, CALIFORNIA, SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF ARTESIA ON THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION BALLOT AN INITIATIVE MEASURE AMENDING THE ARTESIA GENERAL PLAN 2030, THE ARTESIA BOULEVARD CORRIDOR SPECIFIC PLAN, AND THE ARTESIA MUNICIPAL CODE TO REQUIRE "MAJOR MODIFICATIONS" TO THE ARTESIA BOULEVARD CORRIDOR SPECIFIC PLAN TO BE APPROVED BY VOTERS; REQUESTING THE COUNTY OF LOS ANGELES TO CONSOLIDATE SAID ELECTION WITH THE PRESIDENTIAL GENERAL ELECTION OF EVEN DATE; AND SETTING RULES AND DEADLINES FOR ARGUMENTS AND REBUTTALS FOR AND AGAINST THE MEASURE

WHEREAS, pursuant to authority provided by the California Elections Code, a petition has been filed with the City Council of the City of Artesia, seeking to enact an initiative measure/ordinance which would amend the Artesia General Plan 2030, the Artesia Boulevard Corridor Specific Plan, and the Artesia Municipal Code to require "major modifications" to the Artesia Boulevard Corridor Specific Plan to be approved by voters, (the "Measure" or "Ordinance");

WHEREAS, pursuant to California Elections Code section 9215, an initiative petition must be in filed with the City in valid form and signed by not less than ten percent (10%) of the registered voters of the City in order to qualify the Measure for the ballot;

WHEREAS, according to Los Angeles County voter records, the minimum signature requirement in order to qualify the Measure for the ballot is 871 registered City voters;

WHEREAS, the City Clerk, through the Los Angeles County Registrar of Voters, has certified that the form of the petition complies with California law and, based upon an examination of voter registration records, has ascertained that the petition is signed by the requisite number of voters to qualify the Measure for the ballot under the Elections Code;

WHEREAS, the City Council has not voted in favor of adoption of the Measure without alteration;

WHEREAS, the City Council is therefore authorized and required by California Elections Code Sections 1405 and 9215 to submit the proposed Measure to the voters at its "next regularly scheduled election occurring not less than 88 days after the date of the order of election";

WHEREAS, the next "regularly scheduled election" is the City's General Municipal Election to be held on Tuesday, November 5, 2024;

WHEREAS, the specific terms of the Measure are attached hereto as Exhibit "A" and by this reference made an operative part hereof, and in accordance with all applicable laws;

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Presidential General Election to be held on the same date, that within the City the precincts, polling places, voting centers and election officers of the two elections be the same, that the Los Angeles County election department canvass the returns of the General Municipal Election, and that the election be held in all respects as if there were only one election; and

WHEREAS, it is also desirable to establish deadlines and rules for the submission of written arguments and rebuttals for and against the Measure in accordance with applicable California Elections Code procedures.

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

SECTION 1. Recitals. The City Council hereby finds and determines that the foregoing recitals are true and correct, and are incorporated herein and by this reference are made an operative part hereof.

SECTION 2. Submission of Ballot Measure. The City Council of the City, pursuant to its right and authority as contained in California Elections Code Sections 1405 and 9215, hereby orders the Measure attached hereto as Exhibit "A" to be submitted to the qualified voters of the City at a General Municipal Election to be held on **Tuesday, November 5, 2024**. The proposed Measure shall be in the form attached hereto as Exhibit "A" to this Resolution and is incorporated by this reference as if fully set forth herein.

SECTION 3. Ballot Question. The City Council, pursuant to its right and authority, does hereby order that the ballot question for the Measure shall be presented and printed upon the ballot submitted to the qualified voters in the manner and form set forth in this Section 3. On the ballot to be submitted to the qualified voters at the General Municipal Election to be held on Tuesday, November 5, 2024, in addition to any other matters required by law, there shall be printed substantially the following ballot question:

"Shall a measure be adopted to amend the Artesia General Plan 2030, the Artesia Boulevard Corridor Specific Plan, and the Artesia Municipal Code to require "major modifications" to the Artesia Boulevard Corridor Specific Plan to be approved by voters?"	YES	
	NO	

SECTION 4. Election Procedures.

- A. The ballots to be used at the election shall be in the form and content as required by law.
- B. Pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Presidential General Election on Tuesday, November 5, 2024, for the purpose of submitting to the voters the questions relating to the City's Measure.
- C. The election services which the City of Artesia requests the Registrar of Voters, or such other official as may be appropriate, to perform and which such officer is hereby authorized and directed to perform, if said Board of Supervisors consents, include: the preparation, printing and mailing of sample ballots; the establishment or appointment of precincts, polling places, voting centers and election officers; the preparation, printing, mailing and furnishing of vote-by-mail ballots; making such publications as are required by law in connection therewith; the furnishing of ballots, voting booths, and other necessary supplies or materials for polling places or voting centers; the canvassing of the returns of the election and the furnishing of the results of such canvassing to the City Clerk of the City of Artesia; and the performance of such other election services as may be requested by the City Clerk.
- D. The City Clerk is authorized, instructed and directed to procure and furnish, or cause to be procured and furnished through the County of Los Angeles, 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.

- E. The polls, voting centers and/or vote-by-mail drop-off boxes shall be open and the procedures for submitting votes-by-mail or votes at polls and vote centers shall be in accordance with those times and procedures established by the County of Los Angeles, except as otherwise provided in the Elections Code of the State of California.
- F. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections in the City.
- G. 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.
- H. All ballots shall be tallied at a central counting place and not at the precincts. Said central counting place shall be at a County center as designated by the Registrar of Voters.
- I. The Los Angeles County Registrar of Voters is hereby authorized to canvass the returns of said election.
- J. The City Clerk of the City of Artesia shall receive the canvass from the County as it pertains to the election on the Measures, and shall certify the results to the City Council, as required by law.

SECTION 5. Arguments and Impartial Analysis.

- A. The City Council authorizes (i) the City Council or any member(s) of the City Council, (ii) the proponents of the above Measure, (iii) any individual voter eligible to vote on the above Measure, (iv) a bona fide association of such citizens or (v) any combination of voters and associations, to file a written argument in favor of or against the Measure, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, which arguments may be changed until and including **Friday, August 16, 2024**, after which no arguments for or against the Measure may be submitted to the City Clerk. Arguments in favor of or against the Measure shall each not exceed 300 words in length. Each argument shall be filed with the City Clerk, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.
- B. The City Clerk shall comply with all provisions of law establishing priority of arguments for printing and distribution to the voters, and shall take all necessary actions to cause the selected arguments to be printed and distributed to the voters.
- C. Pursuant to Section 9280 of the Elections Code, the City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the Measure. The City Attorney shall transmit such impartial analysis to the City Clerk, who shall cause the analysis to be published in the voter information guide along with the Measure as provided by law. The Impartial Analysis shall be filed by the deadline set for filing of primary arguments as set forth in Subsection 5(A) above. The impartial analysis shall include a statement indicating whether the Measure was placed on the ballot by a petition signed by the requisite number of voters or by the City Council. In the event the entire text of the Measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-font bold type, the following: **“The above statement is an impartial analysis of Ordinance or Measure _____. If you desire a copy of the Ordinance or Measure, please call the**

election official's office at (562) 865-6262 and a copy will be mailed at no cost to you."

- D. The provisions of this Section 5 shall apply only to the election to be held on November 5, 2024, and shall then be repealed.

SECTION 6. Rebuttals.

- A. Pursuant to Section 9285 of the Elections Code of the State of California, when the Clerk has selected the arguments for and against the various City initiated measures which will be printed and distributed to the voters, the Clerk shall send copies of the argument in favor of the measures to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The authors or persons designated by them may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than **Monday, August 26, 2024**. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.
- B. The provisions of this Section 6 shall apply only to the election to be held on November 5, 2024, and shall then be repealed.

SECTION 7. Placement on the Ballot. The full text of the Measure shall not be printed in the voter information guide, and a statement shall be printed in the ballot pursuant to Section 9223 of the Elections Code advising voters that they may obtain a copy of the Measure at no cost, upon request made to the City Clerk.

SECTION 8. Delivery of Resolution to County. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions. The City Council directs the City Clerk to deliver copies of this Resolution, including the Measure attached hereto as Exhibit "A," to the Clerk of the Board of Supervisors of Los Angeles County and to the Registrar of Voters of Los Angeles County.

SECTION 9. Public Examination. Pursuant to California Elections Code section 9295, the Measure will be available for public examination for no fewer than ten (10) calendar days prior to being submitted for printing in the voter information guide. The Clerk shall post notice in the Clerk's office of the specific dates that the examination period will run.

SECTION 10. CEQA. The City Council hereby finds and determines that placement of the Measure on the ballot is not a discretionary action of the City Council within the meaning of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines and is, therefore, not subject to CEQA review. See, *Tuolumne Jobs and Small Business Alliance v. Superior Court*, (2014) 59 Cal. 4th 1029.

SECTION 11. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

SECTION 12. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED this 8th day of April, 2024.



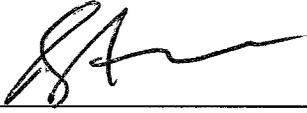
TONY LIMA, MAYOR

ATTEST:



JENNIFER ALDERETE, CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY, BEST, BEST AND KRIEGER

I, Jennifer Alderete, City Clerk of the City of Artesia, do hereby certify that the foregoing Resolution was adopted at the Regular City Council Meeting held on the 8th day of April 2024, by the following vote:

AYES: COUNCILMEMBERS: MANALO, RAMOSO, TREVINO, TAJ, LIMA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE



JENNIFER ALDERETE, CITY CLERK

EXHIBIT "A"

ORDINANCE NO. 24-_____

AN ORDINANCE OF THE PEOPLE OF THE CITY OF ARTESIA, CALIFORNIA, AMENDING THE ARTESIA GENERAL PLAN 2030, THE ARTESIA BOULEVARD CORRIDOR SPECIFIC PLAN, AND THE ARTESIA MUNICIPAL CODE TO REQUIRE "MAJOR MODIFICATIONS" TO THE ARTESIA BOULEVARD CORRIDOR SPECIFIC PLAN TO BE APPROVED BY VOTERS.

THE PEOPLE OF THE CITY OF ARTESIA, CALIFORNIA, DO ORDAIN AS FOLLOWS:

SECTION 1. TITLE. This initiative measure will be known as the "City of Artesia No New Taxes/Strengthen Our Economy Initiative." It will sometimes be referred to as the "Initiative."

SECTION 2. PURPOSE AND EFFECT. The purpose of this Initiative is to provide a better plan to protect existing local businesses, attract new retail and commercial development into the City, to retain existing jobs and create new job opportunities, and to help avoid the need to increase taxes on City residents and local businesses.

SECTION 3. FINDINGS. The voters of the City of Artesia find that this Initiative promotes the health, safety, welfare, and quality of life of the City's residents based upon the following:

(a) This measure is badly needed to help the people of Artesia cope with the ever-rising costs of living and to forestall a planned City tax increase.

(b) Since at least 2018, the City Manager and City Council have failed to balance the City's expenses with existing revenues. To solve this problem, rather than reduce expenses and improve fiscal responsibility, the City Manager and City Council have announced their intent to raise the sales tax for consumer purchases at every business in the City to cover their budget deficit. The residents of Artesia are already hurting from the high costs of housing, gasoline, and other necessities. Raising taxes will only make it more difficult for people in Artesia who are struggling to make ends meet. Furthermore, raising the sales tax only in the City of Artesia will drive people to shop elsewhere, where costs will be lower, thereby hurting local businesses and actually shrinking the tax base.

(c) At the same time, the City Manager and City Council are supporting changes to City planning documents, including the Artesia General Plan 2030 and the Artesia Boulevard Corridor Specific Plan, that would harm the City's ability to attract new retail and commercial development, and thereby increase the City's reliance on new taxes to fund City government and public services.

(d) Eliminating development opportunities for new retail and commercial businesses would permanently harm the City's ability to generate new tax revenues. The City is largely built out, with only limited areas remaining that can be developed or redeveloped with new retail, commercial, restaurant, and similar businesses. Besides creating local shopping and job opportunities, these types of businesses are the primary source of revenues for the City. Local businesses, not housing, pay for the City's expenses and public services. Without local businesses, the City will never be able to generate sufficient revenue to cover the City budget.

(e) If allowed to proceed, the sales tax increase and the loss of local businesses and retail development opportunities will be permanent. However, unless the City Manager and City Council can manage the City budget more effectively, there is no guarantee that these measures will permanently solve the City's ongoing budget deficit.

(f) This Initiative is intended to address these problems. Specifically, this Initiative would ensure that City residents have control over the City's key retail, commercial, and business center along Artesia Boulevard. This petition will help protect the City's ability to attract new retail development to build stores, restaurants, or other commercial enterprises on vacant or underutilized parcels along Artesia Boulevard, including the site of the former California Dairies plant. Attractive retail development at that site and others will generate increased sales taxes for the City thereby helping to

eliminate the need to raise the sales tax. By doing so, this Initiative will strengthen City finances, expand the tax base, and generate new jobs that will help the local economy.

SECTION 4. DEFINITIONS. As used in this Initiative:

Filing Date: The date the Notice of Intent to Circulate Petition for this Initiative was presented to the City.

Initiative: The City of Artesia No New Taxes/Strengthen Our Economy Initiative placed upon the ballot and adopted by the voters of the City of Artesia.

SECTION 5. GENERAL PLAN AMENDMENT. This Initiative hereby amends the Artesia General Plan 2030 (“General Plan”) as described below. The General Plan amendments set forth in this Section 5 may be changed only by a vote of the people. Text to be amended in the General Plan is indicated as follows: deleted text is shown in ~~strike through~~ text, and new text is shown in underline text.

Page I-7 of the General Plan is amended to read:

“I. ADMINISTERING THE GENERAL PLAN

The Artesia General Plan is a policy document that provides guidance for the City’s vision towards a sustainable urban area. The City Council adopts the Plan as the primary development guidance tool. Zoning Ordinances, Specific Plans, design guidelines, and other documents are designed to implement the General Plan. These documents, therefore, must be consistent with the General Plan (including both the required and optional Elements). In addition, all future programs and projects will seek policy guidance from the General Plan.

The General Plan is intended to be a dynamic document. An annual review of the General Plan is required by the State of California to ensure that it remains relevant. The implementation program is derived from strategies and actions in the General Plan. This program will be reviewed annually as a means of completing the mandated Annual Report. The Implementation Program also includes a Mandated Mitigation Monitoring Program for tracking impact mitigations identified in the Environmental Impact Report.

Moreover, the General Plan may be amended to respond to changing community needs up to four times per year. Requests for amendments may be submitted by individuals or initiated by the City itself. Any proposed amendment will be reviewed by the Planning Commission and City Council to ensure that the change is in the public interest and would not be detrimental to the public health, safety, and welfare. Environmental review is also required for all General Plan Amendments.

As noted above and discussed elsewhere in this General Plan, Specific Plans are designed to implement the General Plan. One current Specific Plan, the Artesia Boulevard Corridor Specific Plan, has been specifically ratified and affirmed by City voters. Major modifications to the Artesia Boulevard Specific Plan, including but not limited to increases in density, increases in height, reductions in setbacks, changes of use in a manner that is inconsistent with the intent of the Specific Plan, and changes in the uses permitted by quadrant as specified in Table 2-2 of the Artesia Boulevard Corridor Specific Plan, shall require a Specific Plan amendment approved by a vote of the people.”

Pages H-4 and H-5 of the General Plan are amended to read:

“c. Specific Plans

Specific Plans are customized regulatory documents that provide focused guidance and regulations for a particular area to address the specific characteristics or needs for that area. They generally include a land use plan, circulation plan, infrastructure plan, zoning classifications, development standards, design implementation. The City has ~~three~~ the following Specific Plans listed guidelines, and plan approved below.

- Pioneer Specific Plan
- South Specific Plan

- Artesia Boulevard Industrial Area Specific Plan
- Artesia LIVE Specific Plan
- Artesia Boulevard Corridor Specific Plan
- Arkansas Street Specific Plan

The City is also currently drafting the Downtown Specific Plan.

The Artesia Boulevard Corridor Specific Plan has been specifically ratified and affirmed by City voters. Major modifications to the Artesia Boulevard Specific Plan, including but not limited to increases in density, increases in height, reductions in setbacks, changes of use in a manner that is inconsistent with the intent of the Specific Plan, and changes in the uses permitted by quadrant as specified in Table 2-2 of the Artesia Boulevard Corridor Specific Plan, shall require a Specific Plan amendment approved by a vote of the people.

SECTION 6. SPECIFIC PLAN AMENDMENT.

This Initiative hereby amends the Artesia Boulevard Corridor Specific Plan (“Specific Plan”) as described below. The Specific Plan amendments set forth in this Section 6 may be changed only by a vote of the people. Text to be amended in the Specific Plan is indicated as follows: deleted text is shown in ~~strikethrough~~ text, and new text is shown in underline text.

Page 162 of the Specific Plan is amended to read:

“6.4.3 Major Modifications

Major modifications ~~constitute~~ include but are not limited to increases in density, increases in height, reductions in setbacks, ~~or~~ changes of use in a manner that is inconsistent with the intent of the Specific Plan, and changes in the uses permitted by quadrant as specified in Table 2-2. Major modifications shall require a Specific Plan amendment approved by a vote of the people.”

SECTION 7. MUNICIPAL CODE AMENDMENT. This Initiative hereby amends the City of Artesia Municipal Code (“Municipal Code”) as described below. The Municipal Code amendments set forth in this Section 7 may be changed only by a vote of the people. Text to be amended in the Municipal Code is indicated as follows: deleted text is shown in ~~strikethrough~~ text, and new text is shown in underline text.

Section 9-2.3454 of the Municipal Code is amended to read:

“9-2.3454 Amendments to Specific Plans.

Unless otherwise indicated in the applicable specific plan, all amendments to an adopted specific plan shall require Planning Commission review and recommendation and City Council review and approval in accordance with the procedures specified by law.

The Artesia Boulevard Corridor Specific Plan has been specifically ratified and affirmed by City voters. Major modifications to the Artesia Boulevard Specific Plan, including but not limited to increases in density, increases in height, reductions in setbacks, changes of use in a manner that is inconsistent with the intent of the Specific Plan, and changes in the uses permitted by quadrant as specified in Table 2-2 of the Artesia Boulevard Corridor Specific Plan, shall require a Specific Plan amendment approved by a vote of the people.”

SECTION 8. EFFECTIVE DATE. This Initiative shall be binding and effective as of the earliest date allowed by law (the “Effective Date”). Pursuant to California Elections Code section 9217, this Ordinance shall be deemed adopted and take effect only if approved by a majority of the eligible voters of the City of Artesia voting at the General Municipal Election of November 5, 2024. It shall be deemed adopted when the City Council has certified the results of that election by resolution and shall take effect ten (10) days thereafter.

SECTION 9. GENERAL PLAN DESIGNATIONS AS OF FILING DATE. The City's General Plan in effect on the Filing Date, as amended by this Initiative, comprises an integrated, internally consistent, and compatible statement of policies for the City of Artesia. In order to ensure that nothing in this Initiative measure would prevent the General Plan from being an integrated, internally consistent, and compatible statement of the policies of the City, as required by State law, and to ensure that the actions of the voters in enacting this Initiative are given effect, any amendment or update to the General Plan that is adopted between the Filing Date and the date that the General Plan is amended by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with the General Plan amendments adopted by this Initiative, be amended as soon as possible to ensure consistency between the provisions adopted by this Initiative and other provisions of the General Plan.

SECTION 10. OTHER CITY PLANS, ORDINANCES AND POLICIES. The City of Artesia is hereby authorized and directed to amend the General Plan, the City Municipal Code (including its zoning ordinances), and any other City plans, ordinances and policies affected by this Initiative as soon as possible and periodically thereafter as necessary to ensure consistency between the provisions adopted in this Initiative and other sections of the City General Plan, Municipal Code and other City plans, ordinances and policies.

SECTION 11. REORGANIZATION. The General Plan may be reorganized or updated, or readopted in different format, and individual provisions may be renumbered or reordered, in the course of ongoing updates of the General Plan in accordance with the requirements of State law, provided that the provisions of Section 5 of this Initiative shall remain in the General Plan unless repealed or amended by vote of the people of the City of Artesia.

SECTION 12. CONSTRUCTION. This Initiative shall be interpreted liberally to further its stated purpose. Nothing herein shall be construed to make illegal any lawful use being made of any land in accordance with City land use and zoning regulations in force before the effective date of this ordinance.

SECTION 13. CONFLICTS WITH STATE AND FEDERAL LAW. The provisions of this Initiative shall not apply to the extent that they would violate state or federal laws. This Initiative shall not be applied in a manner that would result in an unconstitutional taking of private property.

SECTION 14. RELATIONSHIP TO MUNICIPAL CODE. If any provision of this Initiative conflicts with other provisions contained in the City of Artesia Municipal Code, the provisions of this Initiative shall supersede any conflicting provision of the Municipal Code.

SECTION 15. CONSISTENCY WITH OTHER BALLOT MEASURES. If another ballot measure is placed on the same ballot as this Initiative and deals with the same subject matter, and if both measures pass, the voters intend that both measures shall be put into effect, except to the extent that specific provisions of the measures are in direct conflict. In the event of a direct conflict, the measure which obtained more votes will control the directly conflicting provisions only. The voters expressly declare this to be their intent, regardless of any contrary language in any other ballot measure.

SECTION 16. AMENDMENTS. This Initiative may be amended or repealed only by City of Artesia voters. The City Council may make technical, non-substantive modifications to the provisions of this Initiative for clarity. However, such modifications or amendments must be fully consistent with the intent and purpose of this Initiative. The City Council may amend this Initiative to designate additional locations for new housing and to enhance the protection of downtown area parking areas, however, such amendments must be fully consistent with the purpose and intent of this Initiative.

SECTION 17. SEVERABILITY. If any section, subsection, clause, phrase, part, word or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative, and each

section, subsection, sentence, clause, phrase, part, word or portion of this Initiative would have been adopted or passed even if one or more section, subsection, sentence, clause, phrase, part, word, or portion of this Initiative are declared invalid or unconstitutional. If any provision of this Initiative is declared invalid as applies to any person or circumstance, such invalidity shall not affect the application of this Initiative that can be given effect without the invalid application.

SECTION 18. JUDICIAL ENFORCEMENT. Any aggrieved person shall have the right to bring an action to enjoin any violation of this Initiative or to enforce the duties imposed on the City of Artesia by this Initiative. The proponents of this Initiative may defend the provisions of this Initiative in any litigation brought to challenge the Initiative.

SECTION 19. ATTESTATION OF ORDINANCE. The Mayor is hereby authorized to attest to the adoption of this Ordinance by the People voting thereon on November 5, 2024, by signing where indicated below.

PASSED, APPROVED AND ADOPTED by the People of the City of Artesia this 5th day of November, 2024.

TONY LIMA, MAYOR

ATTEST:

JENNIFER ALDERETE, CITY CLERK