

CITY OF BELLFLOWER

ORDINANCE NO. 1318

AN ORDINANCE AMENDING BELLFLOWER MUNICIPAL CODE SECTION 2.28.010 AFFECTING THE ELECTION DATE OF GENERAL MUNICIPAL ELECTIONS AND REQUESTING CONSOLIDATION WITH LOS ANGELES COUNTY PURSUANT TO ELECTIONS CODE SECTION 10403

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. *Recitals.* The City Council finds as follows:

- A. The City's general municipal elections are currently held on the first Tuesday after the first Monday in March of each odd-numbered year.
- B. Election Code Sections 1301 and 10403.5 authorize the City to reschedule its general municipal election to the day of the statewide general election.
- C. In accordance with the Settlement Agreement (Agreement File No. 654) in the case captioned *Melliz, et al., v. City of Bellflower, et al.*, LASC Case No. BC551555, the City requests consolidation of its elections with the statewide general election conducted by the County of Los Angeles on the first Tuesday after the first Monday in November of even-numbered years.
- D. A preliminary analysis was conducted by the Los Angeles County Registrar-Recorder/County Clerk's Election Division and found that the County of Los Angeles can accommodate the consolidation of the City's election with the statewide general election conducted by the County of Los Angeles.
- E. In order to accomplish the change in election date, the term of incumbent City Council Members who would otherwise be up for election in March 2019 must be shortened from March 2019 to December 2018 when the Council Members elected in November 2018 take office.

SECTION 2. *Change to Election Date.* In compliance with the Settlement Agreement and in accordance with Elections Code §§ 1301 and 10403.5, Bellflower Municipal Code ("BMC") § 2.28.010 is amended to read as follows:

"Section 2.28.010. Municipal Elections.

Beginning with elections held after March 2017, the general municipal election for the Bellflower City Council must be held on the first Tuesday after the first Monday in November of even-numbered years. The first general municipal election after March 2017 general municipal election must be held on the first Tuesday after the first Monday in November 2018."

SECTION 3. *Adjustment of Terms of Office.* In accordance with Elections Code §§ 1301 and 1043.5(d), due to the change of election date, the terms of office of those members of the City Council presently serving whose terms would previously have expired in March 2019 will instead vacate in their office upon certification of the results and administration of oaths of office after the November 2018 General Municipal Election. The terms of office of those members of the City Council elected in March 2017 whose terms would previously have expired in March 2021, will instead, vacate their office upon certification of the results and administration of oaths of office after the November 2020 General Municipal Election.

SECTION 4. *Consolidated Election.* Pursuant to Elections Code § 1301, the City Council requests the County of Los Angeles approve consolidation of the City's November City Council election with the statewide general election conducted by the County in November of each even-numbered year.

SECTION 5. *Notice to Voters.* Pursuant to Elections Code § 10403.5, within 30 days after this Ordinance becomes effective, the City Clerk must cause a notice to be mailed to all registered voters of the City of Bellflower (pursuant to the last report of registration by the County Clerk to the Secretary of State) informing the voters of the change in the election date. The notice must also inform the voters that as a result in the change in election date, elected city officeholders' terms in office will be changed.

SECTION 6. *Date of the First City Council Election in November.* If this Ordinance becomes effective, the first City Council election to be held in November will be November 2018.

SECTION 7. *Request to the County.* The City Clerk is directed to forward, without delay, a certified copy of this Ordinance to the Los Angeles County Board of Supervisors and the County Election Department.

SECTION 8. The City Clerk, or her duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Bellflower's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 9. *Effective Date.* This Ordinance will only become effective upon approval by the Los Angeles County Board of Supervisors pursuant to Elections Code § 1301(b)(1).

ORDINANCE NO. 1318 HAD ITS FIRST READING ON SEPTEMBER 12, 2016, ITS SECOND READING ON SEPTEMBER 26, 2016, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER AT ITS REGULAR MEETING OF SEPTEMBER 26, 2016.

Dan Koops, Mayor

ATTEST:

Mayra Ochiqui, City Clerk

APPROVED AS TO FORM:

Karl H. Berger, City Attorney