

ORDINANCE NO. 2212

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE § 2.04.050 TO CHANGE THE ELECTION DATE OF GENERAL MUNICIPAL ELECTIONS AND REQUESTING CONSOLIDATION WITH LOS ANGELES COUNTY PURSUANT TO ELECTIONS CODE § 1301.

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

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

- A. Elections Code § 1301 and § 10403.5 authorize the City to reschedule its general municipal election to the day of the statewide general election.
- B. Effective January 1, 2021, SB 970 amends Elections Code § 1001 which governs the dates of statewide elections. As a result, the City is required to change its election date from March 2022 to either June or November 2022.
- C. In order to accomplish the change in election date, the term of incumbent elected officials whose terms would otherwise end in March 2022 must be lengthened from March 2022 to November 2022 when elected officials elected in November 2022 take office. Additionally, elected officials whose terms would otherwise end in March 2024 must be lengthened from March 2024 to November 2024 when elected officials elected in 2024 take office.

SECTION 2: Change to Election Date. In accordance with Elections Code §§ 1301 and 10403.5, Monterey Park Municipal Code (“MPMC”) § 2.04.050 is amended to read as follows:

“Section 2.04.050. **Municipal Elections.**

Beginning with elections held after March 2020, the general municipal election will be held on the first Tuesday after the first Monday in November of even-numbered years. The first general municipal election after the March 2020 general municipal election will be held on the first Tuesday after the first Monday in November 2022.”

SECTION 3: Adjustment of Terms of Office. In accordance with Elections Code §§ 1301 and 10403.5(d), due to the change of election date, the terms of office of those elected officials presently serving whose terms would previously have expired in March 2022 will instead vacate in their office upon certification of the results and administration of oaths of office after the November 2022 General Municipal Election. The terms of office of those elected officials presently serving whose terms would previously have

expired in March 2024 will instead vacate in their office upon certification of the results and administration of oaths of office after the November 2024 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 2022 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 Monterey Park (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 2022.* If this Ordinance becomes effective, the first City Council election to be held in 2022 will be November 8, 2022.

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: *Savings Clause.* Repeal of any provision of the MPMC or any other regulation by this Ordinance does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 9: *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

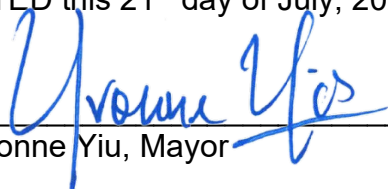
SECTION 10: *Validity of Previous Code Sections.* If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the MPMC or other regulation by this Ordinance will be rendered void and cause such MPMC provision or other regulation to remain in full force and effect for all purposes.

SECTION 11: *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).

SECTION 12: *Electronic Signatures.* This Ordinance may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

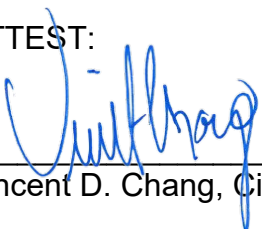
SECTION 13: *Publication.* The City Clerk must certify as to the adoption of this ordinance and cause the summary thereof to be published within fifteen calendar (15) days of the adoption and post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code § 36993, for the City of Monterey Park.

PASSED, APPROVED, AND ADOPTED this 21st day of July, 2021.



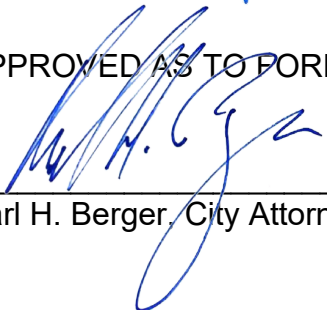
Yvonne Yiu, Mayor

ATTEST:



Vincent D. Chang, City Clerk

APPROVED AS TO FORM:




Karl H. Berger, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF MONTEREY PARK)

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Ordinance No. 2212 was introduced, and placed upon its first reading at a regular meeting of the City Council of the City of Monterey Park, held on the 7th day of July, 2021. That thereafter on the 21st day of July, 2021, said Ordinance was duly passed, approved and adopted by the following vote:

Ayes: Council Members: Chan, Liang, Sornoso, Lo, Yiu
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Dated this 21st day of July, 2021.



Vincent D. Chang, City Clerk
City of Monterey Park, California