

ORDINANCE NO. 2145

AN ORDINANCE REPEALING ORDINANCE NO. 1885 AND ADDING SECTION 2.04.050 TO THE MONTEREY PARK MUNICIPAL CODE 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. On November 28, 1994, the City Council adopted Ordinance No. 1885 which established the schedule for general municipal elections.
- B. In accordance with Ordinance No. 1885, the City's general municipal elections are held on the first Tuesday after the first Monday in March of odd-numbered years.
- C. Election Code § 1301 and § 10403.5 authorize the City to reschedule its general municipal election to the day of the statewide general election.
- D. 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 March of even-numbered years.
- 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 lengthened from March 2019 to March 2020 when the Council Members elected in March 2019 take office.

SECTION 2: *Change to Election Date.* Ordinance No. 1885 is repealed. In accordance with Elections Code §§ 1301 and 10403.5, a new § 2.04.050 is added to the Monterey Park Municipal Code ("MPMC") to read as follows:

"Section 2.04.050. *Municipal Elections.*

Beginning with elections held after March 2017, the general municipal election will be held on the first Tuesday after the first Monday in March of even-numbered years. The first general municipal election after March 2017 general municipal election will be held on the first Tuesday after the first Monday in March 2020."

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 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 March 2020 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 March 2022 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 March City Council election with the statewide general election conducted by the County in March 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 March. If this Ordinance becomes effective, the first City Council election to be held in March will be March 2020.

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 the 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).

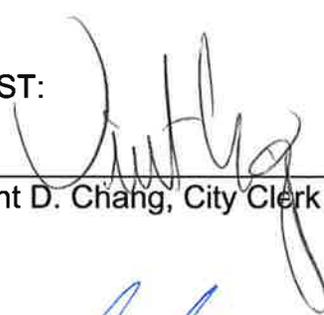
SECTION 12: Publication. The City Clerk must certify as to the adoption of this ordinance and cause the summary thereof to be published within fifteen calendar (15) days of the adoption and post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code § 36993, for the City of Monterey Park.

PASSED, APPROVED, AND ADOPTED this 20th day of December, 2017.



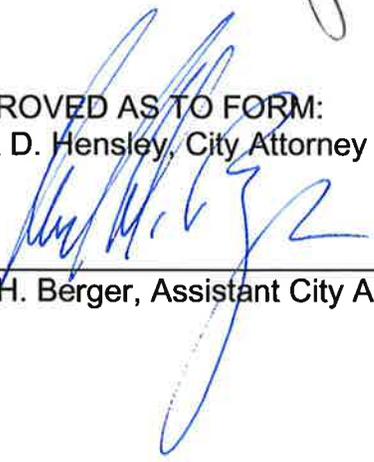
Teresa Real Sebastian, Mayor

ATTEST:



Vincent D. Chang, City Clerk

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney



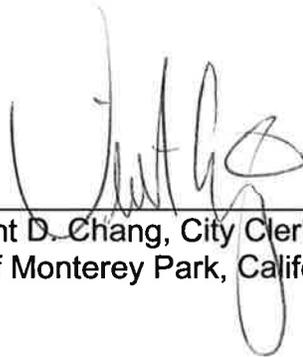
Karl H. Berger, Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
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. 2145 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 6th day of December, 2017. That thereafter on the 20th day of Decembaer, 2017, said Ordinance was duly passed, approved and adopted by the following vote:

Ayes: Council Members: Ing, Liang, Chan, Lam, Real Sebastian
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Dated this 20th day of December, 2017.



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