

ORDINANCE NO. 1271

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL, AMENDING CHAPTER 2.04 OF TITLE 2 OF THE BELL MUNICIPAL CODE TO CHANGE THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE FIRST TUESDAY AFTER THE FIRST MONDAY IN MARCH OF EVEN NUMBERED YEARS TO THE DATE OF THE STATEWIDE PRIMARY ELECTIONS IN EVEN-NUMBERED YEARS IN RESPONSE TO SB 970, AND ADJUSTING TERMS IN OFFICE ACCORDINGLY

WHEREAS, in October 2017, the Bell City Council complied with Senate Bill 415, also known as the California Voter Participation Rights Act (Elections Code Sections 14050-14057), by adopting Ordinance No. 1225 to consolidate the City's General Municipal Election with the statewide primaries to be held in March of even-numbered years beginning in 2020; and

WHEREAS, in September 2020, the state adopted Senate Bill (SB) 970, which changed the date of the statewide primary to June of even-numbered years during non-presidential election years, but kept the date of the statewide primary in March during a presidential election years; and

WHEREAS, pursuant to Section 1200 "General Municipal Elections" of the Charter of the City of Bell, the City has the authority to change by ordinance the date of its general municipal elections to coincide with the day of the statewide general election; and

WHEREAS, at the October 13, 2021 Council meeting, the Council voted unanimously to change the date of the City's General Municipal Election to the date of the statewide primary elections beginning with the June 2022 election; and

WHEREAS, the Bell City Council will remain in compliance with Senate Bill 415 by changing the date of the General Municipal Election to the date of the statewide primary election of even-numbered years, although this will result in a different election date depending on the year; and

WHEREAS, by changing the date of the City's General Municipal Election to coincide with California's legislature recent amendments to the date of the statewide primary, it is necessary to extend the terms of those incumbents that would have been scheduled for the election in March 2022; and

WHEREAS, SB 590 was adopted on June 17, 2021 which allows for the Councilmembers who are up for election in March of 2022, and extended their term due to SB 415, to go beyond the five years if the election for their seats is held in June 2022.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BELL, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The forgoing recitals are true and correct and incorporated herein by this reference.

SECTION 2. Section 2.04.020 "General Municipal Elections" of the Bell Municipal Code is hereby amended to read, in its entirety, as follows:

"Beginning with the election on June 7, 2022, the general municipal election for the Bell

city council shall be held on the date of the statewide primary elections held in even-numbered years.”

SECTION 3. Extension of Incumbents’ Terms. In accordance with Section 1305 of the Elections Code, “any term of office set to expire in March or April 2022, where the next scheduled regular election for that office has been consolidated with the 2022 statewide primary election, shall be extended to expire following the certification of election results from the 2022 statewide primary election and the administration of the oath of office to the newly election officeholder,” the Council terms of office which would have expired in March 2022 are hereby extended until the June 2022 statewide election and until their successors are elected and qualified.

SECTION 4. County Approval and Consolidation. Pursuant to Section 1301 and 10403.5 of the Elections Code, the City hereby requests the County of Los Angeles to approve this ordinance and allow for consolidation of the City’s general municipal election with the statewide primary election conducted by the County in each even-numbered year, upon proper request from the City, beginning in June 2022.

SECTION 5. Transmittal to Board of Supervisors. The City Clerk is hereby directed to transmit a copy of this Ordinance to the Los Angeles County Board of Supervisors with a request that this Ordinance be approved.

SECTION 6. Effective Date; Operative Date. This Ordinance shall become effective immediately after its second reading, pursuant to California Elections Code section 9235(a). This Ordinance shall become operative upon approval by the Los Angeles County Board of Supervisors as provided by Elections Code sections 1301(b)(1).

SECTION 7. Notice to Registered Voters. Pursuant to Section 10403.5(e) of the Elections Code, within 30 days after this Ordinance becomes operative, the City elections official shall cause notice to be mailed to all registered voters of the City informing the voters of the change in the election date made by this Ordinance, and that, as a result of the change in election date, the terms of office of those City council members who are up for election in 2022 will be changed.

SECTION 8. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person or circumstances, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

SECTION 9. Certification. The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted and codified in the manner required by law.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Bell, California, this 10th day of November, 2021.


Alicia Romero, Mayor

APPROVED AS TO FORM
ALESHIRE & WYNDER, LLP



David J. Aleshire, City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Angela Bustamante, City Clerk of the City of Bell, do hereby certify that Ordinance No. 1271 was duly introduced at a regular meeting of the City Council of the City of Bell, held on the 27th day of October, 2021, and was duly adopted at a regular meeting of the City Council on 10th day of November, 2021 by the following vote, to wit:

AYES: Councilmembers Arroyo, Gallardo, Saleh, Vice-Mayor Quintana and Mayor Romero

NOES: None

ABSENT: None

ABSTAIN: None


Angela Bustamante, City Clerk