

ORDINANCE NO. 773

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMMERCE, AMENDING CHAPTER 2.13 (ELECTION DATES) TO TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE COMMERCE MUNICIPAL CODE RELATING TO THE CITY'S GENERAL MUNICIPAL ELECTIONS TO COINCIDE WITH THE STATEWIDE PRIMARY ELECTION

WHEREAS, Senate Bill 415 (SB 415) "Voter Participation" prohibits local governments, beginning January 1, 2018, from holding an election on any date other than a statewide election date if doing so has resulted in voter turnout being at least 25% below the average turnout in that jurisdiction in the previous four statewide general elections, except as specified; and

WHEREAS, in accordance with SB 415, the City has determined and approved the consolidation of general municipal elections with a statewide election on December 7, 2017; and

WHEREAS, SB 970 changed the date of the statewide primary to the first Tuesday after the first Monday in June in even-numbered years in which there is no presidential primary; and

WHEREAS, the City of Commerce has been in compliance with the SB 415, and the City Council desires to amend the Municipal Code to not reference a particular month but only coincide with the statewide primary election.

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

SECTION 1. Change of Election Day. Pursuant to Sections 1000 and 1301 of the California Elections Code, SB 415 and SB 970, the City's general municipal election shall be held to coincide with the statewide primary election.

SECTION 2. Code Amendment. Chapter 2.13 of the Commerce Municipal Code is hereby amended to read:

Election Dates.

Pursuant to Section 36503 of the California Government Code and Sections 1000 and 1301 of the California Elections Code, the general municipal election of the City of Commerce, commencing with the 2020 election, shall coincide with statewide general elections.

SECTION 3. Adjustment to Terms of Office. In accordance with Sections 1301 and 10403.5 of the California Elections Code, the term of any elected City Officeholder that would have expired in March 2022 shall, instead, expire in the same manner, but after the occurrence of the June 2022 general municipal elections established by this Ordinance.

SECTION 4. Consolidated Elections. Pursuant to Section 1301 and 10403.5 of the California Elections Code, the City hereby requests the County of Los Angeles approve this ordinance and allow for consolidation of the City's general municipal election with the statewide general election conducted by the County.

SECTION 5. Effective Date. This Ordinance shall become operative upon approval by the Los Angeles County Board of Supervisors as provided by California Elections Code Sections 1301(b)(1) and 10403(a)(1).

SECTION 6. Notice to Voters. Pursuant to Section 10403.5(e) of the

California Elections Code, within 30 days after this Ordinance becomes operative, the City elections official shall cause notice to be mailed to all registered voters 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 City Officeholders will be extended by not more than 12 months.

SECTION 7. Request to the County. The City Clerk shall forward a copy of this Ordinance to the Los Angeles County Board of Supervisors with a request that it be approved pursuant to California Elections Code Sections 1301 and 10403.5.

SECTION 8. Severability. The City Council declares that should any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remainder of the Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions may be declared invalid or unconstitutional.

PASSED, APPROVED AND ADOPTED this 1st day of June ,2021.


Leonard Mendoza, Mayor

ATTEST:


Lena Shumway
City Clerk