

ORDINANCE NO. 1086

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, REESTABLISHING THE SECOND TUESDAY IN APRIL OF EVEN-NUMBERED YEARS AS THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION

WHEREAS, the City of Lancaster ("City") previously held its general municipal elections on the second Tuesday in April of even-numbered years; and

WHEREAS, the California Voter Participation Rights Act (Cal. Elec. Code §§ 14050-14057) ("CVPRA"), generally required that as of January 1, 2018, the City either (a) consolidate future general municipal elections with a statewide election or (b) adopt a plan to consolidate general municipal elections with a statewide election not later than the November 8, 2022, statewide general election; and

WHEREAS, on July 11, 2017, the California Attorney General in opinion 16-603 opined that the CVPRA applies to charter cities; and

WHEREAS, on September 26, 2017, the City adopted Ordinance No. 1033 to satisfy the CVPRA by consolidating the City's general municipal elections with a statewide election in even-numbered years, beginning with the statewide direct primary election in February of 2022; and

WHEREAS, on March 23, 2020, the California Court of Appeal in *City of Redondo Beach v. Padilla*, 46 Cal. App. 5th 902, held that the CVPRA does not apply to charter cities; and

WHEREAS, as decisional law now clarifies that, as a charter city, the City is not subject to the CVPRA, the City now desires to repeal portions of Ordinance No. 1033 and reestablish the second Tuesday in April of even numbered years as the date of the City's general municipal election.

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

Section 1. Pursuant to Section 102 of the City's Charter and other applicable law, the City hereby reestablishes the second Tuesday in April of even-numbered years as the date of general municipal elections.

Section 2. Sections 1, 2, 3, 4, 5 and 6 of Ordinance No. 1033 are hereby repealed and of no force or effect as of the effective date of this Ordinance. Section 7 of Ordinance No. 1033 is unchanged by this Ordinance and remains in full force and effect.

Section 3. Pursuant to Section 102 of the City's Charter and Section 36503 of the California Elections Code, those City Council Members of the City of Lancaster whose terms of

office expire in 2022 shall terminate their offices upon certification of the results and administration of the oaths of office after the City's general municipal election held in 2022.

Section 4. The City Clerk shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

I, Andrea Alexander, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the 10th day of August, 2021, and placed upon its second reading and adopted at a regular meeting of the City Council on the 14th day of September, 2021 by the vote:

AYES: Council Members: Dorris, Malhi, Mann, Vice Mayor Crist

NOES: None

ABSENT: Mayor/Chair Parris

ABSTAIN: None

ATTEST:

APPROVED:

ANDREA ALEXANDER
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

FOR

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF ORDINANCE
CITY COUNCIL

I, _____, _____ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Ordinance No. 1086, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, 2021.

(seal)