ORDINANCE NO. 2303

AN ORDINANCE OF THE CITY OF WEST COVINA, CALIFORNIA, REPEALING AND REPLACING ORDINANCE NO. 2212 AND MOVING THE CITY'S GENERAL MUNICIPAL ELECTIONS FROM NOVEMBER OF ODD-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF EACH EVEN-NUMBERED YEAR BEGINNING IN NOVEMBER OF 2018

WHEREAS, pursuant to the California Elections Code sections 1301 and 10400, the City of West Covina ("City") previously adopted Ordinance No. 2212 setting the date for general municipal elections of City Council members, City Treasurer, and City Clerk ("Elected Officials") to November of alternating odd-numbered years; and

WHEREAS, in September 2015, the California Legislature adopted Senate Bill 415 "Voter Participation" codified in Elections Code § 14052 requiring cities that hold their general municipal elections on a date other than the statewide election to move the general municipal election to coincide with the statewide primary or general election date if turnout for local elections is at least 25% less than the average voter turnout for the previous four statewide elections; and

WHEREAS, according to Los Angeles County Registrar's past voter participation data, voter turnout at West Covina municipal elections over the past several elections is at least 25% below the average turnout during the previous four statewide general elections; and

WHEREAS, as a result of this data, in order to be in compliance with SB 415, the City must move its general municipal election date from November of odd numbered years to the statewide primary or general election date held in June or November of even numbered years or have a plan in place to do so by no later than January 1, 2018; and

WHEREAS, California Elections Code §§ 1301 and 10403.5 authorize the City to increase or decrease any existing terms of office by not more than 12 months in moving its general municipal election date to comply with SB 415; and

WHEREAS, the City Council desires to change the date of its general municipal election to the first Tuesday after the first Monday in November of even-numbered years to coincide with the statewide general elections beginning in November 2018.

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

SECTION 1. The West Covina City Council hereby repeals Ordinance No. 2212 and moves the City's general municipal election from November of odd-numbered years to the first Tuesday after the first Monday in November of even-numbered years to coincide with the statewide general elections. The general municipal election intended to be held in November 2017 will instead be held on the first Tuesday after the first Monday in November of 2018, and thereafter each even-numbered year.

SECTION 2. In accordance with Sections 1301 and 10403.5 of the California Elections Code, the term of any Elected Official that would have expired upon certification of the election results from a November 2017 election shall be extended for an additional year and instead shall expire upon certification of the election results from the November 2018 general municipal election as established by this Ordinance. In accordance with Sections 1301 and 10403.5 of the California Elections Code, the term of any Elected Official that would have expired upon certification of the election results from a November 2019 election shall be extended for an additional year and instead shall expire upon certification of the election results from the November 2020 general municipal election as established by this Ordinance.

SECTION 3. Pursuant to Section 1301 and 10403.5 of the California Elections Code, the City hereby requests the Los Angeles County Board of Supervisors approve this ordinance and allow for consolidation of the City's general municipal election with the statewide general election conducted by the County of Los Angeles in November of each even-numbered years, beginning in November 2018.

SECTION 4. 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 5. 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 6. 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.
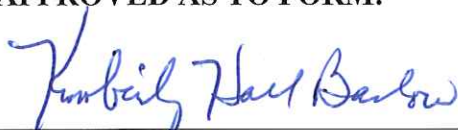
SECTION 7. Within fifteen (15) days after its passage of this Ordinance, the City Clerk of the City of West Covina shall certify to the passage and adoption of this ordinance and to its approval by the Mayor and City Council and shall cause the same to be published in a newspaper in the manner required by law.

PASSED, APPROVED AND ADOPTED on this 6th day of December, 2016.

(signature)
Corey Warshaw
Mayor

APPROVED AS TO FORM:

(signature)
Kimberly Hall Barlow
City Attorney

ATTEST:

(signature)
Nickolas S. Lewis
City Clerk

I, NICKOLAS S. LEWIS, CITY CLERK of the City of West Covina, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 15th day of November, 2016. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 6th day of December, 2016, by the following vote:

AYES: Johnson, Toma, Warshaw
NOES: Spence, Wu
ABSENT: None
ABSTAIN: None

(signature)
Nickolas S. Lewis
City Clerk