

2019 Charter Review Committee – Conceptual Approval List

| # | Art. | Section | Title | Issues and Proposed Changes | Substantive /Non-Substantive Change | Fiscal Impact |
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| 1 | IV | 400(b) | Enumerated; number, term and manner of elections; wards | <p><u>Issue:</u> Language currently does not clarify that Councilmembers are elected <i>and nominated</i> by registered voters from his/her ward.</p> <p><u>Positions:</u></p> <ul style="list-style-type: none"> • Language should be clarified. <p><u>Recommendation:</u> Amend language to clarify that members of the City Council are <i>nominated and</i> elected from voters of the Ward.</p> <p><u>Proposed Language:</u> “(b) The members of the City Council shall be <i>nominated and</i> elected by wards by the registered voters of the respective wards only. [. . .]”</p> <p><u>Vote:</u> 14 Affirmative, 1 Negative (July 8, 2019)</p> | N | |
| 2 | IV | 400(c)-(h) | | <p><u>Issue:</u> A language change to reference consolidation of Mayor and City Council runoff elections with the “statewide general election” brings the Charter into compliance with State law and accommodates any future change in statewide general election dates. An exception is needed to allow Wards 2, 4, and 6 runoff election of November 2, 2021, to occur in an odd-number year. All City Council elections thereafter are transitioning to even-numbered years. Current paragraphs (f), (g), and (h) are outdated and proposed for deletion.</p> <p><u>Positions:</u></p> <ul style="list-style-type: none"> • Amend Charter to comply with State law. • Wait until outcome of Redondo Beach case vs. State regarding applicability of State law to charter cities. <p><u>Recommendation:</u> Amend runoff election language to comply with State law.</p> <p><u>Proposed Language:</u> “(c) If in an election for a member of the City Council for any ward, or for the office of Mayor, no candidate receives a majority of the total votes cast for the office, the City Council shall immediately upon the determination of that fact, call a special election to be held on the first Tuesday following the first Monday of November of that same year <i>same day as the</i></p> | S | |

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| | | | | <p><u>statewide election of that same year, consistent with the general election date set by the State.</u> The two candidates receiving the highest number of votes for the office in the general municipal election shall be declared the candidates for the special election.</p> <p><u>(d) Notwithstanding the paragraph above, if in the June 8, 2021, election for members of the City Council for Wards 2, 4, and 6, no candidate receives a majority of the total votes cast for the office, the City Council shall immediately upon the determination of that fact, call a special election to be held on November 2, 2021. The two candidates receiving the highest number of votes for the office in the June 8, 2021, election shall be declared the candidates for the special election.</u></p> <p>(de) Officials elected at the general municipal election shall take office on the second Tuesday following completion of the canvass, but in no event later than the fifth Tuesday following the general municipal election. Officials elected at any other election shall take office on the second Tuesday following completion of the canvass, but in no event later than the fifth Tuesday following the election.</p> <p>(ef) The qualifications of candidates and electors and the procedure governing general municipal elections shall apply to any special election called pursuant to this section and the notice of election shall be published at least thirty days prior to the date of such special election.</p> <p>(f) Notwithstanding the above, an election shall be held on June 5, 2007, for the purpose of electing members of the City Council from Wards 1, 3, 5, and 7 for terms expiring in June 2011, or until their successors are elected and seated.</p> <p>(g) Notwithstanding the above, an election shall be held on June 2, 2009, for the purpose of electing members of the City Council from Wards 2, 4, and 6 for terms expiring June 2013, or until their successors are elected and seated.</p> <p>(h) Notwithstanding the above, an election shall be held on November 3, 2009, for the purpose of electing the Mayor for a term expiring June 2012 or until their successor is elected and seated.</p> <p><u>Vote:</u> 14 Affirmative, 1 Negative (July 8, 2019)</p> | | |
| 3 | V | 500 | General municipal elections | <p><u>Issue 1:</u> The California Voter Participation Act requires local elections to be consolidated with statewide elections; currently, the Charter requires election of City Council members on odd-numbered years, thus contradicting State law.</p> | S | |

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| | | | <p><u>Issue 2:</u> The California Voter Participation Act requires local elections to be consolidated with statewide elections; currently, the Charter requires election of the Mayor on the first Tuesday following the first Monday in June of U.S. Presidential election years, thus contradicting State law.</p> <p><u>Positions:</u></p> <ul style="list-style-type: none"> • Amend charter to comply with State law. • Wait until outcome of Redondo Beach case vs. State regarding applicability of State law to charter cities. <p><u>Recommendation:</u> Amend language to provide that City Council elections be held on the same day as statewide primary and general elections beginning in 2022, and to provide that Mayoral elections be held on the same day as statewide primary and general elections.</p> <p><u>Proposed Language:</u> <i><u>“On June 8, 2021, an election for Councilmembers to represent Wards 2, 4 and 6 shall be held. Said term shall be for five (5) years and until their respective successors qualify. Beginning in 2026 and thereafter, the Councilmembers’ terms shall be for four (4) years.</u></i></p> <p><i><u>Beginning in 2022, General municipal elections for the election of the members of the City Council and for such other purposes as the City Council may prescribe shall be held in the City on the first Tuesday following the first Monday in June of each odd numbered year same day as the statewide election, consistent with the primary election date set by the State.</u></i></p> <p><i><u>Beginning in 2012, General municipal elections for the election of the Mayor shall be held on the first Tuesday following the first Monday in June the same day as the statewide election, consistent with the primary election date set by the State in United States Presidential election years.”</u></i></p> <p><u>Vote:</u> 14 Affirmative, 1 Negative (July 8, 2019)</p> | | |
| | XIV | 1404 | <p><u>Issue:</u> The Charter should be amended to require the City Council to submit any proposed Charter amendment to a citizen committee (e.g. Charter Review Committee) for review and recommendation prior to placing the Charter amendment on a ballot.</p> <p><u>Position(s):</u></p> <ul style="list-style-type: none"> • Requiring a citizen committee to review a Charter amendment before placement on a ballot would invite increased citizen participation. | | |

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| | | | <p><u>Recommendation:</u> Amend the language of Section 1404 to require the City Council to submit any proposed Charter amendment to a citizen committee (e.g. Charter Review Committee) for review and recommendation prior to placing the Charter amendment on a ballot.</p> <p><u>Proposed Language:</u> “This Charter, and any of its provisions, may be amended in accordance with the Constitution and laws of the State of California. <u><i>The City Council must submit any proposed Charter amendment, except for those proposed by voter initiative, to a Charter Review Committee for recommendation before the City Council places the Charter amendment proposal on a ballot.</i></u>”</p> <p><u>Vote:</u> 12 Affirmative, 2 Negative (August 12, 2019)</p> | | |
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