

# Council Agenda Report

To: Mayor Sibert and the Honorable Members of the City Council

Prepared by: Lisa Pope, City Clerk

Approved by: Jim Thorsen, City Manager 

Date prepared: April 28, 2015 Meeting date: May 11, 2015

Subject: Second Reading and Adoption of Ordinance No. 389

---

**RECOMMENDED ACTION:** Conduct second reading, unless waived, and adopt Ordinance No. 389 moving the date of the City's general municipal election from the second Tuesday in April of even-numbered years to the first Tuesday after the first Monday in November of even-numbered years beginning in November of 2016.

**FISCAL IMPACT:** None.

**DISCUSSION:** At the Regular City Council meeting on April 27, 2015, the City Council introduced on first reading Ordinance No. 389.

Ordinance No. 389 is presented to the City Council for adoption.

**ATTACHMENTS:** Ordinance No. 389

ORDINANCE NO. 389

AN ORDINANCE OF THE CITY OF MALIBU MOVING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE SECOND TUESDAY IN APRIL OF EVEN-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF EVEN-NUMBERED YEARS BEGINNING IN NOVEMBER OF 2016

The City Council of the City of Malibu does ordain as follows:

Section 1. Recitals.

A. The City's general municipal elections are currently held on the second Tuesday in April of each even-numbered year.

B. Election Code Sections 1301 and 10403.5 authorize the City to reschedule its general municipal election to the day of the state-wide general election.

C. The City wishes to consolidate its elections with the state-wide general election conducted by the County of Los Angeles on the first Tuesday after the first Monday in November of even-numbered years, but in the event that the Los Angeles County Board of Supervisors does not permit the City to consolidate its elections then the City wishes to nonetheless hold its elections concurrently with the state-wide general election.

D. In order to accomplish the change in election date, the term of incumbent City Councilmembers who would otherwise be up for election in April 2016 shall be extended from April to December 2016 when the Councilmembers elected in November take office.

Section 2. Change of Election Day. Pursuant to Elections Code Section 1301 and 10403.5, the day of the general municipal election in the City of Malibu is moved from the second Tuesday in April of each even-numbered year to the first Tuesday after the first Monday in November of each even-numbered year.

Section 3. Concurrent or Consolidated Election. Pursuant to Elections Code Section 1301, the City hereby requests the County of Los Angeles approve consolidation of the City's November City Council election with the state-wide general election conducted by the County in November of each even-numbered year. If the County denies the City's request for consolidation, the City alternatively requests that the County permit the City to conduct its election concurrently with future state-wide general elections (employing a separate ballot from that of the County election) unless and until such time as the County approves the consolidation of the City Council election with the state-wide general election.

Section 4. Adjustment of Terms of Office. In accordance with Elections Code Sections 1301 and 10403.5(d), due to the change of election date, the terms of office of those members of the City Council presently serving whose terms would previously have expired in April 2016, shall instead, continue in their offices until certification of the results and administration of oaths of office after the November 2016 general municipal election. The terms of office of those members of the City

Council elected in April 2014 whose terms would previously have expired in April 2018, shall instead, continue in their offices until certification of the results and administration of oaths of office after the November 2018 general municipal election.

Section 5. Effective Date. Pursuant to Elections Code Sections 1301 and 10403.5, this ordinance shall not become operative until approved by the Los Angeles County Board of Supervisors.

Section 6. Notice to Voters. Pursuant to Elections Code Section 10403.5(e), within 30 days after the ordinance becomes operative, the City elections official shall cause a notice to be mailed to registered voters with the City of Malibu.

Section 7. Date of the First City Council Election in November. The first City Council election to be held in November shall be November 2016.

Section 8. Request to the County. The City Clerk shall forward a copy of the ordinance to the Los Angeles County Board of Supervisors requesting approval by Board resolution.

Section 9. The City Clerk shall certify the adoption of this ordinance.

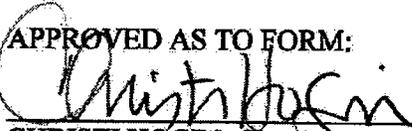
PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_, 2015.

\_\_\_\_\_  
JOHN SIBERT, Mayor

ATTEST:

\_\_\_\_\_  
LISA POPE, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CHRISTI HOGIN, City Attorney