

CITY OF CERRITOS

RESOLUTION NO. 2024-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERRITOS, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 4, 2025, FOR THE ELECTION OF CERTAIN OFFICERS AS AUTHORIZED BY THE PROVISIONS OF THE CERRITOS CITY CHARTER AND ORDINANCE NO. 1042

WHEREAS, under the provisions of the Cerritos City Charter, a General Municipal Election shall be held on Tuesday, March 4, 2025, for the election of Municipal Officers (Members of the City Council); and

WHEREAS, Ordinance No. 1042 (Attachment A) establishes authorization to provide by City Council resolution the procedure for holding elections utilizing any methods provided for in the California Elections Code, inclusive of vote center, polling place, all-mailed ballot, and all other methods as provided by State law, notwithstanding the limitations of the California Elections Code Section 4000 *et seq.*; and

WHEREAS, the City of Cerritos seeks to conduct its Charter City elections in a legally-compliant, secure, efficient, and transparent manner, encourage voter participation, and expand voter outreach; and

WHEREAS, the State legislature with the enactment of Assembly Bill 37 (Statutes of 2021, Chapter 312) amended California Elections Code Section 3000.5 and has mandated every qualified voter receive a ballot in the mail for every type of election; and

WHEREAS, the Los Angeles County elections have shifted to a Vote Center model, and City of Cerritos voters have become accustomed to receiving a vote-by-mail ballot automatically sent to them while also preserving the option to vote in person; and whereas the State Legislature strictly provided legislation and funding sources to County Officials for the conduct of Vote Center models; therefore it is the intent of the City of Cerritos to substantially provide for a similar voting experience; and

WHEREAS, Article XI, Section 5 of the California Constitution provides that charter cities, like the City of Cerritos, have plenary authority over municipal affairs, which expressly includes the conduct of its City elections.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CERRITOS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the Charter of the City of Cerritos, there is called and ordered to be held in the City of Cerritos, California, on Tuesday, March 4, 2025, a General Municipal Election for the purpose of electing three Members of the City Council for the full term of four years.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That the Cerritos City Clerk/Elections Official and authorized designee(s) are hereby authorized, instructed and directed to oversee and conduct the 2025 City of Cerritos General Municipal Election in accordance with the Charter of the City of Cerritos, Ordinance No.

1042, and applicable laws and regulations. This includes the procurement and furnishing of any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4. That the City of Cerritos shall conduct a hybrid election consisting of an all-mail-ballot election with in-person voting at City Hall. The last day to register to vote for the Tuesday, March 4, 2025 General Municipal Election shall be the 15th day before the election, in accordance with California Elections Code Section 2102. Voting hours on Election Day shall be 7:00 a.m. to 8:00 p.m. on the same day, pursuant to California Elections Code Sections 14212 and 14401. The Cerritos City Clerk/Elections Official shall provide official notification to voters regarding in-person voting hours for the days preceding Election Day.

SECTION 5. The Cerritos City Clerk/Elections Official shall provide for in-person voting at City Hall and the designated room shall be available for voting or dropping off vote-by-mail ballots at least 29 days before the date of the election. The Cerritos City Clerk/Elections Official shall implement safety protocols to ensure a voter cannot vote twice in the same election. The in-person voting shall not constitute a traditional polling place nor a vote center. In-person voting shall substantially provide translated materials as prescribed by the California Elections Code Section 14201 except for items specifically mentioned to apply to the County Elections Official. The provisions of California Elections Code Sections 14295 and 14298 regarding any street index shall not apply. A list of voters who have already voted shall be made available upon request in the Office of the City Clerk/Elections Official.

SECTION 6. The provisions of the California Elections Code relating to the conduct of traditional polling place and vote center elections shall not apply for the Tuesday, March 4, 2025 Cerritos General Municipal Election. California Elections Code Section 3001 regarding when the Cerritos City Clerk/Elections Official may begin mailing/providing vote-by-mail ballot packages shall not apply. The Cerritos City Clerk/Elections Official shall begin mailing ballot packages no later than 29 days before the General Municipal Election consistent with California Elections Code Section 3000.5(a) and may begin mailing and providing vote-by-mail ballot packages earlier, if feasible, to provide for expanded voter education, outreach, and voting opportunities. Vote-by-mail ballot packages may be issued through the Election Day of the General Municipal Election. Any ballot issued to a person for in-person voting shall be treated as the issuance of one of the following: (a) a replacement ballot consistent with California Elections Code Section 3014, (b) a nonprovisional ballot consistent with California Elections Code Section 3015, or (c) a provisional ballot consistent with California Elections Code Section 3016.

SECTION 7. The Cerritos City Clerk/Elections Official shall provide for a Voter Information Guide to be mailed to every registered voter substantially in the form provided in California Elections Code Sections 13300 and 13306.

SECTION 8. The provisions of California Elections Code Section 12241 relating to precinct consolidation shall not apply to the Tuesday, March 4, 2025 General Municipal Election. The Cerritos City Clerk/Elections Official shall establish eight consolidated precincts.

SECTION 9. The Cerritos City Clerk/Elections Official is authorized to begin processing vote-by-mail ballot return envelopes beginning 29 days before Election Day consistent with California Elections Code Section 15101(a). This may include verifying the voter's signature on the vote-by-mail ballot return envelope pursuant to California Elections Code Section 3019 and updating voter history records for transmission to the County Registrar of Voters.

SECTION 10. The Cerritos City Clerk/Elections Official shall operate a central count location, and initiation of counting ballots shall occur after voting has closed on Election Day.

Consistent with California Elections Code Section 15101(b), the Cerritos City Clerk/Elections Official may begin the canvass process of the vote-by-mail ballots on the 29th business day before the election.

SECTION 11. The Cerritos City Clerk/Elections Official shall perform a manual audit of ballots received consistent with the provisions of California Elections Code Section 15360.

SECTION 12. Pursuant to the provisions of Cerritos City Charter Section 400 and in accordance with Elections Code Section 15651(a), ties among qualified candidates for the office of City Councilmember shall be settled by the casting of lots.

SECTION 13. The provisions of California Elections Code Section 10229(b) shall not apply to the Tuesday, March 4, 2025 Cerritos General Municipal Election. If upon the close of the official candidate nomination period or by the closed of any extended official candidate nomination period required by law there are no qualified candidates, or if the number of qualified candidates does not exceed the number of open offices of Member of the City Council to be filled, the City Council may appoint to fill the number of open offices of Member of the City Council, as necessary. The City Council shall appoint first from the list of qualified candidates until the list is exhausted. If there are additional open seats to be filled, the City Council shall appoint eligible individuals in the number required to fill the remaining open seats. All appointed individuals shall serve with the same authority as if elected to the office of Member of the City Council.


SECTION 14. The Cerritos City Clerk/Elections Official shall retain and preserve election materials from the Tuesday, March 4, 2025 Cerritos General Municipal Election as required by State Law and the City's local retention schedule.

SECTION 15. If any section, subsection, sentence, clause, phrase or portion of this resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this resolution. The City Council of the City of Cerritos hereby declares that it would have adopted this resolution 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 be declared invalid or unconstitutional.

SECTION 16. That notice of the time and place of holding the election is given and the City Clerk/Elections Official is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.


SECTION 17. The City Clerk shall certify to the passage and adoption of this resolution and cause same to be archived in the book of original resolutions.

PASSED, APPROVED AND ADOPTED on this 7th day of, October 2024.



Naresh Solanki
Mayor

ATTEST:



Cynthia Nava
Acting City Clerk/Elections Official

CITY OF CERRITOS
ORDINANCE NO. 1042

**AN ORDINANCE OF THE CITY OF CERRITOS, CALIFORNIA
ESTABLISHING THE CITY'S GENERAL MUNICIPAL ELECTION DATE AS
THE FIRST TUESDAY AFTER THE FIRST MONDAY IN MARCH OF EACH
ODD-NUMBERED YEAR AND REPEALING ORDINANCE NO. 1036**

WHEREAS, the City's General Municipal Election is currently scheduled for the second Tuesday in April of even-numbered years pursuant to Ordinance No. 1036; and

WHEREAS, the Charter of the City of Cerritos and California Elections Code Sections 1301 and 10403.5 authorize the City to reschedule its General Municipal Election as necessary; and

WHEREAS, the Charter of the City of Cerritos authorizes the City Council to adopt by ordinance the procedures for holding elections so far as they are not in conflict with the Charter; and

WHEREAS, to facilitate the safe, secure, efficient, and transparent conduct of its future Charter City elections, the City may conduct its elections utilizing any methods provided for in the California Elections Code, inclusive of vote center, polling place, all-mailed ballot, and all other methods as provided by State law, notwithstanding the limitations of California Elections Code Section 4000 et seq., as authorized from time-to-time by City Council resolution; and

THE CITY COUNCIL OF THE CITY OF CERRITOS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Pursuant to the Charter of the City of Cerritos and California Elections Code Sections 1301 and 10403.5, the date of the General Municipal Election of the City of Cerritos is established as the first Tuesday after the first Monday in March of odd-numbered years.

SECTION 2. In accordance with the change of election date, the terms of office of those members of the City Council presently serving shall be extended for a period consistent with the Charter of the City of Cerritos.

SECTION 3. Section 2.40.010 of the Cerritos Municipal Code is hereby amended to read as follows:

Section 2.40.010 Date of General Municipal Elections

General municipal elections shall be held on the first Tuesday after the first Monday in March of each odd-numbered year.

SECTION 4. The next general municipal election to be held in the City of Cerritos, following the adoption of this ordinance, shall be scheduled for March 4, 2025.

SECTION 5. Ordinance 1036 is hereby repealed.

SECTION 6. The City Clerk and authorized designee(s) are hereby authorized to oversee and conduct the City of Cerritos General Municipal Election in accordance with the Charter of the City of Cerritos and applicable laws and regulations.

SECTION 7. The City Clerk shall certify to the passage of this ordinance and cause same to be posted as required.

PASSED, APPROVED AND ADOPTED this 27th day of April, 2023.


Bruce W. Barrows, Mayor

ATTEST:



Vida Barone, City Clerk

State of California)
County of Los Angeles) ss.
City of Cerritos)

I, Vida Barone, City Clerk of the City of Cerritos, California, do hereby certify that the foregoing **Ordinance No. 1042** was introduced for first reading on April 10, 2023. Thereafter, said Ordinance was duly approved and adopted at a regular meeting of the City Council on April 27, 2023, by the following vote:

AYES: Councilmembers – Vo, Solanki, Barrows
NOES: Councilmembers – Johnson, Yokoyama
ABSENT: Councilmembers – None
ABSTAIN: Councilmembers – None

Dated: April 27, 2023



Vida Barone, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CERRITOS)

I, Cynthia Nava, Acting City Clerk of the City of Cerritos, California, DO HEREBY CERTIFY that the foregoing **Resolution No. 2024-18** was duly approved and adopted by the City Council of the City of Cerritos at a Special Meeting held on the 7th day of October, 2024, and that it was so adopted as follows:

AYES:	Councilmembers –	Barrows, Vo, Solanki
NOES:	Councilmembers –	Johnson, Yokoyama
ABSENT:	Councilmembers –	None
ABSTAIN:	Councilmembers –	None

DATED: October 7, 2024



Cynthia Nava, Acting City Clerk