

CITY OF CERRITOS

RESOLUTION NO. 2024-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERRITOS, CALIFORNIA CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, MARCH 4, 2025 FOR THE SUBMISSION OF A PROPOSED CHARTER AMENDMENT RELATING TO A SPECIFIED GENERAL MUNICIPAL ELECTION DATE AND RELATED, CONFORMING AMENDMENTS AS AUTHORIZED BY THE ORDINANCE NO. 1042, AND RESOLUTION NO. 2024-18

WHEREAS, under the requirements of the Charter of the City of Cerritos, a General Municipal Election shall be held on Tuesday, March 4, 2025, for the election of Municipal Officers (Members of the City Council) and other such matters as the City Council may prescribe; and

WHEREAS, pursuant to authority provided by the California Constitution, Article XI, Sections 3 and 5, and the California Government Code, Title 4, Division 2, Part 1, Chapter 2 (commencing with Section 34450), and the California Elections Code, Division 9, Chapter 3, Article 3 (commencing with Section 9255), the City Council of the City of Cerritos desires to submit to the voters a proposed Charter amendment relating to **"Specified general municipal election date and related, conforming amendments;"** and

WHEREAS, The City Council is authorized and directed by statute to submit the proposed Charter amendment to the voters; and

WHEREAS, City Council Ordinance No. 1042 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 California Elections Code Section 4000 *et seq.*; and

WHEREAS, City Council Resolution No. 2024-18 establishes the procedures for the conduct of the Tuesday, March 4, 2025 Cerritos General Municipal Election.

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

SECTION 1. Pursuant to authority provided by the California Constitution, Article XI, Sections 3 and 5, and the California Government Code, Title 4, Division 2, Part 1, Chapter 2 (commencing with Section 34450), and the California Elections Code, Division 9, Chapter 3, Article 3 (commencing with Section 9255), 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 submitting the following ballot question and proposed Charter amendment:

Shall the Cerritos City Charter be amended to require that voter approval must be obtained for any future change to the City's general municipal election date, currently established as the first Tuesday after the first Monday in March of each odd-numbered year, and make conforming amendments to the start date of each City Council member's term and selection date of the Mayor, relating thereto?	YES
	NO

SECTION 2. The text of the Charter amendment to be submitted to the voters is

attached as Exhibit A, and by this reference incorporated herein to this Resolution.

SECTION 3. The ballot question and Charter amendment shall be adopted only if affirmatively approved by no less than a simple majority (no less than 50% + 1 vote) of the votes cast by the electorate on this ballot measure.

SECTION 4. The Cerritos City Clerk/Elections Official and authorized designee(s) are hereby authorized to oversee and conduct the Tuesday, March 4, 2025, City of Cerritos General Municipal Election in accordance with the Charter of the City of Cerritos, Ordinance No. 1042, Resolution No. 2024-18, and applicable laws and regulations.


SECTION 5. The notice of the time and place of holding the election is hereby 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 6. If any section, subsection, subdivision, 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. In furtherance of the foregoing, it is the expressed intent that, if any provision of this Resolution, or the application thereof to any person or circumstance is held invalid or unenforceable by a court of law, the remainder of this Resolution, and the application of such provision to other persons or circumstances, shall not be affected thereby and shall remain enforceable.


SECTION 7. 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 this 7th day of October, 2024.

ATTEST:



Cynthia Nava
Acting City Clerk/Elections Official



Naresh Solanki
Mayor

EXHIBIT A - VOTER APPROVAL REQUIRED FOR ANY FUTURE CHANGE TO GENERAL MUNICIPAL ELECTION DATE AND RELATED, CONFORMING AMENDMENTS

FULL TEXT OF PROPOSED AMENDMENT TO CHARTER

*Text proposed for amendment in the Charter is listed in **red font**, with additions in ***bold italics*** and deletions in ~~*strike-through-italics*~~.

ARTICLE IV – ELECTIVE OFFICERS

Section 400. ELECTIVE OFFICERS.

The elective officers of the City shall consist of a City Council of five members elected from the City at large at the times and in the manner provided in this Charter and who shall serve for a term of four years until their respective successors qualify.

The members of the City Council in office at the time this Charter takes effect shall continue in office until the expiration of their respective terms.

The term of each elective officer shall commence on the ~~*first Wednesday following such member's election date set forth by Section 404(a) specified in this Charter, commensurate with the date by which the City Council shall meet and elect one of its members as its presiding officer, who shall have the title of Mayor.*~~ Ties among candidates for any office shall be settled by the casting of lots.

Limitation of Terms: Commencing on the April 12, 2022 general municipal election, and for each municipal election thereafter, any council member who has served two (2) complete four-year terms, whether consecutive or not, shall not be eligible after the completion of the second four-year term to be elected or appointed to the Cerritos City Council.

(As amended by Cerritos voters at the following election(s): April 12, 2022, November 4, 1986)

Section 404. CITY COUNCIL, PRESIDING OFFICER, MAYOR.

(a) ~~*Commencing in 2026, On*~~ the ~~*first second*~~ Wednesday ~~*of April,*~~ following ~~*the adoption of*~~ any ~~*certified*~~ general or special municipal election ~~*results at by*~~ which any council member is ~~*declared*~~ elected, the City Council shall meet and shall elect one of its members as its presiding officer, who shall have the title of Mayor. The Mayor shall have a voice and vote in all its proceedings. The Mayor shall be the official head of the City for all ceremonial purposes. The Mayor shall also act in a liaison capacity between the City Council and the City Manager, and in such capacity shall advise the City Manager on matters of Council policy. The Mayor shall perform such other duties consistent with the office as may be prescribed by this Charter or as may be imposed by the City Council. The Mayor shall serve in such capacity at the pleasure of the City Council.

(b) MAYOR PRO TEMPORE. The City Council shall also designate one of its members as Mayor Pro Tempore, who shall serve in such capacity at the pleasure of the City Council. The Mayor Pro Tempore shall perform the duties of the Mayor during an absence or disability.

(As amended by Cerritos voters at the following election(s): April 12, 2022)

ARTICLE VIII – ELECTIONS

Section 800. GENERAL MUNICIPAL ELECTIONS.

General municipal elections for the election of officers and for such other purposes as the City Council may prescribe ~~*may shall*~~ be held in the City on ~~*any of the dates established by the law of the State of California for general municipal elections in general law cities*~~ ~~*the first Tuesday after the first Monday in March of each odd numbered year.*~~ The date for the election ~~*shall be determined was established*~~ by ordinance of the City Council ~~*which shall remain in effect until amended by a subsequent ordinance pursuant to the provisions of this Charter in effect at the time of the said ordinance adoption.*~~ ~~*Any subsequent change to the general municipal election date shall require voter approval.*~~ A change in the date of the general municipal election may change the length of a term of office, ~~*whether established by this Charter or otherwise;*~~ but only to the extent required to accommodate that change of date, and subject to the limitation that as a result of any ~~*ordinance*~~ **Charter amendment** effecting a change in date of an election, no term of office shall be increased or decreased by more than 12 months; thereafter, such terms of office shall be of such length as is otherwise provided by law.

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. 2024-21** 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