City of Montebello

June 20, 2015

Ms. Sachi A. Hamai, Executive Officer
Board of Supervisors
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 383
Los Angeles, CA 90012

RE: November 3, 2015 General Municipal Election

The City of Montebello will be having a municipal election on November 3, 2015, and are requesting the County Board of Supervisors to consolidate with the school district elections to be held on the same day.

Therefore, we hereby request authorization to use Registrar-Recorder/County Clerk services in verifying the signatures on the nomination papers for this election. The resolution requesting consolidation that will be sent to the Board of Supervisors indicates that we will reimburse the County for all expenses incurred in connection with the election including signature verification.

Your consideration of our request is greatly appreciated. If you have questions, please do not hesitate to contact me at (323) 887-1367.

Sincerely,

Lillian Guzman
Deputy City Clerk

DH/lg

1600 West Beverly Boulevard • Montebello, California 90640-3932 • (323) 887-1200

RESOLUTION NO. 15-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

WHEREAS, under the provisions of the laws relating to general law cities in the State of California a General Municipal Election shall be held on Tuesday, November 3, 2015, for the election of Municipal Officers.

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

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Montebello, California, on Tuesday, November 3, 2015, a General Municipal Election for the purpose of electing two (2) Members of the City Council, one (1) City Clerk, and one (1) City Treasurer for the full term of four (4) 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 City Clerk is authorized, instructed and directed to procure and furnish 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 polls for the election shall open at seven (7) o'clock a.m. of the day of the election and shall remain open continuously from that time until eight (8) o'clock p.m. of the same day when the polls shall be closed pursuant to Election Code §10242, except as provided in § 14401 of the Elections Code of the State of California.

SECTION 5. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 8. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 10th day of June, 2015.

Jack Hadjinian, Mayor

ATTEST:

_____
Daniel Hernandez, City Clerk

APPROVED AS TO FORM:

_____
Arnold M. Alvarez-Glasman, City Attorney
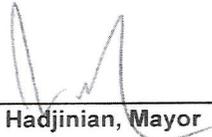
STATE OF CALIFORNIA   )
COUNTY OF LOS ANGELES) ss.
CITY OF MONTEBELLO   )

I, Daniel Hernandez, City Clerk of the City of Montebello, do hereby certify that the foregoing City Council Resolution 15-38 was duly and regularly approved and adopted by the City Council of the City of Montebello at their Regular Meeting held on the 10th of June, 2015, as approved by law by the following vote:

    AYES: Cortez, Molinari, Barajas, Romero, Hadjinian
    NOES: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City on the 10th day of JUNE, 2016.

_____
DANIEL HERNANDEZ, City Clerk

RESOLUTION NO. 15-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015, WITH THE MONTEBELLO UNIFIED SCHOOL DISTRICT ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE

WHEREAS, the City Council of the City of Montebello, California, called a General Municipal Election to be held on Tuesday, November 3, 2015, for the purpose of the election of two (2) Members of the City Council, one (1) City Clerk and one (1) City Treasurer; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Montebello Unified School Board election to be held on the same date and that within the City the precincts, polling places and election officers of the two (2) elections be the same, and that County Elections Department of the County of Los Angeles canvass the returns of the General Municipal Election and that the Election be held in all respects as if there were only one Election.

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

SECTION 1. That pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Montebello Unified School Board Election on Tuesday, November 3, 2015, for the purpose of the election of two (2) Members of the City Council, one (1) City Clerk and one (1) City Treasurer.

SECTION 2. That the County Elections Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 3. That the Board of Supervisors is requested to issue instructions to the County Elections Department to take any and all steps necessary for the holding of the consolidated election.

SECTION 4. That the City of Montebello, recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Elections Department of the County of Los Angeles.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 10th day of June, 2015.
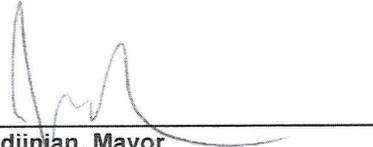
Jack Hadjinian, Mayor

ATTEST: APPROVED AS TO FORM:

_____   _____
Daniel Hernandez, City Clerk   Arnold M. Alvarez-Glasman, City Attorney
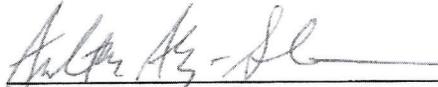
STATE OF CALIFORNIA   )
COUNTY OF LOS ANGELES   ) ss.
CITY OF MONTEBELLO   )

I, Daniel Hernandez, City Clerk of the City of Montebello, do hereby certify that the foregoing City Council Resolution 15-39 was duly and regularly approved and adopted by the City Council of the City of Montebello at their Regular Meeting held on the 10th of June, 2015, as approved by law by the following vote:

   AYES: Cortez, Molinari, Barajas, Romero, Hadjinian
   NOES: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City on the 10th day of JUNE, 2016.

_____
DANIEL HERNANDEZ, City Clerk

RESOLUTION NO.15-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015

WHEREAS, § 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates statement.

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

SECTION 1. GENERAL PROVISIONS. That pursuant to §13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Montebello on November 3, 2015, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. Pursuant to §13308 of the Elections Code the statement shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:30 p.m. of the next working day after the close of the nomination period.

SECTION 2. FOREIGN LANGUAGE POLICY.

A. Pursuant to the Federal Voting Rights Act, candidates statements will be translated into all languages required by the County of Los Angeles. The County is required to translate candidate's statements into the following languages in addition to English: Chinese, Filipino, Japanese, Korean, Spanish and Vietnamese.

B. The County will print and mail sample ballots and candidates statements to all voters in Spanish. The County will mail separate sample ballots and candidates statements in other required languages to only those voters who are on the county voter file as having requested a sample ballot in a particular language. The County will make the sample ballots and candidates statements in the required languages available at all polling places, on the County's website, and in the Election Official's office.

SECTION 3. PAYMENT

A. Translations:
1. The candidate shall be required to pay for the cost of translating the candidates statements into any required foreign language as specified in (A) and (B) of Section 2 above pursuant to Federal and/or State law.

B. Printing:
1. The candidate shall be required to pay for the cost of printing the candidates statement in English in the main voter pamphlet.
2. The candidate shall be required to pay for the cost of printing the candidates statement in a foreign language required in (A) of Section 2 above, in the main voter pamphlet.

3. The candidate shall be required to pay for the cost of printing the candidates statement in a foreign language required by (A) of Section 2 above, in the facsimile pamphlet.

The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the Candidate's Statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 as amended, and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filling statements. Accordingly, the City Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual costs. In the event of underpayment, the Clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days of the election.

SECTION 4. No candidate will be permitted to include additional material in the sample ballot package.

SECTION 5. The City Clerk shall provide each candidate or the candidate's representative with a copy of this Resolution at the time nominating petitions are issued.

SECTION 6. That all previous resolutions establishing Council policy on payment for candidates statements are repealed.

SECTION 7. That this resolution shall apply only to the election to be held on November 3, 2015, and shall then be repealed.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 10th day of June, 2015.

Jack Hadjinian, Mayor

ATTEST:
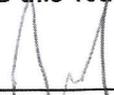
APROVED AS TO FORM:

Daniel Hernandez, City Clerk

Arnold M. Alvarez-Glasman, City Attorney

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

I, Daniel Hernandez, City Clerk of the City of Montebello, do hereby certify that the foregoing City Council Resolution **15-40** was duly and regularly approved and adopted by the City Council of the City of Montebello at their Regular Meeting held on the 10th of June, 2015, as approved by law by the following vote:

AYES: Cortez, Molinari, Barajas, Romero, Hadjinian
NOES: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City on the 10th day of JUNE, 2016.

DANIEL HERNANDEZ, City Clerk

RESOLUTION NO. 15-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY MONTEBELLO, CALIFORNIA, PROVIDING FOR A PROCEDURE FOR DETERMINING BY LOT A TIE AMONG CANDIDATES AT THE NOVEMBER 3, 2015 GENERAL MUNICIPAL ELECTION IN ACCORDANCE WITH GOVERNMENT CODE SECTION 15651 AND RESCINDING RESOLUTION NO. 11-41

WHEREAS, § 15651 of the Elections Code of the State of California authorizes the City Council to determine the means and manner in which a tie vote is to be resolved in the event that two or more persons receive an equal and the highest number of votes ("tie votes") for an office to be voted upon in a city;

WHEREAS, § 15651 of the Elections Code of the State of California provides that the tie vote shall be resolved in one of the following ways:

a) **By Lot:** The City Clerk, serving as the Elections Official pursuant to Elections Code § 320, or his or her designee, shall summon the candidates who have received the tie votes, whether upon the canvass of the returns or upon recount by a court, to appear before the City Council at a time to be designated by the City Council. The City Clerk shall at that time and place resolve the tie votes by lot (defined below).

b) **By Special Election:** The legislative body may resolve a tie vote by the conduct of a special runoff election involving those candidates who receive an equal number of votes. A special runoff election shall be held only if the legislative body adopts provisions of § 15651 (b) of the Elections Code prior to the conduct of the election resulting in the tie vote. All future elections conducted by that body shall be resolved likewise, unless the legislative body later repeals the order for the conduct of a special runoff election.

WHEREAS, the City Council desires that any tie vote resulting from the November 3, 2015 General Municipal Election be resolved by lot.

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

SECTION 1. That pursuant to § 15651 of the Elections Code of the State of California, if any two or more persons receive an equal and the highest number of votes for an office to be voted for within the City, the tie votes shall be resolved by lot. "By lot" means, by deciding the matter through implementing a method of chance, in order to afford each candidate receiving tie votes a fair opportunity at election.

SECTION 2. That the City Council has the authority to resolve tie votes by lot, by implementing various methods of chance, including, but not limited to, a coin toss, generation of random number, or drawing of names. In the interest of maintaining decorum, fairness and transparency, the method implemented for resolving tie votes in the November 3, 2015 General Municipal Election shall be the drawing of names, in accordance with the following procedure:

The City Clerk shall type the name of each candidate who has tied for office on a separate, but identical piece of paper, which shall be folded and deposited into a container and mixed so that the pieces of paper become indistinguishable. The City Clerk, or his or her designee, shall then draw from the container as many pieces of paper as there are seats on the City Council to be filled by the candidates who have tied. The candidate(s) whose name(s) appear(s) upon the drawn piece(s) of paper shall be deemed elected.

SECTION 3. That this resolution shall apply only to the election to be held on Tuesday, November 3, 2015, and shall be repealed upon the City Council's declaration of election results.

SECTION 4. That Resolution No. 11-41 calling for a special runoff election is repealed.

SECTION 5. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 10th day of June, 2015.
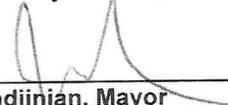
Jack Hadjinian, Mayor

ATTEST:

Daniel Hernandez, City Clerk

APPROVED AS TO FORM:
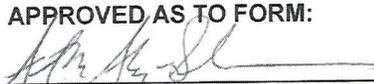
Arnold M. Alvarez-Glasman, City Attorney

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

I, Daniel Hernandez, City Clerk of the City of Montebello, do hereby certify that the foregoing City Council Resolution 15-41 was duly and regularly approved and adopted by the City Council of the City of Montebello at their Regular Meeting held on the 10th of June, 2015, as approved by law by the following vote:

AYES: Cortez, Barajas, Romero, Hadjinian
NOES: Molinari

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City on the 10th day of JUNE, 2016.

DANIEL HERNANDEZ, City Clerk

RESOLUTION NO. 15-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015

WHEREAS, a General Municipal Election is to be held in the City of Montebello, California, (the "City") on Tuesday, November 3, 2015;

WHEREAS, in the course of conduct of the election it is necessary for the City to request services of the County; and

WHEREAS, all necessary expenses in performing these services shall be paid by the City of Montebello.

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

SECTION 1. That pursuant to the provisions of § 10002 of the Elections Code of the State of California, this City Council requests the Board of Supervisors of the County of Los Angeles to permit the County Elections Department to prepare and furnish the following for use in conducting the election:

1. A listing of county precincts with number of registered voters in each, so the City may consolidate election precincts into city voting precincts, and maps of the voting precincts;
2. A listing of polling places and poll workers the County uses for their elections;
3. The computer record of the names and address of all eligible registered voters in the City in order that the City's consultant may:
   a. Produce labels for vote-by-mail voters;
   b. Produce labels for sample ballot pamphlets;
   c. Print Rosters of Voters and Street Indexes;
4. Voter signature verification services as needed;
5. Make available to the City election equipment and assistance as needed according to state law.

SECTION 2. That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

SECTION 3. That the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Elections Department, each a certified copy of this resolution.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 10TH day of June, 2015

_____
Jack Hadjinian, Mayor

ATTEST:

_____
Daniel Hernandez, City Clerk

APPROVED AS TO FORM:

_____
Arnold M. Alvarez-Glasman, City Attorney
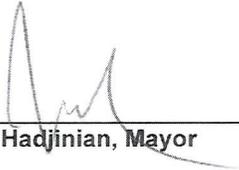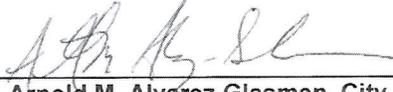
STATE OF CALIFORNIA   )
COUNTY OF LOS ANGELES   ) ss.
CITY OF MONTEBELLO   )

I, Daniel Hernandez, City Clerk of the City of Montebello, do hereby certify that the foregoing City Council Resolution 15-42 was duly and regularly approved and adopted by the City Council of the City of Montebello at their Regular Meeting held on the 10th of June, 2015, as approved by law by the following vote:

     AYES: Cortez, Molinari, Barajas, Romero, Hadjinian
     NOES: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City on the 10th day of JUNE, 2016.

_____
DANIEL HERNANDEZ, City Clerk