

RECEIVED

By Anjanette Allen at 5:10 pm, Jun 17, 2024



June 13, 2024

Mr. Dean C. Logan, Registrar-Recorder/County Clerk
Election Coordination Unit
12400 Imperial Highway, 2nd Floor, Room 2013A
Norwalk, California 90650

Via Email – ecu@rrcc.lacounty.gov

Dear Mr. Logan:

Attached please find a copy of Resolution No. 2024-25-3502, requesting the Board of Supervisors of the County of Los Angeles to consolidate a general municipal election to be held on Tuesday, November 5, 2024.

Should you have any questions or require anything further, please feel free to call me at 626-430-2202.

Sincerely,

A handwritten signature in black ink that reads "Laura M. Nieto". The signature is written in a cursive, flowing style.

Laura M. Nieto, MMC
Chief Deputy City Clerk

Enclosure

CC: Julian A. Miranda, City Manager / City Clerk

RESOLUTION NO. 2024-25-3502

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, (1) CALLING FOR AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE CHARTER; (2) REQUESTING CONSOLIDATION OF SUCH ELECTION WITH THE COUNTY OF LOS ANGELES WITH ANY AND ALL ELECTIONS HELD ON SUCH DATE; (3) REQUESTING THE COUNTY OF LOS ANGELES TO PROVIDE SPECIFIC ELECTION ADMINISTRATION SERVICES FOR SUCH ELECTION; (4) ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE FOR SUCH ELECTION REGARDING CANDIDATE STATEMENTS; AND (5) PROVIDING FOR THE DETERMINATION OF TIE VOTES BY LOT UNLESS THE CITY COUNCIL ADOPTS THE PROVISIONS OF ELECTIONS CODE SECTION 15651 (b) PRIOR TO THE CONDUCT OF THE ELECTION RESULTING IN THE TIE VOTE

WHEREAS, under the provisions of the Irwindale City Charter, a General Municipal Election shall be held on November 5, 2024, for the election of Municipal Officers; and

WHEREAS, it is desirable that the City's November 5, 2024 General Municipal Election be consolidated with any and all elections to be administered by Los Angeles County (the "County") on the same date and that the City have the same precincts, polling stations, and election officers within the City for such election; and

WHEREAS, the City Council wishes for the Office of the Registrar-Recorder/County Clerk for the County (the "Registrar") to canvass the returns of the City's November 5, 2024 General Municipal Election; and

WHEREAS, the City seeks the provision of election services from the Registrar relating to the conduct of the City's November 5, 2024 General Municipal Election; and

WHEREAS, the City Council approves the printing of the General Municipal Election information for the election to be held on Tuesday, November 5, 2024 in the languages requiring translation pursuant to the Voting Rights Act of 1965 and other legal provisions; and

WHEREAS, Elections Code Section 13307 provides that the City may adopt regulations pertaining to the recovery of certain costs associated with the printing, handling, translation, and mailing of candidate statements as filed with the elections officer; and

WHEREAS, the City shall compensate the County for all necessary expenses incurred by the Registrar in performing election services for the City; and

WHEREAS, tie votes shall be determined by lot unless the City Council adopts provisions of Elections Code Section 15651(b) prior to the conduct of the election resulting in a tie vote.

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

SECTION 1. That pursuant to the requirements of the Irwindale City Charter, there is called and ordered to be held in the City of Irwindale California, on Tuesday, November 5, 2024, a General Municipal Election for the purpose of electing three (3) Members of the City Council for the full term of four years.

SECTION 2. That pursuant to the requirements of Elections Code section 10403, it is respectfully requested that the Board of Supervisors of the County consent and agree to the consolidation of the City's General Municipal Election on Tuesday, November 5, 2024 with the County-administered election of the same date.

SECTION 3. That in connection with the Registrar's administration of the City's November 5, 2024 General Municipal Election, the City further requests that the Registrar be authorized and directed to: (a) review and verify Vote By Mail voter applications and signatures; (b) conduct registered voter verifications (including signature verifications) associated with the processing of any proposed General Municipal Election ballot measure; (c) provide the City of Irwindale with the appropriate election precinct data, to the extent required; (d) make available to the City of Irwindale such election facilities, ballot casting equipment and assistance as may be necessary to conduct the election in compliance with state law and the Board of Supervisor's approval; (e) canvass the election returns; (f) print and supply ballots for the election; (g) mail the City of Irwindale's sample ballots, including ballot measure question, arguments, rebuttals and impartial analysis; and (h) administer the City of Irwindale's General Municipal Election in all respects as if it were part and parcel of any other County administered election, implementing all such legally required or customarily employed measures and practices as may be necessary to conduct the election in a timely and legally compliant manner.

SECTION 4. That the City of Irwindale shall reimburse the County for any costs associated with the administration of the City's November 5, 2024 General Municipal Election.

SECTION 5. That the City hereby consents to have its General Municipal Election on Tuesday, November 5, 2024 consolidated with any and all elections conducted on such date within the County.

SECTION 6. That the ballots to be used at the election shall be in form and content as required by law or as directed by the Registrar to facilitate the consolidation of the City's November 5, 2024 General Municipal Election with the County-administered election of the same date.

SECTION 7. That the Chief Deputy 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 8. That vote centers for the election shall be open as required during the identified voting period pursuant to Elections Code sections 4007 and 14401.

SECTION 9. That the City Council authorizes the Chief Deputy City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a property submitted bill.

SECTION 10. That pursuant to Section 13307 of the Elections Code, each candidate for elective office to be voted for at the City's November 5, 2024 General Municipal Election may prepare a candidate statement on a form acceptable to the County Clerk and made available through the Chief Deputy City Clerk.

SECTION 11. That pursuant to Section 13307 (a)(1) of the Elections Code, candidate statements **may** include the following:

(A) The name, age and occupation of the candidate; and

(B) A brief description of no more than 200 words of the candidate's education and qualifications as expressed by the candidate himself or herself.

SECTION 12. That pursuant to Elections Code Section 13307 (a)(1), candidate statements **shall not** include the following:

(A) The party affiliation of the candidate; or

(B) References to membership or activity in partisan political organizations.

SECTION 13. That all prospective candidates should be aware of the holding in *Dean v. Superior Court (1998) 62 Cal.App.4th 638*, which holds that a statement prepared by a candidate for inclusion in the voters' pamphlet **may not** include comments or statements concerning the qualifications (or alleged lack of qualifications) of one's opponents. Candidates, in an abundance of caution, should avoid making any reference to opponents in their candidate statements. Candidates should seek the advice of private legal counsel if unsure as to whether their candidate statement does or does not comply with applicable law before filing.

SECTION 14. That the candidate statement shall be filed in typewritten form at the Office of the Chief Deputy City Clerk at the time the candidate's nomination papers are filed. The candidate statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. on the next working day after the close of the nomination period.

SECTION 15. Pursuant to Section 13307(c) of the California Elections Code, the governing body of the City of Irwindale authorizes the preparation of candidate statements for nonpartisan elective office for the purpose of electronic distribution. Candidates will prepare statements for electronic distribution pursuant to Section 13307(a) of the Elections Code. A statement prepared pursuant to this subdivision shall be posted on the internet website of the County Elections Official. Pursuant to Section 13307.7(a) of the Elections Code, candidates shall provide payment of the requisite fee to cover the duties and procedures set forth in Sections 13307(b) and (d) of the Elections Code.

SECTION 16. That subject to any logistical constraints imposed by the Registrar by virtue of consolidation, the Chief Deputy City Clerk shall have translated (from English to other languages as authorized under the Voting Rights Act of 1965 and other legal provisions) and printed in the sample ballot only the candidate statement of those candidates who have properly requested it.

SECTION 17. That no candidate for any elected office of the City shall be permitted to include additional materials in the voters' pamphlet and sample ballot package.

SECTION 18. That each candidate for any of the offices to be elected at the General Municipal Election to be conducted on November 5, 2024, who files a candidate statement, shall, as a condition of having his or her statement included in the sample ballot, concurrently deposit with the Chief Deputy City Clerk an amount, as reasonably estimated by the City Clerk, to pay in advance his or her estimated *pro rata* share of the actual costs of printing and handling such candidate statements incurred by the City of Irwindale and/or the County Clerk as a result of providing such service at the time of filing such statement with the Chief Deputy City Clerk. In the event that the amount paid as a deposit by a candidate includes overpayment of actual costs incurred by the City of Irwindale and/or the County Clerk, the Chief Deputy City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days following the date of the election.

SECTION 19. That the Chief Deputy City Clerk shall provide each candidate or candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 20. That the City Council has determined that the action to be taken in the event of a tie vote is as follows: by lot pursuant to Elections Code Section 15651(a), unless the City Council adopts provisions of Elections Code 15651(b) prior to the conduct of the election resulting in the tie vote.

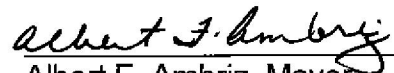
SECTION 21. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 22. 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 23. That the Chief Deputy City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 24. That the Chief Deputy City Clerk is hereby directed to deliver a certified copy of this resolution to the Board of Supervisors of the County of Los Angeles and to transmit an electronic copy to the Board of Supervisors and the Registrar-Recorder/County Clerk.

PASSED, APPROVED, AND ADOPTED this 12th day of June 2024.


Albert F. Ambriz, Mayor

ATTEST:

Laura M. Nieto, MMC
Chief Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2024-25-3502 was duly adopted by the City Council of the City of Irwindale at a regular meeting thereof held on the 12th day of June 2024, by the following vote:

AYES: Councilmembers: Breceda, Burrola, Garcia, Ortiz, Mayor Ambriz

NOES: Councilmembers: None

ABSTAIN: Councilmembers: None

ABSENT: Councilmembers: None


Laura M. Nieto, MMC
Chief Deputy City Clerk



June 13, 2024

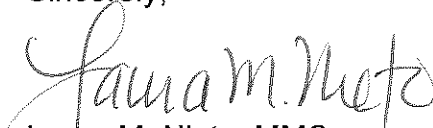
Mr. Jeff Levinson, Interim-Executive Officer
Los Angeles County Board of Supervisors
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 383
Los Angeles, California 90012

Dear Mr. Levinson:

Attached are two certified copy of Resolution No. 2024-25-3502, requesting the Board of Supervisors of the County of Los Angeles to consolidate a general municipal election to be held on Tuesday, November 5, 2024.

Should you have any questions or require anything further, please feel free to call me at 626-430-2202.

Sincerely,


Laura M. Nieto, MMC
Chief Deputy City Clerk

Enclosure

CC: Julian A. Miranda, City Manager / City Clerk