



CITY OF GLENDALE, CALIFORNIA  
REPORT TO THE:

Joint  City Council  Housing Authority  Successor Agency  Oversight Board

January 30, 2018

**AGENDA ITEM**

Report: Discussion of Potential Ballot Measure Amending City Charter relating to Date of the General Municipal Election

- 1) Resolution of the Council Authorizing Placing on the Ballot the Question of Amending the Charter to Change the Date of the General Municipal Election to Coincide with the Date of the Statewide Primary Election of Even-Numbered Years
- 2) Motion Directing Staff re Charter Amendment on Date of General Municipal Election
- 3) Resolution Calling for Arguments For and Against the Ballot Measures
- 4) Resolution Calling and Giving Notice of the Holding of a Special Municipal Election to be Held on June 5, 2018; and Asking the Los Angeles County Board of Supervisors to Consolidate the Special Election with the Statewide Primary Election; and Authorize the City Clerk and his Duly Authorized Officers and Agents to Carry out all Necessary Procedures for Said Election Working with the County of Los Angeles
- 5) Resolution of Appropriation

**COUNCIL ACTION**

Public Hearing  Ordinance  Consent Calendar  Action Item  Report Only

Approved for January 30, 2018 calendar

**ADMINISTRATIVE ACTION**

Submitted by:  
Michael J. Garcia, City Attorney

Ardashes Kassakhian, City Clerk

Prepared by:  
Lucy Varpetian, Senior Assistant City Attorney

Lyova Zalyan, Administrative Assistant

Approved by:  
Yasmin K. Beers, Interim City Manager

Robert P. Elliot, Director of Finance

Signature

*Michael J. Garcia*

*Ardashes Kassakhian*

*Michael J. Garcia*  
for *Ardashes Kassakhian*

*Yasmin K. Beers*

*Michele Flynn*  
for *Bob Elliot*

*[Handwritten mark]*

## **RECOMMENDATION**

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That the Council considers whether to approve resolutions placing a proposed Charter amendment on the ballot for the June 5, 2018 consolidated election, which would revise the date of the general municipal elections from first Tuesday in April in each odd-numbered year to the same date as the statewide primary election date in even numbered years.

## **BACKGROUND/ANALYSIS**

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In 2015, the State Legislature adopted and Governor Brown signed Senate Bill (SB) 415 (Hueso), which requires cities with voter turnout rates lower than that of statewide elections to consolidate with the State. This new law necessitated Glendale to reexamine how we conduct our elections and the City's ability to maintain and conduct its elections in its current form. During its November 7, 2017, meeting, Council resolved to place before the electorate a charter amendment to change the date of the general municipal election from first Tuesday in April in each odd-numbered year to the same date as the statewide primary election date in even-numbered years, beginning March 2020.

Additionally, although Glendale Unified School District has sought consolidation of elections with the City Glendale in years past, with the anticipated changes, it is advisable to remove reference of the GUSD from the city charter to allow GUSD greater flexibility in future elections. Accordingly, those sections of the city Charter are also set forth below in redline form for consideration for inclusion in this amendment process.

### **A. Proposed Charter Amendment.**

The proposed text is set forth herein in redline form.

#### **Article IV, Sec. 1. Generally.**

The officers of the City of Glendale shall be five (5) members of the council, a city assessor, a city tax collector, a city manager, a director of administrative services, a city clerk, a city treasurer, a city attorney, a director of public works, a city engineer, a maintenance services administrator, a building official, a chief of police and a fire chief. The council may also provide by ordinance for additional offices and for the duties thereof, and for additional duties of offices herein provided for, but in no such manner as to encroach upon the duties of any officer as provided for by this Charter. The council may also provide by ordinance for such subordinate officers, assistants, deputies, clerks, and employees in the several offices and departments as they deem necessary. The members of the council, ~~the members of the board of education,~~ the city treasurer and the city clerk shall be elected from the city at large, as provided in this Charter; ~~provided, however, that all qualified electors of the Glendale City School District shall also have the right to vote for members of the board of education.~~ All other officers, assistants, deputies, clerks and employees shall be appointed as provided in this Charter, or as the council may provide by ordinance in case no provision for their appointment is herein made, and shall hold their respective offices or positions at the pleasure of the appointing power. Where the appointment of any of said officers, assistants, deputies, clerks or employees is vested in the council or any commission, such appointment and any removal must be made by a three-fifths (3/5) vote of the members of the appointing power.

**Article V, Sec. 1. General municipal elections.**

General municipal elections of officers and for such other purposes as the council may prescribe shall be held in the city ~~on the first Tuesday in April in each odd-numbered year. to coincide with any statewide primary election date in even numbered years.~~

**Sec. 6. Terms of elective officers; term limits of councilmembers.**

(a) ~~From and after the general municipal election to be held on the first Tuesday in April of 1965, after the first Monday in March of 2020, the clerk and treasurer elected and the three (3) members of the council and the three (3) members of the board of education the two (2) members of the council receiving the highest number of votes for said offices respectively shall hold office for terms of four (4) years commencing at eight p.m. (8:00 P.M.) of the second Monday following the day of election on the date of the council certifies the results of the election and until their successors are elected and qualified. From and after the general municipal election of 1967~~ 2022, the clerk and treasurer elected and the three (3) members of the council then elected shall hold office for terms of four (4) years commencing at eight p.m. (8:00 P.M.) of the second Monday following the day of said general municipal election of 1967 on the date of the council certifies the results of the election and until their successors are elected and qualified. Any person elected to fill a vacancy shall serve for the remainder of the unexpired term. In the election of councilmen and members of the board of education, where full terms and one (1) or more unexpired terms are to be filled, no distinction shall be made in nominating or voting between the full terms and the unexpired terms, but the person or persons elected by the highest number of votes shall be elected for the full term or terms and the person or persons receiving the next highest vote shall be elected for the unexpired term or terms, as the case may be.

(b) No person may serve more than three (3) terms of office as a member of the City Council, either by election or appointment. This limitation on the number of terms of office shall not apply to any unexpired term to which a person is elected or appointed to council if the remainder of the term is less than one-half of the full term of office and shall apply only to terms of office that began after April 4, 2017.

**Article VI. Sec. 13. Vacancies in elective offices.**

Any member of the council who is absent from all meetings thereof for two consecutive months, unless excused by the council shall forfeit his seat.

Any vacancy occurring in the council shall be filled by a majority vote of the remaining members of the council or by special election called by the council as required herein. ~~Any vacancy occurring in the board of education shall be filled by a majority vote of the remaining members of the board of education.~~ Any vacancy occurring in any other elective office shall be filled by a majority vote of the whole council.

The person appointed to fill a vacancy in any elective office shall serve until his successor is elected and qualified; provided, that where the term of the office to which such person is appointed expires on the second Monday following the next general municipal election to be held after the occurring of the vacancy, such personal shall serve for the remainder of the unexpired term.

If the term of the office to which such person is appointed does not expire on the second Monday following the next general municipal election to be held after the occurring of the vacancy, and the nomination period for the next general municipal election has not commenced,

then at said next general municipal election a successor shall be elected, otherwise, such personal so appointed shall hold office for the remainder of the unexpired term. Council shall make an appointment within thirty days of the vacancy. If an appointment is not made within thirty days, then council shall immediately call for a special election to be held within one hundred twenty (120) days for the purpose of filling such vacancy, unless the earliest next general election is no more than one hundred eighty (180) days from the call for special election.

~~Article XII. Sec. 1. Board of education generally.~~

~~The control of the public school department of the City of Glendale, including the whole of the Glendale City School District, shall be vested in a board of education, which shall consist of five (5) members elected from the district at large.~~

~~Sec. 2. Powers and duties of board of education.~~

~~The powers and duties of the board of education shall be such as are prescribed by the Constitution and laws of the State of California.~~

## **B. Next Steps**

If the Council adopts a resolution calling for the placement of Charter amendment on the ballot, a resolution calling for arguments for and against the proposed charter amendment, must also be adopted.

The following procedures must be followed:

City Attorney's Impartial Analysis: Elections Code §9280 provides that whenever city measures are placed on the ballot, the City Attorney, upon direction of the City Council must prepare an impartial analysis of the measures showing the effect of each measure on existing law and how each measure will operate.

Call for Arguments For or Against Proposed Charter Amendments: Pursuant to Section 1.08.060 of the Glendale Municipal Code, 1995, ("GMC"), arguments for and against the proposed Charter amendments must be submitted by specific dates. The GMC requires the Council give preference for writing arguments in the following order:

1. Officers of the City elected by the people.
2. Appointive officers of the City.
3. Bona fide associations of citizens.
4. Individual voters.

Should a majority of the Council choose to write the arguments in favor of the proposed ballot measures, the City Attorney is prepared to draft such arguments or, in the alternative, the Council may write its own arguments. Any dissenting Councilmember may write an argument against the proposed ballot measure pursuant to the above specified order of preference.

### Other Pertinent Elections Dates:

A person must request to write arguments at least 85 days prior to election. (March 12, 2018)

The City Council must appoint a person or persons to write arguments at least 75 days prior to election. (March 22, 2018)

Arguments must be submitted to the City Clerk at least 65 days prior to election. (March 30, 2018)

A 10 day review period of arguments prior to submitting materials for printing.

A sample ballot must be mailed to residents at least 21 days prior to the election.

**C. Calling and giving notice of holding a special municipal election (June 5, 2018)**

On November 7, 2017, the City Council directed the City Clerk and City Attorney to prepare the necessary report and resolutions to call for an election to be consolidated with the statewide primary held on June 5, 2018 for the purpose of placing a ballot measure amending the City Charter to permanently change the date of the Glendale General Municipal Election to coincide with the date of the Statewide Primary Election of even-numbered years. The purpose of this action was to ensure that the charter of the City of Glendale be congruent with the California Voter Participation Rights Act which requires local jurisdictions to shift their standalone election dates to coincide with a statewide election.

According to the California Election Code and information provided by the Los Angeles County's Division of Election Information and Preparation, the request to add measures to the ballot may occur no later than March 9, 2018, however, the County has asked to have the consolidation request earlier so as to allow the County's Division of Election Information and Preparation ample time to accommodate the city's request and prepare for such election.

**FISCAL IMPACT**

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According to the Manager of Fiscal Operations in the Los Angeles County Registrar-Recorder's Office, the approximate costs for the city to consolidate the special municipal election with the June 5, 2018 Primary election are as follows:

Item	Estimated Cost
County - Election Cost	\$250,000
Education & Outreach	\$40,000
Advertising	\$40,000
<b>Total:</b>	<b>\$330,000</b>

The County estimates the cost based on the following estimated statistics: 105,358 registered voters, 49,097 permanent vote-by-mail voters, 88 precincts, 8 pages per measure. Based on the above estimates, the cost of each additional ballot measure will be approximately \$20,000.

The costs do not include any additional work that will need to be done to provide translation services to voters in Armenian which the city does for all of its local elections. At this time the County of Los Angeles does not but is planning on providing these translations in the future. Therefore, the City Clerk is requesting \$40,000 for education and outreach purposes with an additional \$40,000 for advertising.

The city will not hire an election consultant for this election since most of the organizing and implementation of the election will be handled the County. Nor will additional staff be hired by the city unless otherwise directed by the City Council.

## **ALTERNATIVES**

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The Council may consider any of the following alternatives:

Alternative 1: Council elects to place a measure on the ballot whereby the date of the general municipal election date is changed from April of odd-numbered years to the date of the statewide primary election of even-numbered years.

Alternative 2. Council takes no action.

Alternative 3: The City Council may consider any other alternative not proposed by staff.

## **CAMPAIGN DISCLOSURE**

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Not applicable to this item.

## **EXHIBITS**

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None.



## Attachment 1 to City Council Resolution re Council Compensation

[New provisions or language added to the existing Charter section are shown in underline, words and figures deleted from the existing charter section are shown in ~~Strikethrough type~~.]

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receiving the next highest vote shall be elected for the unexpired term or terms, as the case may be.

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**Article VI. Sec. 13. Vacancies in elective offices.**

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Council shall make an appointment within thirty days of the vacancy. If an appointment is not made within thirty days, then council shall immediately call for a special election to be held within one hundred twenty (120) days for the purpose of filling such vacancy, unless the earliest next general election is no more than one hundred eighty (180) days from the call for special election.

~~Article XII. Sec. 1. Board of education generally.~~

~~The control of the public school department of the City of Glendale, including the whole of the Glendale City School District, shall be vested in a board of education, which shall consist of five (5) members elected from the district at large.~~

~~Sec. 2. Powers and duties of board of education.~~

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MOTION

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, that the Council hereby directs staff regarding the Charter amendment on the date of the general municipal election as follows:

\_\_\_\_\_

\_\_\_\_\_

Vote as follows:

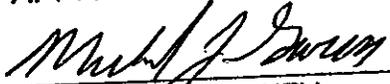
Ayes:

Noes:

Absent:

Abstain:

APPROVED AS TO FORM



CITY ATTORNEY

DATE 1/26/18



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION ON TUESDAY JUNE 5, 2018, TO AMENDING THE CITY CHARTER RELATING TO THE DATE OF THE GENERAL MUNICIPAL ELECTION; AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE THE SPECIAL ELECTION WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THE DATE PURSUANT TO §10403 OF THE ELECTIONS CODE; AND AUTHORIZING THE CITY CLERK OR HIS DULY AUTHORIZED OFFICERS AND AGENTS TO CARRY OUT ALL THE NECESSARY PROCEDURES FOR SAID ELECTION WORKING WITH THE COUNTY OF LOS ANGELES**

WHEREAS, in 2015, the State Legislature adopted and Governor Brown signed Senate Bill (SB) 415 (Hueso), which requires cities with voter turnout rates lower than that of statewide elections to consolidate with the State; and

WHEREAS, this new law necessitated Glendale to reexamine how it conducts its elections and the City's ability to maintain and conduct its elections in its current form; and

WHEREAS, during its November 7, 2017, meeting, Council resolved to place before the electorate a charter amendment to change the date of the general municipal election from first Tuesday in April in each odd-numbered year to the same date as the statewide primary election date in even-numbered years, beginning March 2020; and

WHEREAS, although Glendale Unified School District has sought consolidation of elections with the City Glendale in years past, with the anticipated changes, it is advisable to remove reference of the GUSD from the city charter to allow GUSD greater flexibility in future elections; and

WHEREAS, it is desirable that the County Registrar for the County of Los Angeles provide specified services as designated by the City Clerk; and

WHEREAS, all necessary expenses in performing this service shall be paid by the City of Glendale;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE, AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the Charter of the City of Glendale, local ordinances and, where appropriate, laws of the State of California, there is called and ordered to be held in the City of Glendale, California, on Tuesday, June 5, 2018, a special municipal election for the object and purpose of voting on any charter amendments.

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

SECTION 3. 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 Special Municipal Election with the election on Tuesday, June 5, 2018, for the purpose of electing a member of the city council.

SECTION 4. That the City Clerk and his duly authorized officers and agents are authorized to carry out all the necessary procedures for said election working with the Registrar of Voters of the County of Los Angeles.

SECTION 5. That the County Election Department is authorized to canvass the returns of the Special 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 6. That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated election.

SECTION 7. That the City of Glendale 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 8. 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 9. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Election Department of the County of Los Angeles.

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SECTION 10. That the City Clerk shall certify to the adoption of this resolution.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS  
CITY OF GLENDALE            )

I, Ardashes Kassakhian, City Clerk of the City of Glendale, certify that the foregoing Resolution No. \_\_\_\_\_ was adopted by the Council of the City of Glendale, California, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM

  
\_\_\_\_\_  
CITY ATTORNEY

DATE 1/26/18

**RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE  
MAKING AN APPROPRIATION**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE:

SECTION 1: That the sum of \$330,000 is hereby appropriated and/or transferred from the following accounts to the following accounts:

ACCOUNTS	DESCRIPTION	FROM	TO
25300-101	Undesignated Fund Balance, General Fund	\$330,000	
43110-101-125	Contractual Services, General Fund, Elections		\$290,000
44200-101-125	Advertising, General Fund, Elections		\$40,000

To appropriate funding for the a ballot measure amending the City Charter relating to the date of the general municipal election.

SECTION 2: The Director of Finance is authorized to make such other revisions, individual appropriation line-items, changes in summaries, fund totals, grand totals, and other portions of the budget document as necessary to reflect and implement the changes specified in this resolution.

SECTION 3: The City Clerk shall certify to the adoption of this Resolution.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

CITY OF GLENDALE  
DATE 1/26/2018  
APPROVED AS TO FINANCIAL  
PROVISION FOR \$ 330,000



\_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS  
CITY OF GLENDALE )

*[Handwritten initials]*

*Michele Elyson*  
for Director of Finance *Bob Elliott*

I, Ardashes Kassakhian, City Clerk of the City of Glendale, do hereby certify that the foregoing Resolution No. \_\_\_\_\_ was adopted by the Council of the City of Glendale, California, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, and that the same was adopted by the following vote:

Ayes:  
Noes:  
Absent:  
Abstain:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM

*Mark J. Deary*  
CITY ATTORNEY  
DATE 1/26/18

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