

RESOLUTION NO. 2024-023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERNON, CALIFORNIA, CALLING AND GIVING NOTICE OF AN ALL-MAIL BALLOT GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 8, 2025, FOR THE ELECTION OF A CITY COUNCIL MEMBER AS REQUIRED BY THE PROVISIONS OF THE CHARTER OF THE CITY OF VERNON AND SUBMITTING TO THE VOTERS OF THE CITY TWO CHARTER AMENDMENT MEASURES RELATED TO CITY COUNCIL MAYORAL ROTATION AND UPDATING ELECTION CANVASS PROCEDURES IN COMPLIANCE WITH STATE LAW

SECTION 1. Recitals.

- A. In April 2025, the term of one Vernon City Council Member will expire.
- B. Under the provisions of the City of Vernon Charter, a General Municipal Election shall be held on April 8, 2025, for the election of one Municipal Officer.
- C. The City Council has determined that current City Charter language regarding mayoral rotation is not sufficiently clear to ensure that the Mayor and Mayor Pro Tempore positions should be filled by the Council Members serving in the fifth (final) and fourth year, respectively, of their Council seat terms.
- D. Accordingly, the City Council desires to submit a ballot measure to the voters to amend Chapters 3.5 and 3.6 of the Vernon City Charter as they relate to the rotation process of Mayor and Mayor Pro Tempore following a regular municipal election.
- E. The City Council has also determined that Chapter 3.4 of the City Charter should be updated to ensure compliance with applicable state law related to election canvassing.
- F. Accordingly, the City Council desires to submit a ballot measure to the voters to amend Chapter 3.4 of the Vernon City Charter to align City election canvassing procedures and timeframes with applicable state election law.

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

SECTION 2. The City Council of the City of Vernon hereby finds and determines that the above recitals are true and correct.

SECTION 3. Pursuant to the requirements of the State of California, and the Vernon Charter and Municipal Code, there is called and ordered to be held in the City of Vernon, California, on Tuesday, April 8, 2025, a General Municipal Election conducted by

all-mail ballot for the purpose of electing one (1) Member of the City Council for the full term of five (5) years and submitting two ballot measures to the voters.

SECTION 4. The City Council, pursuant to its rights and authority, does order submitted to the voters at the General Municipal Election the following question in substantially the same form:

Shall the measure amending Chapters 3.5 and 3.6 of the Vernon City Charter to state that during City Council installation following a regular municipal election, the position of Mayor shall be filled by the Council Member entering their fifth (last) year of their Council seat’s term, and the position of Mayor Pro Tempore shall be filled by the Council Member entering their fourth year of their Council seat’s term, and so on in descending order if necessary, be adopted?	YES	
	NO	

SECTION 5. The proposed complete text of the measure is as follows:

The People of the City of Vernon do hereby amend the Charter of the City of Vernon as follows:

Chapter 3.5 of Article III of the Charter of the City of Vernon is amended to read as follows:

At the Council meeting at which any Council member is installed following a regular municipal election, and at any time when there is a vacancy in the office of Mayor, the position of Mayor shall be filled by the Council Member entering the fifth (last) year of their Council seat’s term. In the event any Council Member scheduled to be Mayor is unable or desires not to be Mayor, the position of Mayor shall be filled by the Council Member entering the fourth year of their Council seat’s term, and so on in descending order if necessary.

The Mayor shall be the presiding officer of the City Council.

The Mayor shall be a member of the City Council for all purposes and shall have all the rights, powers and duties of a member of the City Council in addition to those powers and duties conferred upon the Mayor by virtue of his or her office. The Mayor shall be the official head of the City for all ceremonial purposes. The Mayor shall perform such other duties consistent with the office of mayor as may be prescribed by this Charter or as may be provided by the City Council. The Mayor shall serve in his or her capacity at the pleasure of the City Council and may be removed by a majority vote of the members of the City Council.

Chapter 3.6 of Article III of the Charter of the City of Vernon is amended to read as follows:

At the time that a Mayor is appointed, the position of Mayor Pro Tempore shall be filled by the Council Member entering the fourth year of their Council seat's term. In the event any Council Member scheduled to be Mayor Pro Tempore is unable or desires not to be Mayor Pro Tempore, the position of Mayor Pro Tempore shall be filled by the Council Member entering the third year of their Council seat's term, and so on in descending order if necessary.

The Mayor Pro Tempore shall serve in such capacity at the pleasure of the City Council and may be removed by a majority vote of the members of the Council. The Mayor Pro Tempore shall perform the duties of the Mayor during the Mayor's absence or disability.

SECTION 6. The City Council, pursuant to its rights and authority, does order submitted to the voters at the General Municipal Election the following question in substantially the same form:

Shall the measure amending Chapter 3.4 of the Vernon City Charter to require that election returns be canvassed beginning on the first Tuesday following a City Council election and continued in the time, form, and manner required by the City Charter, Vernon Municipal Code, and the State governing municipal elections, and that Council Member terms shall begin at the hour election results are certified by the City Council, be adopted?	YES	
	NO	

SECTION 7. The proposed complete text of the measure is as follows:

The People of the City of Vernon do hereby amend the Charter of the City of Vernon as follows:

Chapter 3.4 of Article III of the Charter of the City of Vernon is amended to read as follows:

The regular election of Councilmembers shall be held on the second Tuesday of April in each year, commencing in 2010. The terms of Council members shall be staggered so that each Council member shall serve a five year term and one Council member shall be elected each year; provided, however, that in order to effect the election of Council members according to staggered terms as set forth above, upon adoption of this section by the voters, the City Council shall assign each Council position a number, with the Council seats which expire in 2010 assigned numbers 1, 2 and 3 by lot, and Council seats which expire in 2012

assigned numbers 4 and 5 by lot. Council seat number 3 will be subject to election for five year terms commencing in 2010. Council seat number 1 will have its term extended one year to 2011, and will be subject to election for five year terms commencing in 2011. Council seat number 2 will have its term extended two years to 2012, and will be subject to election for five year terms commencing in 2012. Council seat number 4 will have its term extended one year to 2013, and will be subject to election for five year terms commencing in 2013. Council seat number 5 will have its term extended for two years to 2014, and will be subject to election for five year terms commencing in 2014.

No person may serve more than two terms of office as member of the City Council. This limitation on the number of terms of office shall apply prospectively only and terms of office that began before the effective date of this chapter shall not apply to the two term limit. The completion of any unexpired term to which a Councilmember was elected shall not be considered a term for the purposes of this chapter.

The City Council shall be the final judge of election results and the qualifications of its members. The City Council shall canvass the returns of an election beginning on the first Tuesday following a City Council election and continue such canvass in the time, form, and manner required by the City Charter, Vernon Municipal Code, and the general laws of the State governing municipal elections. The terms of each elected Council Member shall begin at the hour the election results are certified by the City Council. In the absence of death, removal from office or disqualification, each Council Member shall serve until expiration of his or her term and until a successor qualifies.

SECTION 8. Pursuant to California Constitution Article XIIC, the measures require approval by a majority vote of those casting ballots on the measure.

SECTION 9. The ballots to be used at the election shall be in form and content as required by law.

SECTION 10. 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 by all-mail ballot.

SECTION 11. Pursuant to the Municipal Code and Charter, the Election shall be conducted by all-mail ballot, and shall be conducted pursuant to California Elections Code Section 4100, et seq. Ballots cast in this Election shall be returned to the Office of the City Clerk no later than 8:00 p.m. on election day in order to be counted. Ballots postmarked on or before election day and received no later than seven (7) days following the day of the election will also be counted.

SECTION 12. In accordance with Elections Code Section 15651(b), in the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the Elections Official, a special runoff election shall be conducted to resolve the tie vote and such special runoff election is to be held on a Tuesday not less than 40 days nor more than 125 days after the administrative or judicial certification of the election which resulted in a tie vote.

SECTION 13. In all particulars not recited in this resolution, the Election shall be held and conducted as provided by law for holding municipal elections.

SECTION 14. 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 15. The City Council of the City of Vernon 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.

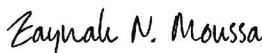
SECTION 16. The Deputy City Clerk of the City of Vernon shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED November 5, 2024.

Signed by:

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JUDITH MERLO, Mayor

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YONNIE PARKER, Deputy City Clerk
(seal)

APPROVED AS TO FORM:
Signed by:

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ZAYNAH N. MOUSSA, City Attorney

I CERTIFY THAT RESOLUTION NO. 2024-023 was passed and adopted by the City Council of the City of Vernon at the Regular Meeting on November 5, 2024, by the following vote:

AYES:	3	Council Members: Lopez, Rivera, Ybarra
NOES:	0	
ABSENT:	2	Council Members: Larios, Merlo
ABSTAIN:	0	

DocuSigned by:

Yonnie Parker

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YONNIE PARKER, Deputy City Clerk
(seal)