

June 5, 2007

City Council Meeting  
June 12, 2007

Mayor and Members  
of the City Council

**CALLING, GIVING NOTICE AND REQUESTING CONSOLIDATION  
AND CERTAIN OTHER RESOLUTIONS NECESSARY FOR THE  
GENERAL MUNICIPAL ELECTION, NOVEMBER 6, 2007**

**Recommendation:**

It is recommended that the City Council adopt the attached four resolutions pertaining to the November 6, 2007 General Municipal Election: (1) call and give notice of said election for the election of certain officers; (2) request election consolidation with the County; (3) fix the compensation of the City Clerk during the election period; and (4) provide for the conduct of a special runoff election for elective offices in the event of a tie vote.

**Background:**

The City will be conducting a General Municipal Election on Tuesday, November 6, 2007, for the offices of City Clerk, City Treasurer, and two Members of the City Council. The required resolutions are presented this evening for Council adoption, which must take place prior to the July 16 opening date of the nominating period. Attached is a preliminary election calendar identifying important deadline dates. A resolution adopting regulations for candidate statements was presented separately this evening as a consent calendar item.

At the last meeting (May 22), the Council was presented with the certification of the referendum petition against Ordinance No. 07-1278, which had sufficient signatures to cause either the repeal of the ordinance or its placement on the ballot. The Council did not vote to repeal the ordinance, opting instead to allow the voters to decide. The resolutions to place that measure (as well as any Council-initiated measures) on the November ballot will be presented for Council adoption at the meeting of July 10, 2007, which will allow adequate time to meet the County's deadline for placing measures on the ballot and ensure that all arguments are filed in the Clerk's office in a timely fashion in order to meet the County's deadline for preparing the sample ballot.

**Resolutions for adoption:**

1. **RESOLUTION NO. 07-**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2007, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE

PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO  
GENERAL LAW CITIES

2. **RESOLUTION NO. 07-**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2007, WITH THE UDEL AND SCHOOL ELECTION TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

3. **RESOLUTION NO. 07-**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, FIXING THE COMPENSATION TO BE RECEIVED BY THE CITY CLERK FOR THE GENERAL MUNICIPAL ELECTION OF NOVEMBER 6, 2007

Per the Municipal Code, the Clerk's compensation must be fixed by resolution. It has been traditional for the City Clerk to receive extra compensation during all election periods due to the tremendous impact an election has on the normal workload of the Clerk's office. As you know, the additional duties have already begun, and the amount of time necessary to perform those duties is at least 50 percent above what is normally required of the part-time City Clerk. The traditional extra monthly compensation for consolidated elections has been half of the Clerk's monthly salary.

4. **RESOLUTION NO. 07-**

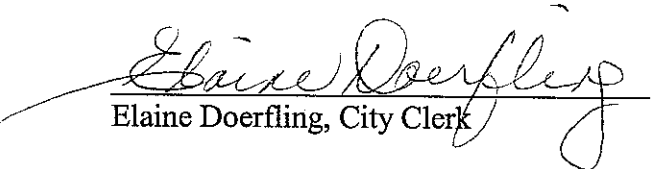
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, PROVIDING FOR THE CONDUCT OF A SPECIAL RUNOFF ELECTION FOR ELECTIVE OFFICES IN THE EVENT OF A TIE VOTE AT A GENERAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 6, 2007

Optional, but if adopted, must be adopted before Election Day. If not adopted, in the event two or more persons receive an equal number of votes and are tied for an elective office, Council shall determine the tie by lot, pursuant to State law.

Noted:

---

Stephen R. Burrell, City Manager

  
Elaine Doerfling, City Clerk

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**RESOLUTION NO. 07-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2007, 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 November 6, 2007, for the election of Municipal Officers.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES HEREBY 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 Hermosa Beach, California, on Tuesday, November 6, 2007, a General Municipal Election for the purpose of electing two Members of the City Council for the full terms of four years; a City Clerk for the full term of four years; and a City Treasurer for the full term of four 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 be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

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

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

6           **SECTION 7.** That the City Clerk shall certify to the passage and adoption of this  
7 Resolution and enter it into the book of original Resolutions.

8

9

10

11

**PASSED, APPROVED and ADOPTED** this 12th day of June, 2007.

12

13

14

**PRESIDENT** of the City Council, and **MAYOR** of the City of Hermosa Beach, California

15

16

**ATTEST:**

**APPROVED AS TO FORM:**

17

18

\_\_\_\_\_

\_\_\_\_\_

**City Clerk**

**City Attorney**

19

20

21

22

23

07- 2/2

24

25

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**RESOLUTION NO. 07-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2007, WITH THE UDEL AND SCHOOL ELECTION TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE**

**WHEREAS**, the City Council of the City of Hermosa Beach, California, called a General Municipal Election to be held on Tuesday, November 6, 2007, for the purpose of the election of two Members of the City Council, a City Clerk and a City Treasurer to full four-year terms; and

**WHEREAS**, it is desirable that the General Municipal Election be consolidated with the UDEL and School Election to be held on the same date and that within the city the precincts, polling places and election officers of the two elections be the same, and that the county election 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 HERMOSA BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of Section 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 UDEL and School Election on Tuesday, November 6, 2007, for the purpose of the election of two Members of the City Council, a City Clerk, and a City Treasurer to full four-year terms.

**SECTION 2.** That the county election 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.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**SECTION 3.** 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 4.** That the City of Hermosa Beach 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 election department of the County of Los Angeles.

**SECTION 6.** That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the minutes of the meeting at which the Resolution is adopted.

**PASSED, APPROVED, and ADOPTED** this 12th day of June, 2007.

\_\_\_\_\_  
**PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
City Attorney

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**RESOLUTION NO. 07-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, FIXING THE COMPENSATION TO BE RECEIVED BY THE CITY CLERK FOR THE GENERAL MUNICIPAL ELECTION OF NOVEMBER 6, 2007**

**WHEREAS**, the matter of the General Municipal Election of November 6, 2007, as it relates to additional duties and staffing, was reviewed by the City Council on June 12, 2007.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** That pursuant to Ordinance No. 78-603 of the City of Hermosa Beach, California, adopted December 14, 1978, the compensation of the City Clerk shall be fixed by resolution of the City Council.

**SECTION 2.** That the City Clerk shall receive an additional monthly salary equal to one-half (50 percent) of the Clerk's regular monthly salary for the four and one-half-month election process, commencing July 1, 2007, through November 15, 2007, payable semi-monthly at the same time and in the same manner as the salaries paid to each of the officers and employees of the City.

**SECTION 3.** 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 12th day of June, 2007.

\_\_\_\_\_  
**PRESIDENT** of the City Council, and **MAYOR** of the City of Hermosa Beach

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
City Attorney

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**RESOLUTION NO. 07-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, PROVIDING FOR THE CONDUCT OF A SPECIAL RUNOFF ELECTION FOR ELECTIVE OFFICES IN THE EVENT OF A TIE VOTE AT THE GENERAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 6, 2007**

**WHEREAS**, Section 15651(b) of the Elections Code of the State of California authorizes the City Council, by majority vote, to adopt provisions to require the conduct of a Special Runoff Election to resolve a tie vote involving those candidates who received an equal number of votes and the highest number of votes for an elective office.

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

**SECTION 1.** That pursuant to Section 15651(b) 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, there shall be held within the city a Special Runoff Election to resolve the tie vote. A Special Runoff Election shall be called and held on a Tuesday not less than 40 days or more than 125 days after the administrative or judicial certification of the election which resulted in a tie vote.

**SECTION 2.** That this Resolution shall apply only to the election to be held on November 6, 2007 and shall then be repealed.

**SECTION 3.** 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** on the 12th day of June, 2007.

\_\_\_\_\_  
**PRESIDENT** of the City Council, and **MAYOR** of the City of Hermosa Beach

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
City Attorney



**PRELIMINARY ELECTION CALENDAR**  
**NOVEMBER 6, 2007 GENERAL MUNICIPAL ELECTION**

- |                               |   |
|-------------------------------|---|
| June 12 (Tu)                  | - Council to adopt resolutions prepared by City Clerk establishing regulations for candidate statements, calling the election, etc. |
| July 10 (Tu)                  | - Council to adopt all resolutions regarding ballot measure(s)  |
| July 12 (Th)                  | - Clerk to publish notice of election for candidates<br>- Clerk to post notice of deadline for filing measure arguments             |
| July 16 - Aug. 10 (M-F)       | - Filing period for nomination papers (unless extended)<br>(Candidates may pull nomination papers <u>only</u> during this time)     |
| July 19 (Th)                  | - Clerk to publish notice of election for ballot measure(s)   |
| July 30 (M)                   | - Last day to file direct arguments for ballot measure(s)<br>- Deadline for campaign committees to file semi-annual statements      |
| Aug. 9 (Th)                   | - Last day to file rebuttal arguments for ballot measures   |
| Aug. 10 (F) [5 p.m.]          | - Deadline for filing nomination papers (unless extended)   |
| Aug. 15 (W) [5 p.m.]          | - Extended deadline for filing nomination papers (if incumbent does not file by Aug. 10 deadline)                                   |
| Aug. 16 (Th)                  | - Secretary of State does randomized alphabet drawing to determine order of names on ballot   |
| Sept. 13 & 20 (Th)            | - Clerk to publish notice of nominees   |
| Sept. 10 - Oct. 23 (M-Tu)     | - Filing period for write-in candidates   |
| Sept. 27 (Th)                 | - Deadline for 1 <sup>st</sup> pre-election campaign expenditure statements   |
| Oct. 9 - Oct. 30 (Tu-Tu)      | - Voters may request absentee ballots from County   |
| Oct. 22 (M)                   | - Last day to register to vote  |
| Oct. 25 (Th)                  | - Deadline for 2 <sup>nd</sup> pre-election campaign expenditure statements   |
| Nov. 6 (Tu) [7 a.m. - 8 p.m.] | - Election Day  |
| Nov. 27 (Tu)                  | - Adopt resolution declaring election results<br>- Elected officials sworn in and seated  |
| Jan. 31, 2008 (Th)            | - Deadline for year-end campaign expenditure statements   |