

RESOLUTION NO. 8203

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA SUBMITTING TO THE VOTERS AT THE NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION AN ORDINANCE SETTING TERM LIMITS FOR THE OFFICES OF MAYOR AND OF MEMBER OF THE CITY COUNCIL

WHEREAS, term limits encourage participation in governance, diversity the pool of candidates for elected offices and set clear and understandable rules for candidates; and

WHEREAS, California Government Code Section 36502(b) authorizes the adoption of limits upon the number of terms that may be served as Mayor and as member of the City Council; and

WHEREAS, such limits must be approved by the voters to become effective; and

WHEREAS, by prior resolution, the City Council has called a General Municipal Election for November 3, 2020 (the "Election"); and

WHEREAS, by prior resolution, the City Council has requested that the Election be consolidated with all other elections conducted by Los Angeles County on that same date; and

WHEREAS, the City Council desires to submit to the voters at the Election an ordinance regarding term limits.

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


1. Pursuant to Government Code Section 36502(b) and Elections Code Section 9222, the City Council directs that the ordinance attached hereto as Exhibit "A" and incorporated herein by reference be submitted to the voters at the Election.
2. The question shall appear on the ballot as follows:

Shall the ordinance limiting the number of future full consecutive four-year terms that may be served by an individual as Mayor of Hawthorne and as Member of the Hawthorne City Council to two terms in each office be adopted?	Yes
	No

This measure must be approved by a majority of the votes cast in order to be adopted.


3. The City Council hereby directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the measure, and transmit such impartial analysis to the City Clerk within ten (10) days of the adoption of this Resolution.
4. Pursuant to Elections Code Section 10403, the City Council requests that the Los Angeles County Board of Supervisors consent to consolidation of the Special Election with the general election to be conducted by the Los Angeles County Registrar of Voters on November 3, 2020. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating a special election consolidated with a statewide election. The City will bear all costs customarily charged by the County to a city in connection with a ballot question submitted at a municipal election that is consolidated with an election conducted by the County.
5. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.
6. The City Council directs the City Clerk to file a certified copy of this Resolution with the Registrar of Voters of Los Angeles County.

PASSED, APPROVED AND ADOPTED THIS 9th OF JUNE 2020.




ALEX VARGAS, Mayor
City of Hawthorne, California

ATTEST:



Paul Jimenez, Ph.D, City Clerk
City of Hawthorne, California

APPROVED AS TO FORM:



RUSSELL MIYAHIRA, City Attorney
City of Hawthorne, California

Attachment "A"

Term Limits Ordinance

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY OF HAWTHORNE, CALIFORNIA,
AMENDING SECTION 2.060.010 OF THE HAWTHORNE
MUNICIPAL CODE TO ESTABLISH TERM LIMITS FOR THE
MAYOR AND CITY COUNCIL OF THE CITY OF HAWTHORNE

THE PEOPLE OF THE CITY OF HAWTHORNE DO HEREBY ORDAIN AS
FOLLOWS:

SECTION 1. Section 2.06.010 (Legislative Body) of Chapter 2.06 (City Council) of Title 2 (Administration, Civil Service and Personnel) of the Hawthorne Municipal Code (“HMC”) shall be amended to read as follows:

“2.06.010 Legislative body

A. The legislative body of the city shall consist of four council members and the mayor, who are all elected at large. Said body shall be known as the city council. All members of the city council shall hold office for a term of four years from and after the Tuesday next succeeding the date of such election and until their successors are elected and qualified.

B. No person shall serve as a member of the city council for more than two consecutive full terms. No person shall serve as mayor for more than two consecutive full terms. For purposes of this paragraph (B), the office of the mayor is not the same office as the office of member of the city council.

C. No person shall serve on the city council (either as mayor or as a member of the city council) for more than four consecutive full terms.

D. For purposes of paragraph (B) of this section, two terms of office are considered consecutive unless there is a break in service of at least three years and eleven months.

E. For purposes of paragraph (C) of this section, service on the city council is considered to be consecutive unless there is a break of at least three years and eleven months.

F. The following shall not be considered service on the city council or full terms of office for purposes of this section:

1. Any service that occurs as the result of appointment or election to the remainder of a term in an office that was vacated by its prior holder before the normal expiration of the term.

2. Any term that has been completed or is in progress as of the effective date of the ordinance that added this paragraph to the municipal code.

3. Any term in the office of treasurer or city clerk.

SECTION 2. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Chapter is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council declares that it would have adopted this Chapter, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases, or portions be declared invalid or unconstitutional.

SECTION 3. Execution. The mayor is hereby authorized to attest to the adoption of this ordinance by signing where indicated below upon certification by the City Clerk that a majority of those electors voting on this Ordinance have voted in the affirmative.

PASSED, APPROVED, and ADOPTED this ___th day of _____, _____.

ALEX VARGAS, MAYOR
City of Hawthorne, California

ATTEST:

DR. PAUL JIMENEZ,
CITY CLERK
City of Hawthorne, California

APPROVED AS TO FORM:

RUSSELL I. MIYAHIRA,
CITY ATTORNEY
City of Hawthorne, California

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF HAWTHORNE)

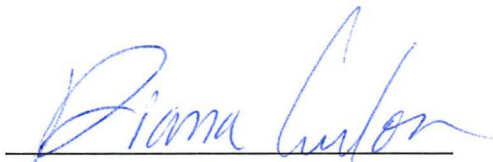
I, **Diana Cucalon**, the duly appointed Acting Deputy City Clerk of the City of Hawthorne, California, **DO HEREBY CERTIFY** that the foregoing Resolution, being Resolution No. 8203 was duly adopted by the City Council of the City of Hawthorne, at the regular meeting of the City Council held **June 9, 2020** and that it was adopted by the following vote, to wit:

AYES: Councilmembers Awad, Monteiro, Talleda, Valentine, Mayor Vargas.

NOES: None.

ABSTAIN: None.

ABSENT: None.



Diana Cucalon
Acting Deputy City Clerk
City of Hawthorne, California