

ORDINANCE NO. 1831

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING SECTION 2.12.010 ("ELECTION") OF CHAPTER 2.12 ("MAYOR AND MAYOR PRO TEM") TO TITLE 2 ("ADMINISTRATION AND ORGANIZATION") OF THE LA HABRA MUNICIPAL CODE PERTAINING TO THE ELECTION OF THE MAYOR AND MAYOR PRO TEM.

WHEREAS, Government Code section 36801 requires that the City Council choose one of its number to serve as mayor and one of its number as mayor pro tempore at the meeting when it declares the results of a municipal election; and

WHEREAS, Section 2.12.010(B) of the La Habra Municipal Code implements Government Code section 36801 by providing that the Mayor and the Mayor Pro Tem are elected on the first Monday of December in non-election years and at the meeting when newly elected councilmembers are sworn-in during election years; and

WHEREAS, In some election years, the Orange County Registrar of Voters does not certify election results before the first Monday in December; and

WHEREAS, When this occurs, the councilmembers then serving as Mayor and Mayor Pro Tem have a longer term than those councilmembers who serve in non-election years; and

WHEREAS, to address this inconsistency, the City Council finds that the La Habra Municipal Code should be amended to provide a single date when the Mayor and Mayor Pro Tem are selected regardless of whether an election is held.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 2.12.010 ("Election") of Chapter 2.12 ("Mayor and Mayor Pro Tem") of Title 2 ("Administration and organization") of the La Habra Municipal Code is hereby amended to read as follows:

Section 2.12.010 Election.

A. The City Council shall elect a Mayor and a Mayor Pro Tem from its own membership, who will serve a one-year term or until such time as a new Mayor or new Mayor Pro Tem is elected; respectively.

B. Such election shall occur at the City Council meeting that is held on the third Monday of each December.

C. In order to hold such office a second consecutive term, the Mayor or Mayor Pro Tem must be elected by four-fifths of the members of the city council.

SECTION 2.

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the same manner required by law. This ordinance shall become effective thirty (30) days from and after its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of La Habra held on the 1st day of March, 2021.

Rose Espinoza
Mayor

ATTEST:

Laurie Swindell, CMC
City Clerk

STATE OF CALIFORNIA }
CITY OF LA HABRA } SS
COUNTY OF ORANGE }

I, Laurie Swindell, CMC, City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 1831 introduced at a regular meeting of the City Council of the City of La Habra held on the 16th day of February, 2021, and was thereafter adopted at a regular meeting held on the 1st day of March, 2021, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Said ordinance has been published or posted pursuant to law.

Witness my hand and the official seal of the City of La Habra the 1st day of March, 2021.

Laurie Swindell, CMC
City Clerk