

IMPARTIAL ANALYSIS BY THE CITY ATTORNEY

MEASURE J

City of Cerritos

**Ballot Measure Requiring Voter Approval to Change Current General Municipal Election Date,
and Conforming Amendments Relating Thereto**

The City Council of the City of Cerritos has placed this measure ("Measure J") on the March 4, 2025 ballot to ask the City's voters to amend the Cerritos City Charter to: (1) require City voter approval to change the general municipal election date, currently established by Council as the first Tuesday after the first Monday in March of each odd-numbered year, and (2) make conforming amendments to Councilmember terms and Mayor selection date.

In California, cities are classified as either charter or general law. The California Constitution authorizes city charters to provide for the conduct of city elections.

Cerritos is a charter city. Its Charter has provisions for the Cerritos general municipal election covering biennial Councilmember elections and (if applicable) City-specific ballot measures. Cerritos has a 5-member Council, each holding a 4-year term, commencing on the first Wednesday after that Councilmember's election. Every year, Councilmembers select one member to serve as Mayor.

When adopted by Cerritos voters in 1959, the Charter specifically set, in its text, the general municipal election date as the second Tuesday in April of each even-numbered year. In 1994, Cerritos voters approved a Charter amendment authorizing Council to set by ordinance the date of the general municipal election based on a list of allowable dates under the California Elections Code. The 1994 Charter amendment also authorizes a Councilmember's 4-year term to change, but only to accommodate a general municipal election date change with no term increasing or decreasing by more than 12 months. California and Cerritos law require at least one general municipal election on the date specified by any Council-adopted ordinance; thereafter, the general municipal election date may be changed only by subsequent Council-adopted ordinance.

In April 2023, Council adopted by ordinance Cerritos's general municipal election date as the first Tuesday after the first Monday in March of each odd-numbered year. Under the current Charter, this will remain the general municipal election date unless Council adopts a subsequent ordinance.

Measure J would amend the Charter to replace, in the Charter's text, the City's general municipal election date as the first Tuesday after the first Monday in March of each odd-numbered year, and to clarify that this date could not be changed except by future vote of the Cerritos electorate. Measure J would also make conforming amendments so that, from 2026 onward, Councilmember terms would commence, and the Mayor selection date would occur, on the second Wednesday in April.

A "Yes" vote is in favor of adding, in the Charter's text, the current general municipal election date and thereafter requiring City voter approval by Charter amendment to change this date. A "No" vote is against adding, in the Charter's text, the current general municipal election date, leaving in place Cerritos's current law that allows Council to establish the general municipal election date by ordinance. If a simple majority of the electorate voting on this measure vote "Yes," then Measure J will be adopted.

Dated: October 31, 2024

[Redacted Signature]

William H. Ihrke, City Attorney

The above statement is an impartial analysis of Measure J. If you desire a copy of the measure, please call the City Clerk/Election Official's Office at (562) 916-1248 and a copy will be mailed at no cost to you.

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