

ORDINANCE 1702

AN ORDINANCE OF THE CITY OF SEAL BEACH AMENDING THE SEAL BEACH MUNICIPAL CODE TO BETTER ALIGN THE CITY'S MAILED-BALLOT ELECTION REGULATIONS WITH STATE LAW AND PROVIDE FOR PRE-ELECTION CAMPAIGN REPORTING FOR MUNICIPAL RUN-OFF ELECTIONS

THE CITY COUNCIL OF THE CITY OF SEAL BEACH DOES ORDAIN AS FOLLOWS:

Section 1. Section 2.05.020(A) of the Seal Beach Municipal Code is hereby amended to read as follows (in this ordinance, text added is underlined, text deleted is ~~struckthrough~~):

"A. Pursuant to Section 507 of the Seal Beach Official Charter, the city council hereby authorizes, provides for and mandates the conduct of all-mailed ballot elections for general municipal elections, municipal run-off elections, and special elections, including any election to authorize the issuance of general obligation bonds. Such mailed ballot elections shall be conducted in accordance with the applicable provisions of Chapter 1 of Division 3 (commencing with Section 3000) and Chapter 2 of Division 4 (commencing with Section 4100) of the California Elections Code, except as otherwise provided in this Section 2.05.020.

Section 2. Section 2.05.020(B) of the Seal Beach Municipal Code is hereby amended to read as follows (in this ordinance, text added is underlined, text deleted is ~~struckthrough~~):

" B. Election Code Sections 3001 through 3008, 3013, 3015, ~~3016, through 3017~~, and 3020 through 3022 shall not be applicable to all-mailed ballot municipal run-off city elections conducted pursuant to this Section 2.05.020. Chapter 1 of Division 4 of the Elections Code (commencing with Section 4000) and Election Code Sections 4104 through 4108 shall not be applicable to the city elections conducted pursuant to this Section 2.05.020."

Section 3. Section 2.05.020(D) of the Seal Beach Municipal Code is hereby amended to read as follows (in this ordinance, text added is underlined, text deleted is ~~struckthrough~~):

"D. Elections Code Section 3017 shall control the return of voted ballots in city elections conducted under this section. Any voter may personally timely return his or her ballot to the city clerk's office, to any designated ballot drop-off site, or the voter may designate ~~and authorize another person~~, in the voter's own handwriting at the appropriate place on the outside of the ballot envelope, any adult person other than any candidate for any office in such election, to deliver the voter's ballot to the city clerk's office or to any designated drop-off site. ~~The city clerk shall provide the appropriate form on the ballot envelope for the voter's handwritten and signed designation and authorization.~~ The person who delivers any other voter's ballot to the city clerk's office

~~or to any designated drop-off site shall, at the time of such delivery, present sufficient photographic identification to prove that he or she is the person who has been expressly designated and authorized by the voter, and shall personally sign, in the presence of the city clerk or the city clerk's representatives, a declaration under penalty of perjury relating to such designation, authorization, and delivery on a form furnished by the city clerk's office"~~

Section 4. Section 2.05.020(K) of the Seal Beach Municipal Code is hereby amended to read as follows (in this ordinance, text added is underlined, text deleted is ~~struckthrough~~):

"K. Ballots will be timely cast if postmarked by January 31, 2023 and received from the U.S. Postal Service by February 3, 2023 pursuant to Elections Code section 4103.

~~Any ballot received by the city clerk by mail at the city clerk's office or to any designated drop-off site after 8:00 p.m. on election day shall not be accepted or counted; however, if~~ at 8:00 p.m. on election day there are any voters inside city hall or any other designated ballot drop-off site who have not been able to deposit their official ballot envelope with the election officials there, the election officials shall continue to accept envelopes from such voters until all have had the opportunity to deliver their timely cast ballots."

Section 5. Section 2.05.020(N) of the Seal Beach Municipal Code is hereby repealed.

Section 6. Section 2.10.020 is hereby added to the Seal Beach Municipal Code to read as follows:

"2.10.020 Additional Pre-Election Report for Municipal Run-Off Elections.

For municipal run-off elections, the City Clerk shall designate reporting periods and filing deadlines for first and second pre-election statements, in addition to any other filing requirements imposed by applicable law."

Section 7. Effective Date. Pursuant to Section 416(b) of the City Charter, this ordinance relates to an election and shall take effect immediately upon its adoption by of the City Council.

Section 8. Certification. The City Clerk shall certify to the adoption of this Ordinance and shall cause this Ordinance or a summary thereof to be published as required by law. The City Clerk is further directed to widely publicize the adoption of this Ordinance and make candidates aware of its requirements.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Seal Beach on this 19th day of December, 2022, by the following vote:

AYES: Council Members Moore, Sustarsic, Massa-Lavitt, Varipapa, Kalmick

NOES: Council Members None

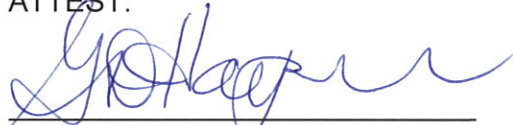
ABSENT: Council Members None

ABSTAIN: Council Members None



Joe Kalmick, Mayor

ATTEST:



Gloria D. Harper, City Clerk

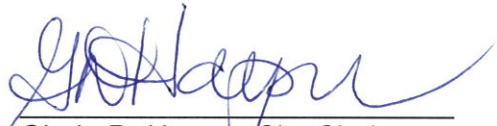
APPROVED AS TO FORM



Craig A. Steele, City Attorney

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS
CITY OF SEAL BEACH }

I, Gloria D. Harper, City Clerk of the City of Seal Beach, do hereby certify that the foregoing Ordinance was introduced for first reading at a regular meeting of the City Council of the City of Seal Beach held on the 12th day of December, 2022, and was passed, approved, and adopted by the City Council at a regular meeting on the 19th day of December, 2022.



Gloria D. Harper, City Clerk