



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** FEBRUARY 19, 2019

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** KENNETH A. DOMER, CITY MANAGER

**REQUESTED BY:** AHMAD ZAHRA, COUNCILMEMBER  
JENNIFER FITZGERALD, MAYOR PRO TEM

**SUBJECT:** CONSIDERATION OF LETTERS TO STATE OF CALIFORNIA  
AND COUNTY OF ORANGE REGARDING ELECTION  
MATTERS

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### **SUMMARY**

Councilman Ahmad Zahra, and seconded by Mayor Pro Tem Jennifer Fitzgerald, requested that an item be placed on the City Council agenda to consider sending a letter to the State of California regarding the recently enacted changes to State law that set when cities can hold special elections. Additionally, a letter was proposed to be sent to the County of Orange to request that the County Board of Supervisors adopt the Voters Choice Act which would allow cities in Orange County to hold all-mail ballot elections.

### **RECOMMENDATION**

That the City Council approve:

- 1) A letter to the State of California regarding recently enacted legislation which limits cities' ability to schedule time-sensitive special elections; and,
- 2) A letter to the Orange County Board of Supervisors to request that the Board of Supervisors reconsider and adopt the Voters Choice Act.

### **PRIORITY POLICY STATEMENT**

This item matches the following Priority Policy Statements:

- Fiscal and Organizational Stability.

### **FISCAL IMPACT**

None.

## DISCUSSION

Due the recent experience in determining the best method in which to fill a City Council vacancy, direction was provided at the Special Meeting held on January 29, 2019 to place on the agenda two letters to send to the State of California and the Orange County Board of Supervisors.

As directed, a letter has been drafted for consideration to send key elected officials of the State of California expressing concern over recent changes to State law which changed the timing of when local General Law governments can hold special elections. The letters, as drafted, requests more discretion for local governments when calling a special election for governing board vacancies in order for local governments to more rapidly fill a vacancy through the election process.

A second letter has been drafted to send to the Orange County Board of Supervisors seeking the Board of Supervisors' support for implementation of the Voter's Choice Act as recommended by the Community Election Working Group and a Voter's Choice Act Operational Plan Proposal 2019 – 2020 which is scheduled to be considered at its February 26, 2019 meeting.

### Attachments:

- Attachment 1 – Letter to Secretary of State for the State of California - Berman
- Attachment 2 – Letter to Secretary of State for the State of California - Umberg
- Attachment 3 – Letter to Orange County Board of Supervisors