



City of San Leandro

Meeting Date: July 6, 2020

Staff Report

File Number: 20-230

Agenda Section: CONSENT CALENDAR

Agenda Number: 8.F.

TO: City Council

FROM: Jeff Kay
City Manager

BY:

FINANCE REVIEW: Liz Warmerdam

TITLE: Staff Report for the City of San Leandro City Council Resolution, Calling and Giving Notice of the Holding of the November 3, 2020 General Municipal Election for the City of San Leandro

SUMMARY AND RECOMMENDATIONS

In order to conduct the City's General Municipal Election on November 3, 2020, the City Council must take the following actions:

1. Adopt a resolution calling for the holding of the General Municipal Election, requesting consolidation with the Statewide General Election, and adopting regulations for candidate statements; and
2. Adopt an ordinance establishing candidate nomination procedures.

BACKGROUND

To provide the necessary authorization and direction to staff to conduct the November 3, 2020 General Municipal Election, the City Council must approve two legislative documents. These documents and their purposes are listed below.

1. Resolution Calling for the Holding of the General Municipal Election

This resolution provides for the holding of the General Municipal Election for the election of City Councilmembers for Districts 2, 4, and 6. It directs the City Clerk to perform the publications, postings and noticing for the election required by the California Elections Code.

Secondly, this resolution requests that the Alameda County Board of Supervisors permit the consolidation of the City of San Leandro General Municipal Election with the Statewide General Election; to direct the Alameda County Registrar of Voters to provide election services to the City; and to bill the City for the cost of conducting the election.

Lastly, this resolution sets the following regulations for candidate statements:

- Establishes a maximum of 200 words for each candidate statement of qualifications;
- Disallows any additional candidate materials to be mailed with the Sample Ballot and Voter Pamphlet;
- Sets a deposit amount of \$1,125.00, to be paid by candidates at the time of filing nominating papers and candidate statements, for their pro-rata share of the costs of printing, handling, translating and mailing the candidate statements. Following the election, candidates will be refunded any overage or billed for any additional costs.

2. Ordinance Establishing Election and Nomination Procedures

Section 610 of the City of San Leandro Charter states that the City Council, by uncodified ordinance, may provide for the method of conducting municipal elections. This ordinance provides for the publication of the Notice of Election by the City Clerk, the method of nomination of candidates, filing dates for nomination papers, and time extension if an incumbent fails to file. It also sets provisions for the procedure to be used if no candidate files for an office and provides for the use of Ranked Choice Voting (RCV). Pursuant to California Government Code Section 36937(a), as this ordinance relates to an election, it is effective immediately upon adoption.

Summary of Public Outreach Efforts

The City's elections web pages have been updated for the upcoming election. Election information will also be provided to the press, published on the City's elections web page, and shown on the City's Government Access Channel 15.

Fiscal Impacts

The 2020 election is estimated to cost \$450,800.

Budget Authority

There is \$475,000 in the FY 2020-21 General Fund budget (Account 010-11-031-5890) for funding the election costs.

ATTACHMENTS

None

PREPARED BY: Leticia I. Miguel, City Clerk, City Manager's Office



City of San Leandro

Meeting Date: July 6, 2020

Resolution - Council

File Number: 20-231

Agenda Section: CONSENT CALENDAR

Agenda Number:

TO: City Council

FROM: Jeff Kay
City Manager

BY:

FINANCE REVIEW: Liz Warmerdam

TITLE: RESOLUTION of the City of San Leandro City Council, Calling for the Holding of a General Municipal Election to Be Held on Tuesday, November 3, 2020, for the Election of Three City Councilmembers; Requesting the Board of Supervisors to Consolidate the Election with the Statewide General Election; and Adopting Regulations for Candidate Statements (provides for conducting the November 2020 General Municipal Election for Council Districts 2, 4, and 6, at an estimated cost of \$450,800 from the General Fund)

WHEREAS, under the provisions of the Charter of the City of San Leandro and Title 1, Chapter 11 of the San Leandro Municipal Code, a General Municipal Election shall be held on Tuesday, November 3, 2020, for the election of municipal officers; and

WHEREAS, it is desirable that said General Municipal Election be consolidated with the Statewide General Election to be held on the same date; and

WHEREAS, California Elections Code Section 13307 provides that the governing board of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate statement.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

1. That pursuant to the requirements of the Charter of the City of San Leandro and Title 1, Chapter 11 of the San Leandro Municipal Code, a General Municipal Election is hereby called and ordered to be held in the City of San Leandro on Tuesday, November 3, 2020, for the purpose of electing three City Councilmembers nominated from Council Districts 2, 4, and 6 for the full term of four years each.

2. That notice of the time and place of holding said election is hereby given and the City Clerk of the City of San Leandro is hereby directed to give further or additional notice of said election, in time, form, and manner as required by law.

3. That in accordance with the provisions of Elections Code Sections 10002 and 10403, the Board of Supervisors of the County of Alameda is hereby requested to consolidate the City of San Leandro's General Municipal Election with the Statewide General Election on Tuesday, November 3, 2020, for the purpose as specified in Section 1 above.

4. That the Registrar of Voters of the County of Alameda is hereby requested to perform services necessary in order to properly and lawfully conduct said election; to conduct said election using ranked choice voting in accordance with the Memorandum of Understanding between the City of San Leandro and the County of Alameda and Title 1, Chapter 11 of the San Leandro Municipal Code; to deliver to the City the certification of the official results of said election; and to bill the City for the cost of conducting said election.

5. That the offices of City Councilmember are elected by the registered voters of the City of San Leandro at large, and require a 50%+1 majority in the ranked choice voting system to be elected.

6. That the Board of Supervisors is requested to include on the ballots and sample ballots, all qualified measures submitted by the City Council to be ratified by the registered voters of the City of San Leandro.

7. That the City Manager is hereby authorized to obtain services and enter into agreements necessary to conduct said election.

8. That the polls for said election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in Elections Code Section 14401.

9. That each candidate for elective office to be voted for at said General Municipal Election may file a candidate statement pursuant to the regulations in the Elections Code, and the policies set forth below:

a. Candidate statements are limited to 200 words. The word counting guidelines in Section 9 of the Elections Code shall govern the counting of words.

b. Candidate statements shall not include the candidate's party affiliation, shall not include the candidate's membership or activity in partisan political organizations, and shall not mention another candidate for the same office.

c. Candidate statements must be filed no later than the last day to file nomination papers.

d. Candidate statements shall be filed in typewritten form, on or attached to the form provided by the City Clerk, in the office of the City Clerk at the time the candidate's nomination papers are filed.

e. Candidate statements shall be submitted as a single paragraph, without any formatting such as underline, bold, italics or all caps.

f. Candidate statements may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next business day after the close of the nomination period.

g. Candidate statements are confidential until the close of the nomination period. The statements are subject to public review and contest.

h. A deposit of \$1,125.00 shall be submitted with the candidate statement for the pro-rata share of the costs of printing, handling, translating, and mailing the statement, including costs incurred as a result of complying with the federal Voting Rights Act of 1965 (as amended). Within thirty (30) days of the accounting of the final actual costs, the City Clerk shall refund any overpayment or bill for any additional costs.

i. Candidate statements will be translated into Spanish, Chinese, Vietnamese and Tagalog, pursuant to the requirements of the federal Voting Rights Act.

j. For any discrepancy between the information listed on the hard copy and the digital copy of the candidate statement, the signed hard copy will take precedence.

10. That no additional materials shall be authorized for submission to the City Clerk or shall be submitted by candidates to be mailed in addition to the Sample Ballot and Voter Pamphlet.

11. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Registrar of Voters of the County of Alameda.

12. That the City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time nomination papers are issued.

13. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.



City of San Leandro

Meeting Date: July 6, 2020

Ordinance

File Number: 20-268

Agenda Section: CONSENT CALENDAR

Agenda Number:

TO: City Council

FROM: Jeff Kay
City Manager

BY:

FINANCE REVIEW: Liz Warmerdam

TITLE: ORDINANCE of the City of San Leandro City Council to Establish Election and Nomination Procedures for the November 3, 2020 City of San Leandro General Municipal Election

The City Council of the City of San Leandro does ORDAIN as follows:

Section 1: GENERAL PROVISIONS. In accordance with Article VI, Section 610 of the City of San Leandro Charter, the following dates are established in connection with the November 3, 2020 General Municipal Election. This ordinance shall apply to said election only and shall not affect any other general municipal or special elections of the City of San Leandro.

Section 2: NOTICE OF ELECTION. Not earlier than the 127th day nor later than the 113th day before the November 3, 2020 General Municipal Election, the City Clerk shall publish a notice of election pursuant to California Elections Code Sections 12101 and 12102.

Section 3: METHOD OF NOMINATION. Not earlier than the 113th day nor later than 5:00 p.m. on the 88th day before the November 3, 2020 General Municipal Election, the voters may nominate candidates for the elective offices of the City of San Leandro, in accordance with California Elections Code Sections 10220 to 10224.

Section 4: FILING DATE; NOMINATION PAPERS. Nomination papers for the elective offices of the City of San Leandro shall be available in the office of the City Clerk not earlier than the 113th day nor later than 5:00 p.m. on the 88th day before the November 3, 2020 General Municipal Election. All nomination papers shall be filed with the City Clerk during regular business hours not later than 5:00 p.m. on the 88th day before the election. Up until that time, but no later, a candidate may withdraw his or her nomination papers after it is filed with the City Clerk.

Section 5: TIME EXTENSION IF INCUMBENT FAILS TO FILE. If nomination papers for an incumbent officer of the City are not filed by 5:00 p.m. on the 88th day before the election, the voters shall have until 5:00 p.m. on the 83rd day before the election to nominate candidates, other than the person who was the incumbent on the 88th day, for the incumbent's elective office. If the

nomination period is extended to the 83rd day before the election due to absence of an incumbent candidate, a candidate may withdraw his or her nomination papers on the 83rd day before the election.

Section 6: PROVISION IF NO CANDIDATE FILES. If, by 5:00 p.m. on the 83rd day prior to the November 6, 2018 General Municipal Election, no one files for candidacy for any elective office of the City of San Leandro to be filled at said election, the City Clerk shall submit a certificate of these facts to the City Council, and inform its members that they may, at a regular or special meeting held before the November 3, 2020 General Municipal Election, adopt one of the following courses of action:

Appoint to the office any eligible elector.

Hold the election.

The City Clerk shall publish a notice of the facts described in this section and the available courses of action. Publication shall be made pursuant to California Government Code Section 6061 in any newspaper of general circulation as designated by the City Clerk.

Section 7: RANKED CHOICE VOTING. The November 3, 2020 General Municipal Election shall be conducted as set forth in Title 1, Chapter 11, Article 3 of the San Leandro Municipal Code, providing for the conduct of the election using ranked choice voting.

Section 8: EFFECTIVE DATE AND PUBLICATION. This ordinance shall become effective immediately upon adoption. The title of this ordinance shall be published once and the City Clerk shall post a complete copy thereof on the City Council Chamber bulletin board for five (5) days following its adoption.