



Staff Report

Date: June 28, 2016

To: City Council

From: Valerie J. Barone, City Manager

Prepared by: Joelle Fockler, MMC, City Clerk
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(925) 671-3390

Subject: **Considering Resolution No. 16-52 Calling for and Ordering a General Municipal Election and Specifications of the Election Order for the Purpose of Electing Two Members of the City Council, Each for Full Terms of Four Years, and Requesting and Consenting to the Consolidation of Said General Municipal Election with the General Election to be Held on November 8, 2016**

Report in Brief

A general municipal election will be held in the City of Concord on Tuesday, November 8, 2016, under the provisions of the laws relating to general law cities in the State of California. The purpose of the election is to choose successors for the term expirations of Councilmembers Edi Birsan and Dan Helix.

Recommended Action

The City Clerk recommends that the City Council adopt Resolution No. 16-52 calling for and ordering a general municipal election and specifications of the election order for the purpose of electing two members of the City Council, each for full terms of four years, and requesting and consenting to the consolidation of said general municipal election with the general election to be held on November 8, 2016.

Background

Because the County Elections Division provides election services to the City of Concord, the City Council adopted Ordinance No. 98-54 to change the date of the City's general municipal elections from the odd-numbered years to the even-numbered years in November to consolidate election cycles with the statewide general election cycle. The purpose of the consolidation was to increase voter participation and to reduce the

City Council Agenda Report

Considering Resolution No. 16-52 Calling for and Ordering a General Municipal Election and Specifications of the Election Order for the Purpose of Electing Two Members of the City Council, Each for Full Terms of Four Years, and Requesting and Consenting to the Consolidation of Said General Municipal Election with the General Election to be Held on November 8, 2016

June 28, 2016

cost of the election to taxpayers. The ordinance states that a general municipal election shall occur on the first Tuesday after the first Monday of November in even-numbered years.

On August 4, 1998, the Contra Costa County Board of Supervisors approved the consolidation with the statewide general election held in November of each even-numbered year.

Analysis

Pursuant to the requirements of the laws of the State of California relating to general law cities, the City Council is required to adopt a resolution calling and ordering a general municipal election to be held in the City of Concord on Tuesday, November 8, 2016. Due to expiring terms, it is necessary to elect two Councilmembers for full terms of four years. The resolution also sets forth other particulars of the election, including setting the word limit for candidate statements to 250 words as requested by the County Elections Division due to changes in the way voter pamphlets are printed, and authorizes the City Clerk, as the election official for the City of Concord, to work with the Contra Costa County Elections Division as needed in order to properly and lawfully conduct the election.

Financial Impact

The Election will cost \$1.50 - \$2.00 per Concord voter, for a total estimate of \$112,054. Funds have been budgeted in FY 2016-17 to conduct the Election.

Public Contact

The City Council Agenda was posted. The Notice of Election will be published in the East Bay Times, as required by law, during the nomination period. Requirements pertaining to the election will be included in the Election Guide 2016 given to each candidate for office in the November 8, 2016, election.

Attachments

1. Resolution No. 16-52

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**BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

**A Resolution Calling for and Ordering a General
Municipal Election and Specifications of the Election
Order for the Purpose of Electing Two Members of
the City Council, Each for Full Terms of Four Years,
and Requesting and Consenting to the Consolidation
of Said General Municipal Election with the General
Election to be Held on November 8, 2016**

Resolution No. 16-52

WHEREAS, the City Council has ordered a General Municipal Election to be held on Tuesday, November 8, 2016, to fill certain municipal offices; and

WHEREAS, other elections may be held in whole or in part of the territory of the City and it is to the advantage of the City to consolidate pursuant to Elections Code Section 10002; and

WHEREAS, California Elections Code Sections 10002 and 10400 provide that a City Council may request the Contra Costa County (“County”) Board of Supervisors to consolidate a general municipal election with the statewide general election; and

WHEREAS, Elections Code Section 10002 requires the City to reimburse the County in full for the services performed upon presentation of a bill to the City by the County Elections Official; and

WHEREAS, Elections Code Section 13307 requires that before the nominating period opens the governing body must determine whether a charge shall be levied against each candidate submitting a candidate’s statement to be sent to the voters; and may establish the cost; and determine whether the cost be paid in advance; and

WHEREAS, Elections Code Section 12101 requires the publication of a notice of the election once in a newspaper of general circulation in the City; and

WHEREAS, tie votes shall be determined by lot pursuant to Elections Code Section 15651(a), unless the City Council adopts the provisions of Elections Code 15651(b) prior to the conduct of the election resulting in the tie vote.

NOW, THEREFORE, IT IS ORDERED that an election be held in accordance with the following specifications:

Section 1. The General Municipal Election shall be held on Tuesday, the 8th of November,

1 2016. The purpose of the election is to choose successors for the following offices: two (2) members
2 of the City Council, each for full terms of four years.

3 **Section 2.** This City Council hereby requests and consents to the consolidation of this election
4 with other elections which may be held in whole or in part in the territory of the City, as provided in
5 Elections Code Sections 10002 and 10400.

6 **Section 3.** The City will reimburse the County for the actual cost incurred in conducting the
7 election upon receipt of a bill stating the amount due as determined by the elections official.

8 **Section 4.** The Candidate Statements will be limited to a maximum of 250 words. As a
9 condition of having the Candidate's Statement published, the candidate shall pay the cost at the time
10 of filing. The cost for a candidate statement, as stated by the County Elections Division, is \$599.

11 **Section 5.** The City of Concord is to publish the Notice of Election in the following
12 newspaper; The East Bay Times, which is a newspaper of general circulation that is published daily in
13 the City.

14 **Section 6.** The City Council has determined that the action to be taken in the event of a tie
15 vote is as follows: by lot pursuant to Elections Code Section 15651(a), unless the City Council adopts
16 the provisions of Elections Code 15651(b) prior to the conduct of the election resulting in the tie vote.

17 **Section 7.** The City directs that a certified copy of this Resolution be forwarded to the
18 Registrar of Voters and to the Board of Supervisors of Contra Costa County.

19 **Section 8.** This resolution shall become effective immediately upon its passage and adoption.

20 **PASSED AND ADOPTED** by the City Council of the City of Concord on June 28, 2016, by
21 the following vote:

22 **AYES:** Councilmembers -

23 **NOES:** Councilmembers -

24 **ABSTAIN:** Councilmembers -

25 **ABSENT:** Councilmembers -

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1 **I HEREBY CERTIFY** that the foregoing Resolution No. 16-52 was duly and regularly
2 adopted at a regular meeting of the City Council of the City of Concord on June 28, 2016.

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Joelle Fockler, MMC
City Clerk

6 **APPROVED AS TO FORM:**

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8 _____
Susanne Meyer Brown
9 City Attorney

10 cc: County Elections Division
11 Contra Costa County Board of Supervisors