



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of June 9, 2026

TO: Mayor and Members of the City Council

SUBMITTED BY: Eibleis Melendez, City Clerk

SUBJECT: November 3, 2026 General Municipal Election

RECOMMENDED ACTION:

Staff recommends adoption of a Resolution Calling for the Holding of a General Municipal Election to be held on Tuesday, November 3, 2026 and the Specifications of the Election Order for the Election of Two (2) Members of the City Council for the Full Term of Four Years.

BACKGROUND:

Section 2-1.04 of the Hercules Municipal Code provides for a General Municipal Election to be held in the City of Hercules on the date of the Statewide General Election, the first Tuesday after the first Monday in November of each even numbered year. Members of the City Council are elected to a four (4) year term. Two (2) seats on the Hercules City Council will expire in December 2026. The Members of City Council that have term expirations at the end of this year are:

1. Chris Kelley, Mayor
2. Dion Bailey, Council Member

DISCUSSION:

The California Elections Code requires that a resolution be adopted preparatory to holding that election. On Tuesday, November 3, 2026, two (2) members of the City Council will be elected to full terms of four (4) years. The resolution presented for Council's consideration calls for the holding of the November 3, 2026, General Municipal Election, which includes the purpose of the election, provision for payment of election costs, the action that will be taken in case of a tie vote and any changes in boundary lines. Contra Costa County Elections staff has provided the cost for submitting a candidate statement to the voters at **\$511.00**. This is the true cost for a candidate statement not exceeding 250 words. The City

of Hercules will also charge a filing fee of **\$25.00**. Both fees will be collected at the time the candidate pulls or files papers.

The Resolution sets forth a procedure in the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office), the City Council will determine the tie by lot. Pursuant to State law, the two options to resolve a tie vote are to draw lots, or to hold a special runoff election. In past elections City Council has opted to resolve tie votes by lot and therefore the Resolution was prepared with this option. If Council desires to resolve a tie vote by holding a special runoff election, adoption of provisions in Elections Code 15651(b) would need to occur prior to the conduct of the election resulting in the tie vote.

Once the election process has been initiated with the adoption of the resolution, the next steps are the public noticing of the election and the opening of the nomination filing period. The nomination filing period for the November 3, 2026, General Municipal Election is July 13, 2026, to August 7, 2026. In the event an incumbent does not file by the August 7, 2024, filing deadline, the nomination period will be extended five (5) calendar days, to August 12, 2026, by 4:00 p.m.

During the nomination filing period, any registered voter residing in the City of Hercules who is not disqualified by the laws of the State of California from holding a civil office can pull and file nomination papers for candidacy. State law requires that the filing of nomination papers occur during the agency's regular business hours. Anyone wishing to pull or file papers during the filing period should make an appointment with the City Clerk during regular business hours, Monday through Thursday 8:00 a.m. – 4:00 p.m. (City Offices are closed on Fridays). The last day to file papers is Friday August 6th since City offices are closed on Fridays unless the nomination period is extended to August 12 in the event an incumbent does not file by August 7.

FISCAL IMPACT:

Election costs have been estimated to be between \$52,362 and \$78,543 and this cost has been included in the proposed Fiscal Year 2026-27 budget.

ATTACHMENTS:

1. Resolution Calling for the Holding of a General Municipal Election to be held on Tuesday, November 3, 2026, for the Election of Two (2) Members of the City Council for the Full Term of Four Years
2. Notice of Election