



## **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of May 8, 2018

**TO:** Members of the City Council

**SUBMITTED BY:** Lori Martin, Administrative Services Director/City Clerk

**SUBJECT:** November 6, 2018 General Municipal Election

**RECOMMENDED ACTION:** Staff recommends adoption of the following:

1. Adopt Resolution Calling for the Holding of a General Municipal Election to be held on Tuesday, November 6, 2018 for the Election of Two Members of the City Council for the Full Term of Four Years.
2. Adopt a Resolution Requesting the Contra Costa Board of Supervisors to Consolidate a General Municipal Election to be held on Tuesday, November 6, 2018 with the Statewide General Election to be Held on the Same Date.
3. Adopt a Resolution Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements Submitted to the Voters at an Election to be held on Tuesday, November 6, 2018.

### **FISCAL IMPACT OF RECOMMENDATION:**

Election costs have been estimated at \$20,000 and this cost will be included in the proposed Fiscal Year 2018-19 budget.

### **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 four (4) year terms. Two (2) seats on the Hercules City Council will expire in December 2018. The Members of City Council that have term expirations at the end of this year are:

1. Chris Kelley, Mayor
2. Myrna de Vera, Council Member

**DISCUSSION:**

The California Elections Code requires that certain resolutions be adopted preparatory to holding that election. On Tuesday, November 6, 2018 two (2) members of the City Council will be elected to full terms of four (4) years. The resolutions presented for Council's consideration this evening call for the holding of the November 6, 2018 General Municipal Election, requests election consolidation services from Contra Costa County, and adopts regulations with regard to candidate statements and reimbursement to the City for the expense of printing the candidate statements. Contra Costa County Elections staff has estimated the cost for submitting a candidate statement to the voters in the sample ballot at **\$317.00**. This is the true cost for a candidate statement not exceeding 250 words. In prior years the candidate statement amount was collected as a deposit, then a true up of the cost was done after the election and depending on the true cost, the candidate would either be billed for the difference or be issued a refund.

Resolution #1, Section 11 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 Resolution #1 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 three (3) resolutions tonight, 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 6, 2018 General Municipal Election is July 16, 2018 to August 10, 2018. In the event an incumbent does not file by the August 10, 2018 filing deadline, the nomination period will be extended to August 15, 2018 by 5:00 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. – 6:00 p.m., closed on Fridays, with the exception of Friday, August 10, 2018 the last day of the filing period the regular business hours will be 8:00 a.m. – 5:00 p.m.

**ATTACHMENTS:**

1. Resolution
2. Resolution
3. Resolution
4. Notice of Election

***Financial Impact***

**Description:** November 2018 General Election Costs

**Funding Source:** 100-4420-611.90-01

**Budget Recap:**

Total Estimated cost:	\$20,000.00	New Revenue:	\$
Amount Budgeted:	\$20,000.00	Lost Revenue:	\$
New funding required:	\$	New Personnel:	\$
Council Policy Change:	Yes <input type="checkbox"/> No <input type="checkbox"/>		