

City of Piedmont  
COUNCIL AGENDA REPORT

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DATE: July 6, 2020  
TO: Mayor and Council  
FROM: Sara Lillevand, City Administrator  
SUBJECT: Consideration of a Resolution Regarding Procedural Details for the General Municipal Election of November 3, 2020

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RECOMMENDATION

By motion, approve the attached resolution setting details for the General Municipal Election of November 3, 2020 and requesting the services of the Alameda County Registrar of Voters to conduct the election.

BACKGROUND

On November 3, 2020, the City will hold its General Municipal Election. This will be the third General Municipal Election held since the voters approved an amendment to the City Charter in November of 2014 moving the date of this election from February to November. Two seats on the City Council and three seats on the Board of Education will be on the ballot. Councilmember Jen Cavanaugh is eligible to run for an additional term of office and Mayor Robert McBain is not eligible to run again due to term limits. Board of Education member Cory Smegal is eligible to run for an additional term of office, while Sarah Pearson and Andrea Swenson are not eligible to run again due to term limits.

While our election date is set by the Charter, the deadlines for the election are set by the California Elections Code. As you can see, the deadline for publication of election matters is July 13, 2020 and the deadline for the filing of nomination papers for seats on either the City Council or the Board of Education is August 7, 2020.

Deadline to Publish or Post Notice of Election	July 13, 2020
Nomination Period	July 13 – August 7, 2020
Suggested Deadline for Direct Arguments on Measures	August 14, 2020
Suggested Deadline for Rebuttal Arguments on Measures	August 21, 2020
Election Day	November 3, 2020

Should the Council wish to place a measure on the November ballot, it must take final action on the resolution or ordinance placing said measure on the ballot prior to delivery of election materials to the County, which must occur on or before August 7, 2020. Therefore, the Council would need to take final action on the measure no later than the scheduled Council meeting of August 3, 2020 in order to meet this deadline.

The cost of the November election will either be borne completely by the City or divided between the City and the School District, if there is a competitive Board of Education election. Should the Council wish to place a measure on the November ballot, there would be little additional charge to do so. As previously quoted by the Registrar of Voters, the cost for this election will be between \$4 and \$6 per registered voter in Piedmont, which number approximately 8,800.

Following the election, the Registrar of Voters has 30 days to certify the election. The Council will take its action to certify the election results and swear in new councilmembers at a special or regular meeting in December 2020.

### CALLING THE ELECTION

Pursuant to the Elections Code, the City Council must establish procedures for the General Municipal Election to be held on November 3, 2020. The Council must declare the number and type of elected positions to be voted on, set the compensation for poll workers, set filing fees, request the service of the Alameda County Registrar of Voters, and establish other details related to the election. The attached resolution, which was drafted in consultation with the City Attorney, will satisfy these requirements.

Nomination papers for prospective candidates for this election will be available from the City Clerk beginning July 13, 2020 and must be returned no later than 5:00 p.m. on August 7, 2020, unless an eligible incumbent fails to file, in which case the deadline is extended to August 12, 2020. The "Guide to Nomination and Candidacy" will be posted to the City's web site within the next few days, so that prospective candidates will have an idea of what the filing process will entail. State law requires that nomination papers be issued in person by the City Clerk.

This election will take place in the context of the COVID-19 pandemic. While there have been some changes to election procedures on a statewide scale to provide for social distancing, many of the steps in getting a candidate's name on the ballot involve person to person contact. Among other requirements, candidates must turn in at least twenty, but no more than thirty valid signatures to have their name placed on the ballot. The Alameda County Health Officer's Shelter in Place Order specifically defines signature gathering as an essential government function, which is allowed under the order.

Because many city staff are working at home, due to the COVID-19 pandemic, prospective candidates are required to schedule an appointment to take out nomination papers with the City Clerk's office. An appointment will also be required to submit the nomination papers once the candidate has completed their work. These appointments generally last between 30 minutes and one hour.

Should the Council choose place a measure or measures on the ballot in November, separate resolutions will be prepared and brought before the Council to add the measure(s) to the election.

By: John O. Tulloch, City Clerk

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PIEDMONT CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020 FOR THE ELECTION OF MEMBERS OF THE CITY COUNCIL AND BOARD OF EDUCATION, REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION, AND SETTING PROCEDURAL DETAILS

**WHEREAS**, a General Municipal Election is scheduled for November 3, 2020, for the purpose of the election of two (2) members of the City Council, for a regular term of four (4) years, and three (3) members of the Piedmont Board of Education for a regular term of four (4) years; and

**WHEREAS**, it is necessary to determine a number of details relating to such General Municipal Election and to request that the Alameda County Board of Supervisors consolidate such General Municipal Election with the Statewide General Election to be held on the same date;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Piedmont does hereby resolve, declare, determine and order as follows:

**SECTION 1.** Pursuant to the requirements of the Charter of the City of Piedmont, a General Municipal Election is called and ordered to be held in the City of Piedmont, California on Tuesday, November 3, 2020 for the purpose of electing two (2) members of the City Council, for a regular term of four (4) years, and three (3) members of the Piedmont Board of Education for a regular term of four (4) years.

**SECTION 2.** Pursuant to §10002 and §10403 of the Elections Code, the City of Piedmont formally requests that the General Municipal Election be consolidated with the Statewide General Election to be held on November 3, 2020 and further requests the services of the Alameda County Registrar of Voters in carrying out the General Municipal Election, including sending to the City’s registered voters all required election materials, conducting the General Municipal Election, canvassing the vote received, and taking all steps necessary and required for the holding of this election within the City of Piedmont.

**SECTION 3.** That the City Council acknowledges that the consolidated election will be held and conducted in the manner prescribed by §10418 of the Elections Code.

**SECTION 4.** The compensation for election officers shall be based on the rates set by the Alameda County Board of Supervisors which are in effect at the time of the General Municipal Election.

**SECTION 5.** The location of the central counting place for the ballots to be cast at the General Municipal Election shall be the Alameda County Courthouse, 1225 Fallon Street, Oakland, California.

**SECTION 6.** The polling place rental fees shall be the same as the fees which are adopted by the Alameda County Board of Supervisors and which are currently in effect at the time of the General Municipal Election.

**SECTION 7.** There shall be no filing fee for candidates for office in the General Municipal Election.

**SECTION 8.** The candidates' statements shall be limited to a maximum of 200 words.

**SECTION 9.** In the event of a tie-vote for any office which is being voted on at such General Municipal Election, the provisions of Section 15651 of the California Elections Code, relating to determining the tie by lot, shall apply.

**SECTION 10.** The nominations for the General Municipal Election shall open on July 13, 2020 and close no later than 5:00 pm on August 7, 2020, unless extended pursuant to Elections Code Section 10225.

**SECTION 11.** The City Clerk is directed to give notice of the election in the time, form, and manner as required by law.

**SECTION 13.** In all particulars not recited in the Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 14.** The City Clerk is authorized to transmit a certified copy of this resolution to the Alameda County Board of Supervisors and the Alameda County Registrar of Voters.

[END OF RESOLUTION]