DATE: June 1, 2020

TO: Honorable Mayor and Members of the City Council through City Manager

FROM: Claire Cooper, City Clerk

SUBJECT: Resolution Calling and Giving Notice of a Regular Municipal Election to be Held Tuesday, November 3, 2020; Resolution Requesting the Sonoma County Board of Supervisors to Consolidate a Regular Municipal Election on Tuesday, November 3, 2020; and, Resolution Establishing Regulations Pursuant to the Charter of the City of Petaluma and the California Elections Code

RECOMMENDATION

It is recommended that the City Council adopt the three attached resolutions setting the November 3, 2020 City of Petaluma Municipal Election:

1) Resolution Calling and Giving Notice of a Regular Municipal Election to be Held Tuesday, November 3, 2020 for Election of Three City Council Members and Two School-Board Members.

2) Resolution Requesting the Sonoma County Board of Supervisors to Consolidate a Regular Municipal Election on Tuesday, November 3, 2020 with the Statewide General Election.

3) Resolution Establishing Regulations Pursuant to the Charter of the City of Petaluma and the California Elections Code for the 2020 General Municipal Election (Candidate Ballot Statements, Including Charges Thereof).

BACKGROUND

The Petaluma City Charter requires the City Council to call for the November 3, 2020 election and publish a notice of election pursuant to the California State Elections Code. The action sought fulfills the Charter requirement for elections.

DISCUSSION

The City of Petaluma contracts with Sonoma County to consolidate municipal elections. After each election, the City receives an invoice from the County for its portion of the election costs. This does not include the cost of candidate statements for Council Member candidates. Those costs are covered by the candidates themselves.
California State Elections Code 13307(c) states:

The local agency may estimate the total cost of printing, handling, translating, and mailing the candidate’s statements filed pursuant to this section, including costs incurred as a result of complying with the federal Voting Rights Act of 1965, as amended. The local agency may require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter’s pamphlet. In the event the estimated payment is required, the receipt for the payment shall include a written notice that the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the local agency is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost.

In the event of underpayment, the local agency may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the local agency which or the elections official who collected the estimated cost shall prorate the excess amount among the candidates and refund the excess amount paid.

Candidates may choose to have their statements printed in English only, or in both English and Spanish. For the 2020 election, candidate statements in English only will cost an estimated $714; the cost to print statements in both English and Spanish is estimated to be $1,528.

PUBLIC OUTREACH

This agenda item appeared on a tentative agenda in the previously-published agenda packet, which was publicly noticed through appropriate City communications channels.

FINANCIAL IMPACTS

The Sonoma County Registrar of Voters estimates that the cost to the City of Petaluma for the November 2020 election will range from $63,425 to $194,274. This a preliminary estimate and will be revised as the Registrar of Voters learns more about what the requirements will be for vote-by-mail and enhanced in-person voting options, and how many jurisdictions will be splitting the fixed costs. Petaluma’s cost for the 2018 election was $1.08 per voter. The preliminary City of Petaluma FY 2020-2021 budget for election costs is $100,000.

ATTACHMENTS

1. Resolution Calling and Giving Notice of a Regular Municipal Election
2. Resolution Requesting the Sonoma County Board of Supervisors to Consolidate a Regular Municipal Election
3. Resolution Establishing Regulations Pursuant to the Charter of the City of Petaluma and the California Elections Code.
Resolution No. 2020-XXX N.C.S.
of the City of Petaluma, California

RESOLUTION CALLING AND GIVING NOTICE OF A REGULAR MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 3, 2020
FOR ELECTION OF THREE CITY COUNCIL MEMBERS,
AND TWO SCHOOL-BOARD MEMBERS

WHEREAS, under the provisions of Article III of the Charter of the City of Petaluma and the laws of the State of California, a Regular Municipal Election shall be held on Tuesday, November 3, 2020; and,

WHEREAS, there shall be placed on the November 3, 2020 ballot the regular election of three city council members to serve four-year terms expiring December 31, 2024, and two school-board members to serve four-year terms expiring December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, ORDERED, AND DECLARED AS FOLLOWS:

Pursuant to the requirements of the State of California and the Petaluma City Charter, there is called and ordered to be held in the City of Petaluma, California, on Tuesday, November 3, 2020, a Regular Municipal Election for the purpose of electing three city council members to serve four-year terms expiring December 31, 2024 and two school-board members to serve four-year terms expiring December 31, 2024.

1. The ballots to be used at the election shall be in the form and content as required by law; and,

2. The City Clerk is authorized, instructed, and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election; and,

3. The polls for the election shall be open at seven o’clock a.m. of the day of the election and shall remain open continuously from that time until eight o’clock p.m. of the same day, when
the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California; and,

4. In all particulars not recited in this resolution, the election shall be held and conducted in accordance with the provisions of the Elections Code of the State of California for holding municipal elections; and,

5. The notice of the time and place of holding the election is hereby given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election in time, form, and manner as required by law.

Under the power and authority conferred upon this Council by the Charter of said City.

<table>
<thead>
<tr>
<th>REFERENCE:</th>
<th>I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 1st day of June 2020, by the following vote:</th>
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<tbody>
<tr>
<td>AYES:</td>
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<td>NOES:</td>
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<td>ABSTAIN:</td>
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<tr>
<td>ATTEST:</td>
<td></td>
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</tbody>
</table>

City Clerk                                      Mayor

Approved as to form:

City Attorney
Resolution No. 2020-XXX N.C.S.
of the City of Petaluma, California

RESOLUTION REQUESTING THE SONOMA COUNTY BOARD
OF SUPERVISORS TO CONSOLIDATE A REGULAR MUNICIPAL
ELECTION ON TUESDAY, NOVEMBER 3, 2020
WITH THE STATEWIDE GENERAL ELECTION

WHEREAS, the City Council of the City of Petaluma has called a Regular Municipal Election to be held on November 3, 2020, for the purpose of electing three council members and two school-board members; and,

WHEREAS, it is desirable that the Regular Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City the precincts, polling places and election officers of the elections be the same, and that the Election Department of the County of Sonoma canvass the returns of the Regular Municipal Election, and that the election be held in all respects as if there were only one election:

NOW, THEREFORE, BE IT RESOLVED, ORDERED, AND DECLARED AS FOLLOWS:

1. Pursuant to the Petaluma City Charter and requirements of Election Code Section 10403, the Board of Supervisors of the County of Sonoma is hereby requested to consent and agree to the consolidation of a Regular Municipal Election with the Statewide General Election on Tuesday, November 3, 2020, for the purpose of electing three city council members to serve four-year terms expiring December 31, 2024 and, two school-board members to serve four-year terms expiring December 31, 2024.

2. The Sonoma County Election Department is authorized to canvass the returns of the Regular Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

3. The Board of Supervisors is requested to issue instructions to the Sonoma County Election Department to take any and all steps necessary for the holding of the consolidated election.
4. The City of Petaluma recognizes that additional costs may be incurred by the County by reason of this consolidation and agrees to reimburse the County for such costs, pursuant to that certain written Agreement for Election Services between the City of Petaluma and the County.

5. The Sonoma County Election Department is requested to determine the cost of processing Vote-by-Mail Ballots for this election and is further requested to report said cost to the City Clerk of the City of Petaluma at the earliest possible time following the election.

6. The billing for all costs of the City and School Board elections shall be submitted to the City Clerk of the City of Petaluma. All costs shall be divided pursuant to Education Code 5227.

7. The City Clerk shall file a certified copy of this resolution with the Board of Supervisors and with the Sonoma County Election Department.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE: I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 1st day of June 2020, by the following vote:

Approved as to form:

__________________________
City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor
Resolution No. 2020-XXX N.C.3.  
of the City of Petaluma, California

RESOLUTION ESTABLISHING REGULATIONS PURSUANT TO 
THE CHARTER OF THE CITY OF PETALUMA AND 
THE CALIFORNIA ELECTIONS CODE FOR THE 
2020 GENERAL MUNICIPAL ELECTION  
(Candidate Ballot Statements, Including Charges Therefor)

Recitals

Article III, Section 4. of the Charter of the City of Petaluma authorizes the City Council to provide for the method of conducting General Municipal Elections, including regulations with respect to the candidate ballot statements; additional materials to be included within the voter’s pamphlet; charges for the candidate ballot statements and such additional materials; permissible number of words in candidate ballot statement and other matters relating to the foregoing. Such regulations must be established prior to the opening of the nomination period for the 2020 General Municipal Election to provide adequate notice to potential candidates. The City Council has received the recommendations of the City Clerk and has fully considered all matters pertaining thereto.

NOW, THEREFORE, the City Council of the City of Petaluma does resolve as follows:

1. That this Council hereby establishes the limitations on words for a candidate’s ballot statement to be 200 words.

2. That the candidates shall, at the time of filing nominating papers and candidate statements, pay a deposit toward their pro rata share of the costs of printing, handling, translating and mailing the candidates’ statements. This deposit shall equal the estimated amount provided by the County Registrar of Voters for the 2020 election of $714 for statements published in English only, and $1,528 for statements published in both English and Spanish. The candidates shall be billed for any additional costs or reimbursed for any amounts paid in excess within 30 days of the actual accounting of said costs by the County Registrar of Voters.
3. 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’s Pamphlet.

4. That in all other respects the provisions of the California Elections Code and other provisions of law pertaining thereto shall govern.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE: I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 1st day of June 2020, by the following vote:

Approved as to form:

__________________________
City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor