



CITY COUNCIL STAFF REPORT

MEETING DATE: June 3, 2020

PREPARED BY: Irma Torrez, City Clerk
APPROVED BY: City Manager

CALL FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020

RECOMMENDATION(S)

1. Adopt resolution “A” calling for a General Municipal Election to be held on Tuesday, November 3, 2020 to elect a Mayor; one Council Member from District A; one Council Member from District C; and a City Treasurer; and
2. Adopt resolution “B” requesting the services of the Board of Supervisors of the County of Santa Clara and the Registrar of Voters Office – and the Consolidation of the Election.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Protecting the Environment and Preserving Open Space and Agricultural Land
Maintaining Infrastructure
Supporting Our Youth
Seniors
and Entire Community
Fostering a Positive Organizational Culture
Preserving and Cultivating Public Trust
Preserving Our Community History
Enhancing Diversity and Inclusiveness
Advancing Regional Initiatives

2020-2021 Strategic Priorities

Community Engagement and Messaging
Economic Development
Financial Sustainability
Affordable Housing and Homelessness
Transportation

REPORT NARRATIVE:

Pursuant to Election Code § 10002, Resolution “A” (Attachment 1) calls for a General Municipal Election to be held on Tuesday, November 3, 2020 to elect a Mayor for a two-year term; one Council Member from District A for a four-year term; one Council Member from District C for a four-year term; and a City Treasurer for a four-year term. (See Ordinance No. 2258, New Series, adopted by the City Council on September 6, 2017 (Attachment 2), that implements District elections commencing with the November 6, 2018 Municipal Election). On July 18, 2018, the City Council took action to place the question of “Shall the office of City Clerk be appointive?” (Measure J) on the November 6, 2018 Ballot. Measure J was passed by the voters and on December 12, 2018 the City Council certified the election results. The current elected City Clerk will remain in office

until her term ends in December 2020. At such time, the appointment process will take place.

Section 7 of Resolution "A" provides "that 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 in accordance with Election Code § 15651(b), shall conduct a special runoff election to resolve the tie vote and such special runoff election is to be held on a Tuesday not less than 40 days nor more than 125 days after the administrative or judicial certification of the election that resulted in a tie vote."

The Council can adopt Resolution "A", as presented, with the requirement that a tie vote will be resolved by special election. Should the Council wish to resolve a tie vote by lot, the Council should amend Section 7 of the Resolution "A" to read as stated in the Alternative Actions of the staff report.

Pursuant to Election Code § 10403, Resolution "B" (Attachment 3) requests the Board of Supervisors of the County of Santa Clara to consolidate a General Municipal Election to be held on Tuesday, November 3, 2020 with the Presidential Statewide General Election to be held on the same date.

Section 5 of Resolution "B", Candidates' Statements, establishes a 200-word limitation for the Candidates' Statements. Per City Council Resolution No. 16-005 (Attachment 4), Section 6 of Resolution B provides that candidates pay half the estimated costs to submit a "Candidate Statement." The Santa Clara County Registrar of Voters Office has provided Candidate Statement estimates as follows: Mayor: \$2,680; Districts A and C seats: \$2,430; and City Treasurer: \$2,680. (Candidate Statement costs are per candidate.)

August 7, 2020 is the last day a municipality can submit a Measure Resolution to the County of Santa Clara/Registrar of Voters Office to include a measure(s) in the November 3, 2020 ballot. This deadline requires that the City Council take action in adopting a resolution(s) prior to August 7, 2020. Should the City Council wish to place a measure(s) on the November 3, 2020 ballot, a staff report, and accompanying resolution(s) will return to the City Council for action.

Section 10262 of the Elections Code gives the Santa Clara County Registrar of Voters Office up to the fourth Friday after the election to complete the canvass of the election results. The Registrar of Voters Office has indicated that the canvass will be completed no later than Thursday, December 3, 2020. Therefore, the staff report to the City Council requesting certification of the November 3, 2020 General Municipal Election will be scheduled for City Council action after December 3, 2020.

COMMUNITY ENGAGEMENT: Involve

As a General Law City, Morgan Hill is governed by Government and Election Codes for the purpose of electing municipal officers and ballot measures.

Adoption of the two attached resolutions (Attachment 1 and 3) that calls for a General

Municipal Election to be held in Morgan Hill on November 3, 2020, and the consolidation of the election allows registered voters in the City of Morgan Hill to be involved in the democratic process of electing their municipal officers.

ALTERNATIVE ACTIONS:

Not Applicable.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

Municipal Elections are conducted every two years for the purpose of electing officers and presenting ballot measures to the electorate as required by law.

Adoption of Ordinance No. 2258, New Series, on September 6, 2017, amending Chapter 1.16 of Title 1 of the Morgan Hill Municipal Code regarding Elections, specifically, District Elections and Resolution No. 16-005 regarding Candidate Statement Fees.

Adoption of Resolution No. 18-101; Certifying the November 6, 2018 Election Results that included Measure J – Changed the City Clerk seat from an “Elected Office” to an “Appointed Office.” Commencing with the 2020 Municipal Election, there will not be election costs associated with the Clerk seat; resulting in election cost savings with the conversion of the City Clerk position to that of an appointed one.

FISCAL AND RESOURCE IMPACT:

Included in the recommended FY 2020-21 budget is \$158,632 for election expenses associated with the following offices: Mayor, District A Seat, District C Seat and City Treasurer. This includes the cost of election services for two candidate statements for the Mayor’s seat, four candidate statements for Districts A and C Council seats, two candidate statements for City Treasurer, election certificates and translation costs. This estimate may change as the Santa Clara County Board of Supervisors has not adopted its election fee scheduled for 2020-21.

The recommended FY 2020-21 budget does not include funding for any proposed City Measures or Initiative Petitions that may qualify for the November 3, 2020 Municipal Election. The Registrar of Voters estimates that each ballot measure placed on the November 3, 2020 Election would cost approximately \$56,520 each. Should a City Measure(s) or Initiative Petition(s) be proposed for the November 3, 2020 Municipal Election prior to the August 7, 2020 Measure Resolution(s) submittal deadline to the Santa Clara County Registrar of Voters Office, a budget adjustment will be necessary and presented accordingly.

CEQA (California Environmental Quality Act):

Not a project.

The calling for a municipal election is not a project as defined in Section 15378 of the State CEQA guidelines.

LINKS/ATTACHMENTS:

1. Resolution A - Calling for 11-3-2020 Municipal Election

2. ORD2258ns District Elections
3. Resolution B - Requesting Consolidation of 11-03-20 Municipal Election
4. 16-005 Candidate Statements