

AGENDA DESCRIPTION:

Council action to adopt the following resolutions, 1) calling for the General Municipal Election, 2) requesting Los Angeles County services, 3) adopting regulations for candidates statements for the General Municipal Election.
(Fiscal Impact: \$127,000 *estimated*)

RECOMMENDED COUNCIL ACTION:

- 1) Adopt the attached three Resolutions related to calling the General Municipal Election
- 2) Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

- 1) Three Draft Resolutions

FISCAL IMPACT: Included in adopted Fiscal Year 2019/2020 Budget

Amount Budgeted: \$206,000
Additional Appropriation: No
Account Number(s): 001-400-1302-various

STRATEGIC PLAN:

Goal 1: Enhance Customer Service and Engagement
Objective 1B: El Segundo's engagement with the community ensures excellence

ORIGINATED BY: Mona Shilling, Deputy City Clerk II *MS*
APPROVED BY: Tracy Weaver, City Clerk *TW*
REVIEWED BY: City Attorney's Office
REVIEWED BY: Scott Mitnick, City Manager *SM (for SM)*

BACKGROUND AND DISCUSSION:

The General Municipal Election for three (3) Council Member seats, City Clerk seat and City Treasurer seat is to be held March 3, 2020. To proceed with the regulations set forth by the Government Code, the proposed resolutions should be adopted before the opening of the nomination filing period beginning November 12, 2019 and ending December 6, 2019 (date extended to December 11, 2019 if an incumbent does not file).

2019-11-05 CC AGENDA ITEM 15
CORRECTION TO SECTION 1A AND SECTION 2 OF THIS RESOLUTION
(Nov. 4, 2019)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON MARCH 3, 2020, WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE.

The City Council of the City of El Segundo resolves as follows:

SECTION 1: The City Council finds and declares as follows:

- A. Called a General Municipal Election to be held on March 3, 2020, for the purpose of the election of :three (3) Council Members, a City Clerk, a City Treasurer whose terms will expire after the March 2024 General Municipal Election and receipt of the results.
- B. It is desirable that the General Municipal Election be consolidated with the Statewide Primary Election to be held on the same date and within the city the precincts, vote centers and election officers of the two elections be the same, and the county election department of the County of Los Angeles canvass the returns of the General Municipal Election and the election be held in all respects as if there were only one election;
- C. Now, therefore, The City Council of the City of El Segundo does determine and order as follows:

SECTION 2. Pursuant to the requirements of § 10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide Primary Election on Tuesday, March 3, 2020, for the purpose of the election of: three (3) Council Members, a City Clerk, a City Treasurer.

SECTION 3. The county election department is authorized to canvass the returns of the General 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. The election will be held and conducted in accordance with the provisions of law regulating the statewide or special election.

SECTION 4. The Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary for the holding of the consolidated election.

SECTION 5. The City of El Segundo recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 6. The City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the county election department of the County of Los Angeles.

SECTION 7. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED RESOLUTION No. XXXX this 5th day of November, 2019.

Drew Boyles, Mayor

ATTEST:

Tracy Weaver, City Clerk

APPROVED AS TO FORM:

Mark D. Hensley, City Attorney

RESOLUTION NO.

A RESOLUTION CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 3, 2020, WITH THE CONSOLIDATED PRIMARY ELECTION, FOR THE ELECTION OF THREE MEMBERS OF THE CITY COUNCIL, CITY CLERK AND CITY TREASURER PURSUANT TO ELECTIONS CODE § 1301

The City Council of the City of El Segundo resolves as follows:

SECTION 1: Pursuant to Elections Code § 1301, relating to general law cities in the State of California the City Council calls for a general municipal election to be held on Tuesday, March 3, 2020, for the purpose of electing three members of the City Council, a City Clerk and a City Treasurer whose terms will expire after the March 2024 General Municipal Election and receipt of the results and administration of oaths of office at a regularly scheduled City Council meeting. The exact form of the question to be voted on at the election as it should appear on the ballot is as follows:

"FOR MEMBER OF THE CITY COUNCIL- Vote for no more than three"

"FOR CITY CLERK – Vote for one"

"FOR CITY TREASURER – Vote for one"

SECTION 2: The ballots to be used at the election shall be in form and content as required by law.

SECTION 3: The City Clerk is authorized, instructed and directed to coordinate with the County of Los Angeles Registrar-Recorder/County Clerk 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.

SECTION 4: That the vote centers 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, pursuant to Election Code § 10242, except as provided in § 14401 of the Elections Code of the State of California.

SECTION 5: In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6: Notice of the time and place of holding the election is 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.

SECTION 7: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 8: The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 9: This Resolution will become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED RESOLUTION No. XXXX this 5th day of November, 2019.

Drew Boyles, Mayor

ATTEST:

Tracy Weaver, City Clerk

APPROVED AS TO FORM:

Mark D. Hensley, City Attorney

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, MARCH 3, 2020.

The City Council of the City of El Segundo resolves as follows:

SECTION 1: The City Council finds and declares as follows:

- A. Section § 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates' statement.
- B. Now, therefore, the City Council of the City of El Segundo, California does, determine and orders as follows:

SECTION 2. *General Provisions.* Pursuant to § 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of El Segundo on March 3, 2020 may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 3. *Foreign Language Policy.*

- A. Pursuant to the Federal Voting Rights Act, candidates' statements will be translated into all languages required by the County of Los Angeles. The County is required to translate candidate's statements into the following languages: Spanish.
- B. The County will print and mail voter information guides and candidates statements to all voters in Spanish or The County will mail separate voter information guides and candidates statements in Spanish to only those voters who are on the county voter file as having requested a voter information guide in a particular language. The County will make the voter

information guides and candidates statements in the required languages available at all vote centers, on the County's website, and in the Election Official's office.

SECTION 4: Payment.

A. Translations:

1. The candidate shall be required to pay for the cost of translating the candidates statement into any required foreign language as specified in subsections A and/or B of Section 3 above pursuant to Federal and/or State law.
2. The candidate shall be required to pay for the cost of translating the candidates statement into any foreign language that is not required as specified in subsections A and/or B of Section 3 above, pursuant to Federal and/or State law, but is requested as an option by the candidate.

B. Printing:

1. The candidate shall be required to pay for the cost of printing the candidates statement in English in the main voter pamphlet.
2. The candidate shall be required to pay for the cost of printing the candidates statement in a foreign language required in subsection A of Section 3 above, in the main voter pamphlet.
3. The candidate shall be required to pay for the cost of printing the candidates statement in a foreign language requested by the candidate per subsection B of Section 3 above, in the main voter pamphlet.
4. The candidate shall be required to pay for the cost of printing the candidates statement in a foreign language required by subsection A of Section 2 above, in the facsimile voter pamphlet.

The City Clerk shall 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 Voting Rights Act of 1965 (as amended), and 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 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 clerk

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 clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

SECTION 5: Miscellaneous.

- A. All translations shall be provided by professionally-certified translators.
- B. The City Clerk shall allow (bold type) (underlining) (capitalization) (indentations) (bullets) (leading hyphens) to the same extent and manner as allowed in previous City elections.
- C. The City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to elections.

SECTION 6: Additional Materials. No candidate will be permitted to include additional materials in the voter information guide.

SECTION 7: The City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 8: All previous resolutions establishing council policy on payment for candidates statements are repealed.

SECTION 9: This resolution shall apply at the next ensuing municipal election and at each municipal election after that time.

SECTION 10: The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

SECTION 11: This Resolution will become effective immediately upon adoption and remain effective unless repealed or superseded.

PASSED, APPROVED AND ADOPTED RESOLUTION No. XXXX 5th
day of November 2019.

Drew Boyles, Mayor

ATTEST:

Tracy Weaver, City Clerk

APPROVED AS TO FORM:

Mark D. Hensley, City Attorney