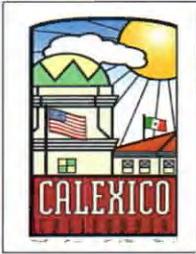


AGENDA  
ITEM

**5**



# AGENDA STAFF REPORT

**DATE:** June 17, 2020  
**TO:** Mayor and City Council  
**APPROVED BY:** David B. Dale, City Manager  
**PREPARED BY:** David B. Dale, City Manager

*AF for D.D.*

**SUBJECT:** Approval of the following Resolutions Relating to the November 3, 2020 General and Special Municipal Election for the City of Calexico:

1. Calling for a General and Special Municipal Election to be held on November 3, 2020 for the Election of Certain City Officers.
2. Resolution Requesting The Board of Supervisors of the County of Imperial to Consolidate a General and Special Municipal Election with the Presidential General Election to be held on Tuesday November 3, 2020.
3. Resolution Adopting Regulations for Candidate Statements Submitted to the Voters for the November 3, 2020 General and Special Municipal Election for the City of Calexico.

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**Recommendation:**

Adoption of the Following Resolutions:

1. Resolution Calling for a General and Special Municipal Election to be held on November 3, 2020 for the Election of Certain City Officers.
2. Resolution Requesting The Board of Supervisors of the County of Imperial to Consolidate a General and Special Municipal Election with the Presidential General Election to be held on Tuesday November 3, 2020.
3. Resolution Adopting Regulations for Candidate Statements Submitted to the Voters for the November 3, 2020 General and Special Municipal Election for the City of Calexico.

**Background:**

A General Municipal Election for the City of Calexico is scheduled to be conducted on November 3, 2020. The Imperial County Registrar of Voters recently provided notice to the City which provides deadlines for consolidating municipal elections with all other pending Federal, State

<b>AGENDA ITEM</b>  <b>5</b>
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and County elections being held the same day. Further, due to the resignation of a Council Member and pursuant to State law, the City is also required to hold a Special Municipal Election on November 3, 2020 in order to fill the Council vacancy for the remainder of the unexpired term (a "short term" of two years). Therefore the City is required to call both a General and a Special Municipal Election for the purpose of electing all four officers. Adoption of the three attached resolutions will call the General and Special Municipal Election and consolidate both Municipal Elections with all other pending Federal, State and County elections occurring on November, 3, 2020.

### **Discussion & Analysis:**

The City of Calexico is scheduled to conduct a General Municipal Election on Tuesday, November 3, 2020 for the purpose of electing three Members of the City Council for full terms of four years and a Special Municipal Election for the purpose of electing one Member of the City Council to a term of two years to fill a vacancy due to a resignation. The following resolutions related to the November 3, 2020 elections are being proposed for the City Council's consideration:

**Resolution No. 2020 - \_\_\_\_\_** calls for the November 3, 2020 General Municipal Election for the City of Calexico to elect three Members of the City Council with each Member serving four-year terms and one Member of the City Council serving a two-year term to fill a Council vacancy. The resolution states that the City Clerk shall publish notice of the election in accordance with Elections Code Section 12101, and also provides the date and time when polling locations will be open for voting.

**Resolution No. 2020 - \_\_\_\_\_** is a formal request to the County of Imperial to consolidate the City's November 3, 2020 General and Special Municipal Elections with all other pending Federal, State and County elections occurring on the same day, and authorizes the County Registrar of Voters to conduct the elections. The City shall reimburse the County for the costs of consolidating and administering the election for the City. Following completion of the County's work, the County will send an approved bill to the City for payment.

**Resolution No. 2020 - \_\_\_\_\_** regulates candidate statements for the November 3, 2020 General Municipal Election. The candidate statement is a voluntary statement for candidates seeking elective office and may include the name, age, and/or occupation of the candidate and a 200 word description of the candidate's education and qualifications. The Registrar of Voters' cost for a 200 words statement is \$350.00 for a typed statement and \$300.00 for one provided in an electronic format (Microsoft Word). The 200 word statement is the default and standard amount. The Federal Voting Rights Act requires voters' pamphlets to be translated in other languages as specified by the Registrar of Voters (Spanish).

The County of Imperial Registrar of Voters' cost projection for conducting the November 3, 2020 General Municipal Election is estimated at \$40,000.00. This amount may increase due to the fluidity of what contests will ultimately appear on the ballot, and the

numbers of candidates in those contests. Costs for consolidated State and County elections are shared among participating local governments in the consolidated elections. The County will send the City a bill for the actual costs of its election services following completion of the services.

**Fiscal Impact:**

Estimated cost: \$40,000.00

**Coordinated With:**

City Attorney.

**Attachments:**

1. Resolution Calling for a General and Special Municipal Election to be held on November 3, 2020 for the Election of Certain City Officers.
2. Resolution Requesting The Board of Supervisors of the County of Imperial to Consolidate a General and Special Municipal Election with the Presidential General Election to be held on Tuesday November 3, 2020.
3. Resolution Adopting Regulations for Candidate Statements Submitted to the Voters for the November 3, 2020 General and Special Municipal Election for the City of Calexico.

## **RESOLUTION NO. 2020-36**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, CALLING FOR A GENERAL AND SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 FOR THE ELECTION OF CERTAIN CITY OFFICERS.**

**WHEREAS**, a General Municipal Election is to be held in the City of Calexico on Tuesday, November 3, 2020 for the regularly-scheduled election of three Members of the City Council; and

**WHEREAS**, a Member of the City Council whose term is set to expire November, 2022 has resigned from the City Council, resulting in a vacancy on the Council; and

**WHEREAS**, pursuant to State law, the City is required to hold a Special Municipal Election on November 3, 2020 in order to fill the Council vacancy for the remainder of the unexpired term (a "short term" of two years).

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Calexico, California, on Tuesday, November 3, 2020, a General Municipal Election for the purpose of electing three Members of the City Council for the full term of four years.

**SECTION 2.** That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is also called and ordered to be held in the City of Calexico, California, on Tuesday, November 3, 2020, a Special Municipal Election for the purpose of electing one Member of the City Council to fill a vacancy (for a short term of two years).

**SECTION 3.** That the ballots to be used at the election shall be in form and content as required by law.

**SECTION 4.** That the City Clerk is authorized, instructed, and directed to coordinate with the County of Imperial Registrar of Voters/Elections Official 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 5.** That 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, pursuant to Elections Code §10242, except as provided in Elections Code §14401.

**SECTION 6.** That 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.** That the City Clerk shall publish notice of the November 3, 2020 election in at least one newspaper of general circulation not earlier than the 127th nor later than the 113th day before the date of the election pursuant to Elections Code §12101.

**SECTION 8.** That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 9.** That 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** this 17<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
BILL HODGE, MAYOR

ATTEST:

\_\_\_\_\_  
GABRIELA I. GARCIA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CARLOS CAMPOS, CITY ATTORNEY

State of California     )  
County of Imperial    ) §  
City of Calexico       )

I, Gabriela T. Garcia, City Clerk of the City of Calexico do hereby certify the above Resolution No. 2020-36 was approved at a regular City Council meeting held on the 17th day of June, 2020, by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Gabriela T. Garcia, City Clerk

SEAL

## **RESOLUTION NO. 2020-37**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF IMPERIAL TO CONSOLIDATE A GENERAL AND SPECIAL MUNICIPAL ELECTION WITH THE PRESIDENTIAL GENERAL ELECTION TO BE HELD ON TUESDAY NOVEMBER 3, 2020.**

**WHEREAS**, on June 17, 2020, the City Council of the City of Calexico adopted Resolution No. 2020-36, calling a General and Special Municipal Election to be held on November 3, 2020, for the purpose of electing three Members of the City Council (full four-year terms) and one Member of the City Council to fill a Council vacancy (short two-year term); and

**WHEREAS**, it is desirable that the General and Special Municipal Election be consolidated with the Presidential General Election to be held on the same date and that the precincts, voting methods (i.e., polling places, ballot drop boxes, vote centers and vote-by-mail balloting) and election officers of the two elections be the same, and that the County Election Department of the County of Imperial canvass the returns of the General and Special Municipal Election and that the election be held in all respects as if there were only one election.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the provisions of Section 10403 of the Elections Code of the State of California, this City Council requests the Board of Supervisors of the County to permit the County Election Department to conduct a General and Special Municipal Election on Tuesday, November 3, 2020 for the purpose of electing three Members of the City Council (full four-year terms) and one Member of the City Council to fill a Council vacancy (short two-year term).

**SECTION 2.** That pursuant to the provisions of Sections 10403, 10411, and 10418 of the Elections Code, the City Council hereby requests that the Board of Supervisors of the County of Imperial consent and agree to the consolidation of the General and Special Municipal Election with the Presidential General Election scheduled for Tuesday, November 3, 2020. The election shall be held in all respects as if there were only one election, and only on form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the Statewide Election.

**SECTION 3.** The City Council further authorizes and requests the Board of Supervisors of the County of Imperial to instruct the County Election Department to hold, conduct, and canvas the returns of the election in accordance with applicable provisions of the Elections Code.

**SECTION 4.** That the City of Calexico recognizes that additional costs will be incurred by the County Election Department and the City shall reimburse the County for election services performed when the work is completed and upon presentation to the City of a properly approved bill.

**SECTION 5.** That 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.** That the City Clerk is directed to forward without delay and not later than 88 days prior to the General and Special Municipal Election, to the Board of Supervisors and to the County Election Department, each a certified copy of this Resolution.

**SECTION 7.** That 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** this 17<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
BILL HODGE, MAYOR

ATTEST:

\_\_\_\_\_  
GABRIELA T. GARCIA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CARLOS CAMPOS, CITY ATTORNEY

State of California     )  
County of Imperial    ) §  
City of Calexico       )

I, Gabriela T. Garcia, City Clerk of the City of Calexico do hereby certify the above Resolution No. 2020-37 was approved at a regular City Council meeting held on the 17<sup>th</sup> day of June, 2020, by the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
Gabriela T. Garcia, City Clerk

## **RESOLUTION NO. 2020-38**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS FOR THE NOVEMBER 3, 2020 GENERAL AND SPECIAL MUNICIPAL ELECTION FOR THE CITY OF CALEXICO.**

**WHEREAS**, a General and a Special Municipal Election are to be held in the City of Calexico on Tuesday, November 3, 2020; and

**WHEREAS**, Elections Code Section 13307 requires local agencies holding municipal elections to adopt regulations pertaining to materials prepared by any candidate for a municipal election, including the costs, handling, packaging, and mailing of candidate statements.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1. GENERAL PROVISIONS.** That pursuant to Elections Code Section 13307, each candidate for elective office to be voted for at the November 3, 2020 election may prepare a candidate 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 five o'clock p.m. of the next working day after the close of the nomination period.

### **SECTION 2. FOREIGN LANGUAGE POLICY.**

- A. Pursuant to the Federal Voting Rights Act, candidate statements will be translated into all languages required by the County of Imperial Registrar of Voters. The County is required to translate candidate's statements into the following languages: Spanish.
- B. The Registrar of Voters will mail separate sample ballots and candidate statements in Spanish, to only those voters who are on the County voter file as having requested a sample ballot in that particular language. The Registrar of Voters will make sample ballots and candidate statements in the required language available at all polling places, on the County's website, and the City Clerk's office.

**SECTION 3. PAYMENT.**

A. Translations

1. The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in Section 2 above pursuant to Federal and/or State law.

B. Printing

1. The candidate shall be required to pay for the cost of printing the candidate's statement in English in the main voter pamphlet.
2. The candidate shall be required to pay for the cost of printing the candidate's statement in a foreign language required in Section 2 above, in the facsimile voter pamphlet.

C. Payment

1. The Imperial County Registrar of Voters has calculated 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). The cost for a typewritten statement will be \$350.00 and the cost for an electronically printed statement will be \$300.00. The City Clerk requires each candidate filing a statement to pay in advance to the City Clerk the amount set forth herein, as a condition of having his or her statement included in the voter's information guide.

**SECTION 4. MISCELLANEOUS**

- A. All translations shall be provided by professionally certified translators.
- B. Candidate statements shall be consistent with the standard formatting guidelines utilized by the County of Imperial Registrar of Voters.
- 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 5. ADDITIONAL MATERIALS.** No candidate will be permitted to include additional materials in the sample ballot package.

**SECTION 6.** That the City Clerk shall provide each candidate or candidate's representative with a copy of this resolution at the time nominating petitions are issued.

**SECTION 7.** That this resolution shall apply only to the election(s) to be held on November 3, 2020 and shall then be repealed.

**SECTION 8.** That 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** this 17th day of June, 2020.

\_\_\_\_\_  
BILL HODGE, MAYOR

ATTEST:

\_\_\_\_\_  
GABRIELA T. GARCIA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CARLOS CAMPOS, CITY ATTORNEY

State of California    )  
County of Imperial    ) §  
City of Calexico        )

I, Gabriela T. Garcia, City Clerk of the City of Calexico do hereby certify the above Resolution No. 2018-38 was approved at a regular City Council meeting held on the 17<sup>th</sup> day of June 2020, by the following roll call vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
Gabriela T. Garcia, City Clerk