



**CORTE MADERA TOWN COUNCIL
STAFF REPORT**

REPORT DATE: September 3, 2019
MEETING DATE: September 17, 2019

TO: Honorable Mayor and Members of the Town Council

FROM: Rebecca Vaughn, Town Clerk/Assistant to the Town Manager *RV*

SUBJECT: Adopt Resolution No. 37/2019 of the Town Council of the Town of Corte Madera Calling and Giving Notice of a General Municipal Election to be Held in the Town of Corte Madera on Tuesday, March 3, 2020 for the Election of Two (2) Members of the Town Council for the full term of four years each; Requesting the Board of Supervisors of the County of Marin to Consolidate Said Election with Any Other Election Conducted on Said Date, and Requesting Election Services by the Marin County Elections Department



RECOMMENDED ACTION:

Adopt Resolution No. 37/2019 calling the General Municipal Election on March 3, 2020 and requesting consolidation and services by the Marin County Elections Department.

BACKGROUND:

The terms of Mayor James Andrews and Councilmember Sloan Bailey will be expiring in March, 2020. In preparation for the election, the Town Council must adopt a resolution to call the general municipal election to be held on March 3, 2020; request consolidation with Marin County Elections; and request election services from the Marin County Elections Department. The draft of proposed Resolution No. 37/2019 is included with this report as Attachment 1. In order to consolidate the election, the Marin County Board of Supervisors and the Department of Elections must receive notice by December 6, 2019.

DISCUSSION:

California Government Code Section 36503 and California Elections Code Section 1000(d) provide that a regular municipal election may be conducted on March 3, 2020. Sections 10002, 10403 and 10418 of the California Elections Code (included with this report as Attachment 2) provide that the Town Council may request the County of Marin Board of Supervisors to permit

the County Elections Official to render specified services relating to the conduct of the election on a reimbursable basis. The County of Marin has the resources to conduct an election for all special districts and local municipalities in the most cost-effective manner, and has routinely provided the Town of Corte Madera with this service in the past.

Adoption of Resolution No. 37/2019 would call for a general municipal election to be held within the Town of Corte Madera on Tuesday, March 3, 2020 for the purpose of electing two (2) members of the Corte Madera Town Council to full terms of four years each.

The nomination period for the March 3, 2020 General Municipal Election opens on November 11, 2019 and will close on December 6, 2019. If an incumbent does not file by the December 6, 2019 deadline, the nomination period will be extended to Wednesday, December 11, 2019. It should be noted that if the present incumbents were the only persons to file for the upcoming offices, or if there are only two candidates for the two vacancies, the Council may determine that no election is necessary and may, at that time, vote to cancel the election. A schedule of important dates and deadlines related to the March 3, 2020 election is included as Attachment 3.

All potential candidates for the Corte Madera Town Council will pick up and file their nomination paperwork with the Corte Madera Town Clerk at Town Hall (300 Tamalpais Drive, Corte Madera, CA) beginning on Tuesday, November 12, 2019 (due to the Veterans Day holiday and associated Town Hall closure on Monday, November 11, 2019) and will be responsible for payment of the Filing Fee, with the amount to be determined by the Marin County Elections Department and provided to all Marin Cities and Towns in October. All information related to the elections process will be provided at Town Hall and on the Town's website <http://townofcortemadera.org/562/Elections-Voter-Information> as the nomination period approaches.

FISCAL IMPACT:

The Marin County Elections Department estimates the cost for participation in a Statewide Primary Election to be \$1.75 – \$3.00 per registered voter. The Town of Corte Madera currently has 6,693 registered voters as of September 11, 2019. Using that number as a guide, staff estimates the potential cost of the March 2020 election to be in the range of \$11,713 and \$20,079.

ENVIRONMENTAL IMPACT:

The activity is covered by the general rule that CEQA does not apply where it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment (CEQA, Article 5, Section 15061(b)(3)).

OPTIONS:

1. Adopt the resolution as presented.
2. Adopt the resolution with modifications.
3. Take no action at this time.

ATTACHMENTS:

1. Draft of Proposed Resolution No. 37/2019
2. California Elections Code Sections 10002, 10403 and 10418
3. March 3, 2020 Consolidated General Municipal Election Schedule

THIS ITEM HAS BEEN REVIEWED AND APPROVED BY THE TOWN MANAGER.

Attachment 1

Draft of Proposed Resolution No. 37/2019

RESOLUTION NO. 37/2019

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA

- (1) CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE TOWN OF CORTE MADERA ON TUESDAY, MARCH 3, 2020 FOR THE ELECTION OF TWO (2) MEMBERS OF THE CORTE MADERA TOWN COUNCIL FOR THE FULL TERM OF FOUR YEARS EACH;**
- (2) REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN TO CONSOLIDATE SAID ELECTION WITH ANY OTHER ELECTION CONDUCTED ON SAID DATE; AND**
- (3) REQUESTING ELECTION SERVICES BY THE MARIN COUNTY ELECTIONS DEPARTMENT**

WHEREAS, California Government Code Section 36503 and California Elections Code Section 1000(d) provide that a General Municipal Election may be conducted on March 3, 2020; and

WHEREAS, Sections 10002 and 10403 of the California Elections Code provides that the City Council may request the County of Marin Board of Supervisors to permit the County Elections Official to render specified services relating to the conduct of the election on a reimbursable basis; and

WHEREAS, it is the determination of the Town Council of the Town of Corte Madera that a General Municipal Election be held on Tuesday, March 3, 2020, at which election the issue to be presented to the voters shall be:

1. Election of two (2) Town Councilmembers for the full term of four years each.

NOW, THEREFORE, BE IT RESOLVED:

1. That pursuant to the requirements of the laws of the State of California relating to general law cities, there is hereby called and ordered to be held in the Town of Corte Madera, California, on Tuesday, March 3, 2020, a General Municipal Election to submit to the voters the election of two (2) Town Councilmembers for the full term of four years each.
2. That, pursuant to Elections Code Section 10408, the Board of Supervisors of the County of Marin is hereby requested to consolidate said election with any other applicable election conducted on the same day and to authorize and direct the Elections Department, at the Town's expense, to provide all necessary election services and to canvass the results of said election.
3. That the ballots to be used at the election shall be in both form and matter as required by law.

4. That the polls for said election shall be opened at 7:00 a.m. on the day of said election and shall remain open continuously from said time until 8:00 p.m. of the same day when said polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

BE IT FURTHER RESOLVED

1. That all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.
2. That no additional materials shall be prepared to be sent on behalf of the candidate with the Town of Corte Madera Ballot/Voters Pamphlet.
3. The Town of Corte Madera recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for those costs.
4. That the Town Clerk is directed to submit a certified copy of this Resolution to the Board of Supervisors of the County of Marin.

I, the undersigned, hereby certify that the forgoing is a full, true and complete copy of a resolution duly passed and adopted by the Town Council of the Town of Corte Madera at a regular meeting thereof held on the 17th day of September, 2019 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

James H. Andrews, Mayor

ATTEST:

Rebecca Vaughn, Town Clerk

Attachment 2

California Elections Code Sections 10002, 10403 and 10418

State of California

ELECTIONS CODE

Section 10002

10002. The governing body of any city or district may by resolution request the board of supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election. Subject to approval of the board of supervisors, these services shall be performed by the county elections official.

The resolution of the governing body of the city or district shall specify the services requested.

Any city that requests the board of supervisors to permit the elections official to prepare the city's election materials shall, if the board of supervisors agrees to provide such services, supply the county elections official with a list of its precincts, or consolidated precincts, as applicable, no later than 61 days before the election.

Unless other arrangements satisfactory to the county have been made, the city or district shall reimburse the county in full for the services performed upon presentation of a bill to the city or district.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

State of California

ELECTIONS CODE

Section 10403

10403. (a) Whenever an election called by a district, city, or other political subdivision for the submission of a question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for the statewide election, the district, city, or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board that does all of the following:

(1) Requests that the district, city, or other political subdivision election be consolidated with the statewide election.

(2) Sets forth the exact form of the question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. The question or proposition to appear on the ballot shall conform to this code governing the wording of propositions submitted to the voters at a statewide election.

(3) Acknowledges that the consolidated election will be held and conducted in the manner prescribed in Section 10418.

(b) The resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election.

(c) The names of the candidates to appear upon the ballot where district, city, or other political subdivision offices are to be filled shall be filed with the county elections official no later than 81 days prior to the election.

(Amended by Stats. 2013, Ch. 98, Sec. 1. (AB 331) Effective January 1, 2014.)

State of California

ELECTIONS CODE

Section 10418

10418. (a) Whenever an election is to be held on the same day as a statewide election, a special election, or an election held pursuant to Section 1302 or 1303, the election may be consolidated with the statewide or special election, or the election held pursuant to Section 1302 or 1303, as applicable. If consolidated, the consolidated election shall be held and conducted, election boards appointed, voting precincts designated, candidates nominated, ballots printed, polls opened and closed, voter challenges determined, ballots counted and returned, returns canvassed, results declared, certificates of election issued, recounts conducted, election contests presented, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the statewide or special election, or the election held pursuant to Section 1302 or 1303, as applicable.

(b) The precincts used at the consolidated election shall be those used for the statewide, special, or regularly scheduled election and, where necessary, the county elections official may adjust precinct lines to coincide with the boundaries of the particular jurisdiction.

(Amended by Stats. 2013, Ch. 98, Sec. 2. (AB 331) Effective January 1, 2014.)

Attachment 3

March 3, 2020 Consolidated General Municipal Election Schedule

Important Dates for the March 3, 2020 Election

of days
before election



<p>September 12 thru November 6, 2019 Signature-In-Lieu of Filing Fee period</p>	<p>The Signature-In-Lieu filing period deadline applies to all candidate offices required to pay a filing fee. <i>Elections Code 8061, 8105 & 8106 (excluding municipal offices)</i></p>	<p>173 - 118</p>
<p>October 28 thru November 6, 2019 <i>Superior Court offices</i> Declaration of Intention</p>	<p>All judicial candidates including incumbent judges must file a Declaration of Intention no later than Nov. 6th. Candidates for Superior Court offices must also pay the filing fee when the Declaration of Intention is filed. <i>Elections Code 8023, 8105(b)</i></p>	<p>127 - 118</p>
<p>November 7 thru November 11, 2019* <i>Superior Court offices</i> Declaration of Intention extension period</p>	<p>Extension period applies only if an incumbent Superior Court Judge does not file a Declaration of Intention by November 6th. Incumbent judges may not file during this period. <i>Elections Code 8023(b)</i></p>	<p>117 - 113</p>
<p>November 11** thru December 6, 2019. Nomination period for all candidates</p> <p><small>** Our office will be closed due to the holiday but will open on the 12th to begin the nomination period.</small></p>	<p>Period for all candidates and incumbents to file with the Elections Department all required and optional documents or withdraw as a candidate. <i>City and Town Council candidates</i> must pick up and file nomination documents at their city clerk's office. <i>(Some cities charge a filing fee)</i></p>	<p>113 - 88</p>
<p>December 7 thru December 16, 2019 Public review of candidate statements</p>	<p>During this period voters can get copies of candidate statements filed for offices closed for nomination; or file a Writ of Mandate in Superior Court. <i>Elections Code 13313</i></p>	<p>87 - 78</p>
<p>December 7 thru December 11, 2019 Extended nomination period begins</p>	<p>The nomination period will remain open if an incumbent does not file by the December 6th deadline. <i>Incumbents may not file during this period.</i></p>	<p>87 - 83</p>

**Date falls on a holiday. Deadline extends to the next business day.*

continued on following pages...

Important Dates for the March 3, 2020 Election

of days
before election



<p>December 12 thru December 21, 2019 Public review of candidate statements</p>	<p>During this period voters can get copies of candidate statements filed for offices with <i>extended</i> nominations or file a Writ of Mandate in Superior Court. <i>Elections Code 13313</i></p>	<p>82 - 73</p>
<p>December 12, 2019 Random alphabet drawing</p>	<p>The Secretary of State conducts a random drawing to decide the order of candidate names on the ballot. The Registrar of Voters draws the random alphabet for State Assembly and State Senate candidates for the Marin County ballot. <i>Elections Code 13113</i></p>	<p>82</p>
<p>January 3, 2020 Overseas & military ballots</p>	<p>Marin County Elections Department starts mailing ballots to overseas and military voters.</p>	<p>60</p>
<p>January 6 thru February 18, 2020 Write-in candidates</p>	<p>Write-In Candidates pick up and file your papers at the Marin County Elections Department. <i>City & Town Council write-in candidates</i> must pick up and file papers with their respective city clerk's office. <i>Elections Code 8601</i></p>	<p>57 - 14</p>
<p>January 23, 2020 Sample ballot mailing</p>	<p>Marin County Elections Department starts mailing Voter Information Guides to all registered voters in the county.</p>	<p>40</p>
<p>January 23, 2020 Campaign finance</p>	<p>Candidates must file at least 1 campaign finance statement by this date regardless of their level of activity.</p>	<p>40</p>
<p>February 3, 2020 Vote-by-mail ballots</p>	<p>Marin County Elections Department begins mailing vote-by-mail ballots to all vote-by-mail voters in the county. Any Marin County voter may pick-up a vote-by-mail ballot at the Elections Department starting this date.</p>	<p>29</p>

continued on following pages...

Important Dates for the March 3, 2020 Election

of days
before election



<p>February 17, 2020 * Voter registration deadline Exception as noted</p>	<p>This is the last day to register to vote for this election. If voters miss the registration deadline for this election, they must come into the Elections Department to register and vote on the same day beginning February 18, 2020.</p>	<p>15</p>
<p>February 20, 2020 Campaign finance</p>	<p>Candidates who have campaign finance committees must report all financial activity from the date of their last statement through 2/15/20.</p>	<p>12</p>
<p>March 3, 2020 Election Day</p>	<p>The polls and the Marin County Elections Department are open 7 am – 8 pm.</p>	<p>0</p>
<p>Date to be determined Manual Tally</p>	<p>At 9 a.m., Marin County Elections Department randomly selects 1% of the precincts to count votes by hand (manual tally).</p>	<p>TBD</p>
<p>April 2, 2020 Election certification</p>	<p>The deadline for the Marin County Elections Department to certify the county's election results. <i>Elections Code 15372</i></p>	<p>+30</p>

**Date falls on a holiday. Our office will be closed until the next business day.*