

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: August 5, 2020

Reviewed by: NA

SUBJECT: Calling for a General Municipal Election, Requesting Consolidation with the Statewide General Election for Electing City Council Members and Board of Education Members on the November 3, 2020 General Municipal Election Ballot

REPORT BY: Anne Hsu, City Clerk
Nicole Almaguer, City Manager
Mala Subramanian, City Attorney

SUMMARY

The following report discusses the upcoming general municipal election consolidating with the Statewide General Election.

STAFF RECOMMENDATION

That the Council adopt Resolution No. 2020-83, calling and giving Notice of a General Election to be held November 3, 2020 and requesting the Board of Supervisors of Alameda County to consolidate said election with the Statewide General Election; authorizing the City Clerk or their duly authorized officers to carry out all the necessary procedures for said election for the purpose of electing three persons to fill the Office of City Council Member and two persons to fill the Office of Board of Education Member

BACKGROUND/DISCUSSION

Each even-numbered year, the City holds its General Municipal Election to be consolidated with the Statewide General Election that is held in November. The City is required to request the Board of Supervisors consolidate the City's regular election with the general statewide election.

The City has the following seats up for election: Three (3) City Council and Two (2) Board of Education.

The information regarding the seats to be voted on at the upcoming November 3, 2020 General Municipal Election was erroneously omitted from the previous resolutions calling for election that were adopted on July 6, 2020.

SUSTAINABILITY IMPACT

N/A

FINANCIAL IMPACT

The cost of the election in 2018 has significantly increased from years prior to approximately \$52,000. It is anticipated that the total cost of election will continue to increase for the November 3, 2020 election due to the added new voting equipment charges, additional ballot supplies and postage under Governor's Executive Order to send vote-by-mail ballots to all registered voters, increasing number of registered voters since the launch of the new California Motor Voter Program as defined by AB 1461 which automatically register qualified applicants to vote unless that person opts out of registration during Department of Motor Vehicle (DMV) transactions, and due to additional voters registering since 2020 is a presidential election year.

Attachments:

1. Resolution No. 2020-83
2. Resolution No. 2020-71 (consolidating election adopted 7/6/2020)

1 **WHEREAS**, November 3, 2020 is the date of the general statewide election.

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**NOW THEREFORE, THE ALBANY CITY COUNCIL DOES HEREBY
RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

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Section 1 The City’s General Municipal Election is hereby called and ordered to be consolidated with the Statewide General Election to be held in said City of Albany, State of California, on Tuesday, November 3, 2020, in accordance with the provisions of the Albany City Charter and the Elections Code of the State of California, for the purpose of electing the following officers of the City and the Albany Unified School District for the terms specified:

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a. Three (3) Council Members for the City Council of the City of Albany, each term commencing after the official canvass made by the Registrar of Voters and continuing for four (4) years from the day of their induction.

b. Two (2) Members of the Board of Education of the Albany Unified School District, each term commencing after the official canvass made by the Registrar of Voters and continuing for four (4) years from the day of their induction.

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Section 2 Pursuant to the requirements of Elections Code §10403, the Board of Supervisors of the County of Alameda is hereby requested to consent and agree to the consolidation of said election with the statewide election. The City of Albany acknowledges that the consolidated election will be held and conducted in accordance with Elections Code §10418.

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Section 3 That pursuant to the Elections Code of the State of California, the Board of Supervisors of the County of Alameda is hereby requested to consolidate the General Election to be held at said County on November 3, 2020, with the Regular General Municipal Election so that the election precincts, polling places and voting booths shall in every case, be

1 the same, and so there may be one set of election offices and officers at each said election
2 precinct, and one form of ballot, and provide for expenses thereof, all as provided in said
3 Elections Code of the State of California.
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5 **Section 4** That in all particulars not recited in this Resolution, said election shall
6 be held and conducted as provided by law for holding Municipal Elections in the City of
7 Albany.

8 **Section 5** That the Regular General Municipal Election, to be held in the City of
9 Albany, shall be canvassed by the Registrar of Voters of the County of Alameda, State of
10 California.
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12 **Section 6** That the City of Albany shall pay to the Board of Supervisors of
13 Alameda County its pro rata share of the expenses of said election as jointly determined by the
14 City of Albany and the Board of Supervisors of Alameda County in accordance with said
15 provisions of said Elections Code of the State of California.
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17 **Section 7** That the City Clerk of the City of Albany is hereby authorized instructed
18 and directed to provide the Alameda County Registrar of Voters with all pertinent information
19 and material as required.
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21 **Section 8** That the City Clerk of the City of Albany is hereby authorized and
22 directed to file a copy of this Resolution immediately upon its adoption with the appropriate
23 County agencies. With the concurrence of the City Attorney, the City Clerk is hereby
24 authorized to make such minor, technical and clarifying changes to this Resolution and/or the
25 Exhibits hereto as may be deemed necessary and appropriate.
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27 **Section 9** The City Council of the City of Albany shall meet at its usual meeting
28 place to review the certified statement of results of the election within 28 days of the election
29 and shall thereafter declare the results.

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The undersigned hereby certifies that the foregoing is a full, true, and complete copy of the Resolution duly passed and adopted by the City Council of the City of Albany at a special meeting thereof on the 5th day of August, 2020.

Nick Pilch, Mayor

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RESOLUTION NO. 2020-71

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALBANY,
CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF
ALAMEDA COUNTY TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION
TO BE HELD ON NOVEMBER 3, 2020 WITH THE STATEWIDE GENERAL
ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO
SECTION 10403 OF THE ELECTIONS CODE FOR THE SUBMISSION OF
THREE CITY TAX MEASURES AT SAID ELECTION**

WHEREAS, by adoption of Resolution No. 2020-69 on July 6, 2020, the City Council has called and given notice of a General Municipal Election to be held on Tuesday, November 3, 2020 in the City of Albany, County of Alameda, for the purpose of submitting to the voters two questions related to (i) the City's general Real Property Transfer Tax and (ii) the City's general Utility Users' Tax; and

WHEREAS, by adoption of Resolution No. 2020-70 on July 6, 2020, the City Council has also called and given notice of a General Municipal Election to be held on Tuesday, November 3, 2020 in the City of Albany, County of Alameda, for the purpose of submitting to the voters a question related to the City's Paramedic Advanced Life Support Fire Engines and Ambulance Special Tax; and

WHEREAS, it is desirable that the General Municipal Election for all three tax measures be consolidated with the Statewide General Election to be held on the same date and that within the City, the precincts, polling places, vote centers and election officers of the two elections be the same, and that the Alameda County election department canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

1 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALBANY,**
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3 **CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:**

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5 **SECTION 1.** Request for Consolidation. Pursuant to the requirements of Section 10403
6 of the Elections Code, the Board of Supervisors of the County of Alameda is hereby requested to
7 consent and agree to the consolidation of a General Municipal Election with the Statewide General
8 Election on Tuesday, November 3, 2020, for the purpose of submitting to the voters the questions
9 relating to (i) the City’s general Real Property Transfer Tax, (ii) the City’s general Utility Users’
10 Tax, and (iii) the City’s Paramedic Advanced Life Support Fire Engines and Ambulance Special
11 Tax.

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13 **SECTION 2.** Ballot Questions for Measures. The ballot questions for each measure are
14 to appear on the ballot at the General Municipal Election as follows:

15 (A) For the general Real Property Transfer Tax measure:

“To support City of Albany general services, with funding that cannot be taken by Sacramento, including: emergency response services, environmental programs, community services and local business programs, shall a measure increasing the City’s real property transfer tax rate from \$11.50 to \$15.00 per \$1,000 purchased, providing an additional \$392,000 annually, until ended by voters, with all funds remaining local, be adopted?”	YES
	NO

21 (B) For the general Utility Users’ Tax measure:

“To support City of Albany general services including: disaster and emergency preparedness, reducing greenhouse gas emissions, emergency response and environmental sustainability, shall a measure increasing the City’s utility users’ tax from 7% to 9.5% for gas and electric service, and applying the tax to water service at 7.5%, providing an additional \$675,000 annually until ended by voters, exempting self-generated energy, exempting low-income households, requiring independent audits, with all funds remaining local, be adopted?”	YES
	NO

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3 (C) For the Paramedic Advanced Life Support Fire Engines and Ambulance Special

4 Tax measure:

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"To maintain City of Albany paramedic, advanced life support, fire engine and ambulance service, with funding that cannot be taken by Sacramento; shall a measure increasing the annual current paramedic advanced life support fire engine and ambulance service special tax from \$23.66 to \$68 per assigned residential unit, providing an additional \$359,600 annually until ended by voters, exempting very low-income residents, with annual independent audits, with all funds remaining local, be adopted?"	YES
	NO

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11 **SECTION 3.** Canvass of Returns. The County election department is authorized to
12 canvass the returns and perform all other proceedings incidental to and connected with the General
13 Municipal Election. The Election shall be held in all respects as if there were only one election,
14 and only one form of ballot shall be used. Pursuant to California Elections Code Sections 10403
15 and 10420, the election will be held and conducted in accordance with the provisions of law
16 regulating the Statewide General Election.
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18 **SECTION 4.** Necessary Steps. The Board of Supervisors is requested to issue
19 instructions to the County election department to take any and all steps necessary for the holding
20 of the consolidated election.
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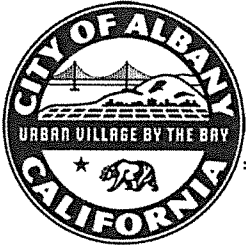
22 **SECTION 5.** Costs. The City of Albany recognizes that additional costs will be incurred
23 by the County by reason of this consolidation and agrees to reimburse the County for any costs.

24 **SECTION 6.** Filing of Resolution. The City Clerk is hereby directed to file a certified
25 copy of this resolution with the Board of Supervisors and the election department of the County
26 of Alameda.
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1 **SECTION 7.** Certification. The City Clerk shall certify to the passage and adoption of
2 this Resolution and enter it into the book of original Resolutions.
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4 **PASSED, APPROVED and ADOPTED** this 6th day of July, 2020.
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9 Nick Pilch, Mayor
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City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2020-71

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF

ALBANY, The 6th day of July, 2020, by the following votes:

AYES: Council Members Barnes, Maass, McQuaid, and Mayor Pilch

NOES: Council Member Nason

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

7th day of July, 2020.

Anne Hsu
CITY CLERK