

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

Agenda Date: June 3, 2024
Reviewed by: NA

SUBJECT: Calling for a General Municipal Election, Requesting Consolidation with the Statewide General Election, and Adopting Regulations for Candidates for Elective Offices for the November 5, 2024 Election

REPORT BY: Anne Hsu, City Clerk

SUMMARY

The action before the Council is to adopt resolutions calling for a general municipal election, requesting consolidation with the Statewide General Election, and adopting regulations for candidates for elective offices for the November 5, 2024 General Municipal Election in accordance with the California Elections Code, Administrative Policy of the Alameda County Registrar of Voters and the City. Separate resolutions will be presented to the Council calling for the November 5, 2024 election, requesting consolidation of the election, and including ballot measures.

STAFF RECOMMENDATION

That the Council adopt:

1. Resolution No. 2024-34, calling and giving notice for the holding of a general municipal election on Tuesday, November 5, 2024, for the election of Members of the City Council and Members of the Board of Education using ranked choice voting (RCV) at large; and
2. Resolution No. 2024-35, requesting the Board of Supervisors of the County of Alameda to consolidate a general municipal election to be held with the Statewide General Election on Tuesday, November 5, 2024; and
3. Resolution No. 2024-36, adopting regulations for candidates for elective offices administered by the local elections official pertaining to candidate statements submitted to the voters

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 Alameda County Board of Supervisors consolidate the City's regular election with the general statewide election. This year, the City is scheduled to hold a general municipal election on Tuesday, November 5, 2024. The City has the following seats up for election: three (3) City Council and two (2) Board of Education.

In 2020, voters approved Measure BB to use ranked choice voting (RCV) at large as the method for elections. The use of RCV does not affect any of the actions stated in the resolution calling the election.

Each election year, the City Council also adopts a resolution which sets the rules and regulations to be followed throughout the course of the election and to serve as guidance to staff in the impartial handling of all candidate statements/filings.

FINANCIAL CONSIDERATIONS

The City does not charge a filing fee for candidates filing for their nomination papers. Additionally, per Resolution No. 2022-72, the fee for submitting a candidate statement for translation and printing cost has been waived. The Albany Unified School District Board of Education at their April 26, 2022, meeting also waived the candidate statement fees for Board of Education candidates with said candidate statement fees to be paid by the Albany Unified School District. The School District shall reimburse the City of Albany for the Board of Education candidate statement fees.

The election cost for a Countywide Consolidated General Election is approximately \$4 - \$6 per voter. In addition, for RCV election, Albany is to pay the proportionate share of service charges and RCV supplies (approximately additional \$64,000 in 2022).

Attachments:

1. Resolution No. 2024-34, calling for General Municipal Election
2. Resolution No. 2024-35, requesting for consolidation with Statewide General Election
3. Resolution No. 2024-36, adopting regulations for the candidates pertaining to candidate statements/filings

1 SECTION 5. That the precincts, ballot drop box locations and hours of operations,
2 vote center locations and hours of operations, vote-by-mail procedures and timing, and election
3 officers, and all other persons and procedures for the General Municipal Election shall be the
4 same as those utilized by the County of Alameda.
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6 SECTION 6. In all particulars not recited in this Resolution, the election shall be held
7 and conducted as provided by law for holding municipal elections.
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9 SECTION 7. The notice of the time and place of holding the election is given and the
10 Election Official is authorized, instructed and directed to give further or additional notice of
11 the election, in time, form and manner as required by law.

12 SECTION 8. The City Council authorizes the Election Official to administer said
13 election, and all reasonable and actual election expenses shall be paid by the City upon
14 presentation of properly submitted bills.
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16 SECTION 9. The City Clerk shall certify to the adoption of this Resolution and shall
17 cause notice of the election, the offices to be filled, and other matters relating to the election to
18 be given as required by the Elections Code of the State of California.
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20 SECTION 10. The City Clerk shall, not later than the 88th day prior to the General
21 Municipal Election to be held on Tuesday, November 5, 2024, file with the Board of
22 Supervisors and the Registrar of Voters of the County of Alameda, State of California, a
23 certified copy of this Resolution.
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JOHN MIKI, MAYOR
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1 large in accordance with Measure BB approved by voters in 2020 and Chapter VII of the
2 Albany Municipal Code.

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4 SECTION 2. That the Alameda County Registrar of Voters is authorized to canvass
5 the returns of the General Municipal Election for the City of Albany. The election shall be
6 held in all respects as if there were only one election, and only one form of ballot shall be used.
7 Pursuant to Elections Code Section 10418, the election will be held and conducted in
8 accordance with the provisions of law regulating the Statewide General Election.

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10 SECTION 3. That the Board of Supervisors of the County of Alameda is requested to
11 issue instructions to the Alameda County Registrar of Voters to take any and all steps necessary
12 for the holding of the consolidated election.

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14 SECTION 4. That the City of Albany recognizes that additional costs will be incurred
15 by the County of Alameda by reason of this consolidation and agrees to reimburse the County
16 of Alameda for any costs upon presentation of reasonably detailed invoices.

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18 SECTION 5. That the City Clerk is hereby directed to forward without delay a certified
19 copy of this resolution to both the Board of Supervisors of the County of Alameda and the
20 Alameda County Registrar of Voters.

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22 SECTION 6. That the City Clerk shall certify to the passage and adoption of this
23 Resolution and enter it into the book of original Resolutions.

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27 JOHN MIKI, MAYOR
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1 or activities. The statement shall be filed in typewritten format in the office of the City Clerk
2 at the time the candidate's nomination papers are filed. The City Clerk will not correct spelling
3 and/or grammatical errors occurring in the candidate statement. The statement may be
4 withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m.
5 of the next working day after the close of the nomination period.

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7 SECTION 2. FOREIGN LANGUAGE POLICY.

8 (A) Pursuant to the Federal Voting Rights Act, candidate statements will be
9 translated into all languages required by the County of Alameda. The County is required to
10 translate candidate statements into the following languages: Chinese, Spanish, Tagalog,
11 Vietnamese.

12 (B) The County will mail separate voter information guides and candidate
13 statements in English and the languages in subsection (A) of Section 2 above to only those
14 voters who are on the county voter file as having requested a voter information guide in a
15 particular language. The County will make the voter information guides and candidate
16 statements in the required languages available at all Vote Centers, County Registrar of Voters
17 Office, on the County's website, and in the Election Official's office.

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19 SECTION 3. PAYMENT.

20 A. The candidate shall not be required to pay for the cost of translating the
21 candidate's statement into any required foreign language as specified in
22 subsections (A) and (B) of Section 2 above pursuant to Federal and State law.

23 B. The candidate shall not be required to pay for the cost of printing the candidate's
24 statement in English in the main voter information guide.

25 C. The candidate shall not be required to pay for the cost of printing the candidate's
26 statement in a foreign language required by subsection (A) of Section 2 above
27 in the main voter information guide.

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29 SECTION 4. MISCELLANEOUS

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- A. That all translations shall be provided by professionally-certified translators as set forth in Elections Code 13307(b).
- B. That candidates' statements shall comply with the formatting and submission guidelines provided by the City Clerk and the Alameda County Registrar of Voters.
- C. That 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.
- D. On August 15, 2024 at 3:00 PM at Albany City Hall, a drawing will be held to determine the position of various candidate names on the ballot pursuant to Albany City Charter Sections 2.03 and 6.03.

SECTION 5. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot or voter information guide package.

SECTION 6. The Elections Official shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 7. All previous resolutions establishing City Council policy on payment for candidates' statements to the extent they are inconsistent herewith are deemed to be of no further force or effect.

SECTION 8. This Resolution shall apply only to the election to be held on November 5, 2024, and shall thereafter be deemed to be of no further force or effect.

SECTION 9. The City Clerk shall certify to the adoption of this Resolution.

JOHN MIKI, MAYOR