

REPORT TO CITY COUNCIL

DATE: JUNE 10, 2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: KIMBERLY RODRIGUES, CITY CLERK/ELECTIONS OFFICIAL

SUBJECT: GENERAL MUNICIPAL ELECTION – NOVEMBER 3, 2020

Effective November 2018, the City of Agoura Hills changed the City's general municipal election date, from odd-numbered years, to consolidate with the County of Los Angeles during statewide general elections in even-numbered years in November.

Pursuant to § 36503 of the Government Code, all elective City offices shall be filled by the City electorate at a general municipal election. This year, two (2) terms of office on the City Council will expire in December 2020. As such, it will be necessary to adopt the appropriate resolutions to commence the election procedure in conformance with the State of California's election laws.

In addition to adopting resolutions to call an election and to adopt regulations for candidates statements, pursuant to § 10403 of the Elections Code, the City Council must also adopt a resolution requesting consolidation with the statewide general election. The resolution requesting consolidation agrees to reimburse the County for the costs of the election services provided to the City for its portion of the consolidated election.

The following three resolutions, relating to the November 3, 2020, General Municipal Election, have been reviewed and approved as to form by the City Attorney:

1. **Resolution No. 20-1936**; Calling and Giving Notice of the Holding of a General Municipal Election to be held on Tuesday, November 3, 2020, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities; and,
2. **Resolution No. 20-1937**; Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements Submitted to the Voters at an Election to be Held on Tuesday, November 3, 2020; and,
3. **Resolution No. 20-1938**; Requesting the Board of Supervisors of the County of Los Angeles to Consolidate a General Municipal Election to be held on November 3, 2020, with the County of Los Angeles General Election to be held on said Date and to Render Specified Services to the City of Agoura Hills Pursuant to § 10403 of the Elections Code.

Persons interested in running for office as a Member of the City Council must be a resident of the City of Agoura Hills and a registered voter in the City at the time nomination papers are issued and throughout the time the person is in office.

Nomination papers are available by appointment, through the Office of the City Clerk, during the nomination filing period beginning Monday, July 13, 2020, and ending Friday, August 7, 2020. The nomination filing period will be extended to August 12, 2020, if any incumbent does not file by the August 7, 2020, deadline.

The City Clerk's Office hours for the 2020 nomination period will be during City Hall normal business hours: 7:00 a.m. to 5:00 p.m. Monday through Thursday and 7:00 a.m. to 4:00 p.m. on Friday. It is anticipated that City Hall will be open during the nomination period. If City Hall is closed, due to the ongoing COVID-19 pandemic, proper arrangements will be made to ensure distribution of the nomination materials to the prospective candidate(s).

RECOMMENDATION

Staff respectfully recommends the City Council adopt Resolution Nos. 20-1936, 20-1937, and 20-1938, and direct the City Clerk to file signed copies of the resolutions with the offices of the County of Los Angeles Board of Supervisors and the Registrar-Recorder/County Clerk, Election Coordination Unit.

Attachments: Resolution Nos. 20-1936, 20-1937, and 20-1938

RESOLUTION NO. 20-1936

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 3, 2020, for the election of Municipal Officers; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, DOES RESOLVE, 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 Agoura Hills, California, on Tuesday, November 3, 2020, a General Municipal Election for the purpose of electing two (2) Members of the City Council for the full term of four (4) years.

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

SECTION 3: That 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 vote centers for the election shall be open as required during the identified voting period pursuant to Elections Code § 4007, except as provided in § 14401 of the Elections Code of the State of California..

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 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 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 8: That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

SECTION 9. That the City Clerk is hereby directed to file a certified copy of this resolution forthwith with the Board of Supervisors and the Registrar-Recorder/County Clerk, Election Coordination Unit, of the County of Los Angeles.

PASSED, APPROVED, AND ADOPTED on this 10th day of June, 2020, by the following vote to wit:

AYES: ()
NOES: ()
ABSTAIN: ()
ABSENT: ()

Illece Buckley Weber, Mayor
City of Agoura Hills

ATTEST:

Kimberly M. Rodrigues, MPPA, MMC
City Clerk

RESOLUTION NO. 20-1937

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

WHEREAS, § 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:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1: GENERAL PROVISIONS.

That 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 Agoura Hills on November 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 2: FOREIGN LANGUAGE POLICY.

- A. Pursuant to the Federal Voting Rights Act, the City is not required at this time to translate candidate statements into additional languages.
- B. Pursuant to State law, the candidates statement must be translated and printed (Official Sample Ballot and Voter Information Pamphlet) in any language at the candidate's request.
- C. The City Clerk shall:
 - 1. Have translated those statements into the language as requested by the candidate in (B) above.

2. Print any translations of candidates who so request printing in the Official Sample Ballot and Voter Information Pamphlet.

SECTION 3: PAYMENT.

- A. The candidate shall be required to pay for the cost of printing the candidates statement in English in the Official Sample Ballot and Voter Information Pamphlet.
- B. The candidate shall be required to pay for the cost of translating the candidates statement into any foreign language as specified in (B) above pursuant to Federal and/or State law.
- C. The candidate shall be required to pay for the cost of printing the candidates statement in a foreign language requested by the candidate in the Official Sample Ballot and Voter Information Pamphlet.

The City Clerk ("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 Official Sample Ballot and Voter Information 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 City 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 City Clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days of the election.

SECTION 4: ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 5: That the City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time the nominating petitions are issued.

SECTION 6: That all previous resolutions establishing City Council policy on payment for the candidate statement are repealed.

SECTION 7: That this Resolution shall apply only to the election 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.

SECTION 9. That the City Clerk is hereby directed to file a certified copy of this resolution forthwith with the Board of Supervisors and the Registrar-Recorder/County Clerk, Election Coordination Unit, of the County of Los Angeles.

PASSED, APPROVED, AND ADOPTED on this 10th day of June, 2020, by the following vote to wit:

AYES: ()
NOES: ()
ABSTAIN: ()
ABSENT: ()

Illece Buckley Weber, Mayor
City of Agoura Hills

ATTEST:

Kimberly M. Rodrigues, MPPA, MMC
City Clerk

RESOLUTION NO. 20-1938

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, WITH THE COUNTY OF LOS ANGELES GENERAL ELECTION TO BE HELD ON SAID DATE AND TO RENDER SPECIFIED SERVICES TO THE CITY OF AGOURA HILLS, PURSUANT TO § 10403 OF THE ELECTIONS CODE

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, there has been called and ordered a General Municipal Election to be held in the City of Agoura Hills, California ("the City") on November 3, 2020, for the election of two (2) Members of the City Council for the full term of four (4) years (a copy of Resolution No. 20-1936 calling said election is attached hereto and incorporated herein by reference).

WHEREAS, the County of Los Angeles will conduct a General Election on the same day in territory that is in part the same; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the County of Los Angeles General Election to be held on the same date and that within the City the precincts, vote centers, and election officers of the two elections be the same, that the County of Los Angeles canvass the returns of the General 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 AGOURA HILLS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That 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 County of Los Angeles General Election on Tuesday, November 3, 2020, for the purpose of the election of two (2) Members of the City Council and the possible submission of a ballot question or questions to the voters of the City.

SECTION 2. That the County of Los Angeles 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 the law regulating the general election.

SECTION 3. That the Board of Supervisors is requested to issue instructions to County of Los Angeles Registrar-Recorder/County Clerk to take any and all steps necessary for the holding of the consolidated election.

SECTION 4. That the City of Agoura Hills recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any such costs upon presentation of a reasonably detailed invoice.

SECTION 5. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

SECTION 6. That the City Clerk is hereby directed to file a certified copy of this resolution forthwith with the Board of Supervisors and the Registrar-Recorder/County Clerk, Election Coordination Unit, of the County of Los Angeles.

PASSED, APPROVED, AND ADOPTED on this 10th day of June, 2020, by the following vote to wit:

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