



DATE: June 23, 2020

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Adopt a Resolution Calling for the City of Hayward General Municipal Election to be Consolidated with the Presidential General Election to Be Held on November 3, 2020, for the Purpose of Electing Four Council Members for Full Terms of Four Years; and Adopt a Resolution Setting Regulations for Candidates Pertaining to Candidate Statements

RECOMMENDATION

That Council 1) Adopts a resolution: a) Calling and ordering to be held in the City of Hayward, California, on Tuesday, November 3, 2020, a General Municipal Election for the purpose of electing four Council Members for full terms of four years; and b) Requesting the Alameda County Board of Supervisors to render specified services to the City relating to the conduct of a General Municipal Election (Attachment II); and 2) Adopts a resolution establishing regulations for candidates pertaining to candidate statements submitted to the voters (Attachment III).

SUMMARY

A general municipal election will be held in the City of Hayward on Tuesday, November 3, 2020, under the authority of the City Charter and laws in the State of California. The purpose of the election is to elect four Council Members for full terms of four years. The incumbents are Council Member Márquez, Council Member Mendall, Council Member Salinas and Council Member Zermeño.

BACKGROUND AND DISCUSSION

Pursuant to the requirements of the City Charter and the Elections Code of the State of California relating to general municipal elections, the City Council is requested to adopt a resolution calling a general municipal election and requesting the Alameda County Board of Supervisors to order the consolidation of the City of Hayward General Municipal Election with the Presidential General Election to be held on Tuesday, November 3, 2020. Due to expiring terms, it is necessary to elect four Council Members for full terms of four years. The Council is also requested to adopt a resolution setting forth particulars of the election relating to candidate statements.

According to Elections Code 10220, the first day for issuing nomination papers is Monday, July 13, 2020, and the last day is Friday, August 7, 2020, at 5:00 p.m. If an incumbent decides not to seek re-election, the nomination period extends to Wednesday, August 12, 2020. The Secretary of State will conduct a random alpha drawing on August 13, 2020, to determine the order in which candidate names will appear on the ballot.

The Alameda County Registrar of Voters, through direction by the Alameda County Board of Supervisors, will provide the following services: verify signatures on nomination papers; prepare and supply indices with precinct information; provide voter registration information; assist in all election services as required in the conduct of this election; and provide services to complete the canvass of returns. With this consolidation, the City's sample ballot and optional candidate statements will be incorporated into the Alameda County Voter Pamphlet.

In light of the novel coronavirus (COVID-19) pandemic and State of California related Executive Orders requiring stay at home issued by Governor Newsom, the office of Secretary of State has provided guidance and options for elections officials to maintain safety while issuing candidate documents, executing candidate documents, and receiving completed documents by established filing deadlines. The issuance and processing of candidate documents will be handled in person by appointment, via mail, or email, according to the Elections Code and guidance from Secretary of State. Advisories and guidance to elections officials are provided on the Secretary of State website.¹

The Alameda County Registrar of Voters estimates the total cost of printing, handling, translating, and mailing the candidates' statements, including costs incurred as a result of complying with the Voting Rights Act of 1965, as amended. Each candidate filing a statement will be required to pay in advance an estimated pro rata share as a condition of having the statement included in the voter's pamphlet. The estimated cost is an approximation of the actual cost which varies from one election to another and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements and other factors. Accordingly, the candidate could be billed for additional actual expenses or refunded any excess paid depending upon the final actual cost.

The 2020 Consumer Price Index adjustment for the City's Campaign Voluntary Expenditure Limit was calculated in January and adjusted to \$77,754. Hayward's Municipal Code, Chapter 2, Article 13, Section 2-13.04 states that if a candidate accepts the voluntary expenditure limit for his or her campaign, then she/he is entitled to accept the established contribution limit, now adjusted to \$1,524 per contributor. If a candidate does not accept the voluntary expenditure limit, then the contribution limit is \$359 per contributor. During the election cycle, campaign disclosure statements for all candidates will be posted on the City's website

¹ California Secretary of State – November 2020 Election Guidance
<https://www.sos.ca.gov/elections/advisories-county-elections-officials/2020-advisories-county-elections-officials/jun/>

under the Elections Page – Public Portal for Campaign Finance Disclosure² within twenty-four hours of receipt.

The General Municipal Election Calendar (Attachment IV) provides a list of pertinent dates related to the election.

STRATEGIC ROADMAP

This agenda item is a routine operational item and does not relate to the six priorities outlined in the Council’s Strategic Roadmap.

FISCAL IMPACT

The Alameda County Registrar of Voters has published the estimated cost for consolidated elections at \$4 to \$6 per registered voter. Based on the published amount, the City had estimated the cost at \$300,000; however, given prior election year actual expenses, the City is budgeting \$250,000 in FY 2021 understanding that staff may return to Council for an additional allocation should costs exceed the budgeted amount.

PUBLIC CONTACT

Information regarding the election is available on the City’s website at: <https://www.hayward-ca.gov/your-government/elections>

The Notice of Election will be published in the East Bay Times – Daily Review on Friday, July 3, 2020, as prescribed by Section 12101 of the California Elections Code. Additionally, requirements pertaining to the election will be published on the City’s Elections webpage and included in the 2020 Election Guide which will be provided to each candidate running for office in the November 3, 2020 election.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:



Kelly McAdoo, City Manager

² Elections Page – Public Portal for Campaign Finance Disclosure
<https://public.netfile.com/pub2/Default.aspx?aid=HWD>