



## AGENDA REPORT

**TO:** Honorable Mayor and Members of City Council  
**FROM:** Sandra Kandell, Deputy City Clerk  
**MEETING DATE:** June 15, 2016  
**SUBJECT:** Resolution Calling November 8, 2016 Municipal Election for Mayor and Councilmembers  
**CEQA:** Does not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines

### RECOMMENDATION

Adopt a resolution calling the general municipal election for Mayor and City Councilmembers, consolidating the municipal election with the statewide election on November 8, 2016, and authorizing the Monterey County Election Department to provide services.

### DISCUSSION

In keeping with the City Charter, the general municipal election will be held on November 8, 2016 for Mayor (two-year term) and three Councilmembers (four-year terms). Incumbents whose seats are up for election include Mayor Kampe and Councilmembers Huitt, Lucius, and Miller. The regular nomination filing period opens on July 18 at 8 a.m. and closes on August 12, 2016 at 5 p.m. Additionally, Charter Article 12 provides the term for any Councilmember who files for the office of Mayor shall automatically expire on the Tuesday following the election, and the nomination filing period for that seat shall be extended to August 17, 2016. Nomination forms must be obtained from, and filed with, the City Clerk's office during the nomination filing period.

In keeping with the Elections Code, the attached resolution calls for consolidation of the election with the statewide election and authorizes a contract with the Monterey County Election Department for services. The request for consolidation must be submitted to Monterey County by August 12, 2016.

### FISCAL IMPACT

The estimated budgeted cost of the Election is \$56,490 – 75,320.

### ATTACHMENTS

1. Resolution
2. Service Agreement with the Monterey County Registrar of Voters

RESPECTFULLY SUBMITTED:

*Sandra Kandell*

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Sandra Kandell, Deputy City Clerk

REVIEWED BY:

*Ben Harvey*

\_\_\_\_\_  
Ben Harvey, City Manager

## **RESOLUTION NO. 16-XXX**

### **CALLING A GENERAL MUNICIPAL ELECTION IN THE CITY OF PACIFIC GROVE ON NOVEMBER 8, 2016 FOR ELECTION OF MAYOR AND COUNCILMEMBERS AND REQUESTING THE COUNTY CONSOLIDATE THIS ELECTION WITH THE GENERAL STATEWIDE ELECTION**

#### **FINDINGS**

1. In accord with Article 8 of the Charter of the City of Pacific Grove and the General Laws of the State of California, a General Municipal Election shall be held in the City of Pacific Grove on Tuesday, November 8, 2016, for election of a Mayor for the full term of two years, and three Councilmembers for full terms of four years each. The General Election shall be held on Tuesday, November 8, 2016, from the hours of 7:00 a.m. until 8:00 p.m.; thereafter polls shall be closed.
2. Qualified electors at said Election shall be entitled to vote for nominees for the following offices: Office of Mayor (a two-year term), with one person to be elected; and Office of Councilmember (four-year terms), with three persons to be elected. Additionally, the term for any Councilmember who files for the office of Mayor shall automatically expire on the Tuesday following the election, and the nomination filing period for the unexpired term for that seat shall be extended to August 17, 2016. Qualified electors at said Election shall also be entitled to vote for any initiative(s) and/or measure(s) that may hereafter qualify for placing on the ballot.
3. The Pacific Grove City Council requests the Monterey County Board of Supervisors consolidate the General Municipal Election with the General Statewide Election scheduled for Tuesday, November 8, 2016. The City Council requests consolidation of election precincts, polling places and voting booths be the same as for the General Statewide Election, and to further that the form of a ballot used within the City of Pacific Grove specify duly qualified candidates for the offices and for any initiative(s) and/or measure(s) that may hereafter qualify for the ballot.
4. The Pacific Grove City Council further requests the Monterey County Board of Supervisors order the County Registrar of Voters prepare and mail sample ballots with candidates' statement and any initiative(s) and/or measure(s) ballot that may hereafter qualify for placement on the ballot to the qualified electors of the City; obtain appropriate precinct locations and trained precinct workers; prepare and count the ballots on Election Night or thereafter; and certify the election results, in the manner provided by law.
5. Pursuant to Elections Code Section 13307, the City resolves that each candidate shall pay for cost of his or her candidate's statement; each statement shall not exceed 200 words.
6. The City Clerk and County Registrar of Voters are authorized to print forms, publish notices and provide information as may be necessary or convenient to assure the orderly

conduct of the election, and they shall do all other things necessary to facilitate the holding of the election in a manner consistent with law.

7. The Registrar of Voters is authorized to bill the City, on a prorated basis, for costs associated with this General Municipal Election.
8. A Notice of Election shall be published in an official newspaper of general circulation in the City in accordance with the Elections Code.
9. Except as otherwise recited in this resolution, the election shall be held and conducted as provided by the general law for holding municipal elections.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:**

1. The foregoing Findings are adopted as findings of the City Council as though set forth fully herein.
2. The City Council authorizes the City Manager to enter into an Agreement with the County of Monterey Elections Division to provide election services to the City for the General Municipal Election on November 8, 2016.
3. The Agreement entitled, "Service Agreement for the Provision of Election Services between the City of Pacific Grove and Monterey County Registrar of Voters" is hereby approved and incorporated herein by reference.
4. This Resolution shall take immediate effect following passage and adoption thereof.

**PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE**  
this 15<sup>th</sup> day of June, 2016, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

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BILL KAMPE, Mayor

ATTEST:

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SANDRA KANDELL, Deputy City Clerk

APPROVED AS TO FORM:

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DAVID C. LAREDO, City Attorney

SERVICE AGREEMENT FOR THE PROVISION OF ELECTION

SERVICES BETWEEN the City of Pacific Grove AND  
City

MONTEREY COUNTY REGISTRAR OF VOTERS  
November 4, 2016

This Agreement, entered into this \_\_\_\_ day of \_\_\_\_\_ 2016, by and between the  
City of Pacific Grove and Monterey County Registrar of Voters (hereinafter referred to as  
City  
Registrar of Voters);

WHEREAS, it is necessary and desirable that the Registrar of Voters be retained for the  
purpose of conducting an election hereinafter described for the City of Pacific Grove  
City  
(hereinafter referred to as the City);

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

SERVICES TO BE PERFORMED BY THE CITY:

- 1) No later than the 88th day prior to the election the City shall submit a resolution requesting the Registrar of Voters for Monterey County to conduct an election for the City on NOVEMBER 8, 2016, and requesting election related services of the Registrar of Voters.
- 2) The City shall publish the Notice of Election and the Notice to File Declarations of Candidacy for the offices to be voted on, and/or the Notice to File Arguments for or against any measure.
- 3) The City shall submit to the Registrar of Voters in writing the exact number of offices to be voted on and the names and ballot designations of the candidates for those offices, and/or the exact ballot wording to be voted by no later than the 88th day prior to the election, or by the 83rd day prior to the election if Elections Code §§ 10225, 10229, and 10407 are applicable.
- 4) The City shall prepare and deliver to the Registrar of Voters the Voter Guide information containing, as applicable, candidates' statements of qualifications, and/or ballot measure, tax rate statements impartial analysis, arguments for or against and rebuttals thereto. The last day for the

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Election Service Agreement  
County of Monterey Registrar of Voters and City of Pacific Grove

NOVEMBER 8, 2016

submission of primary arguments (300 words) shall be no later than August 19, 2016. The last day for the submission of rebuttal arguments (250 words) and impartial analysis shall be no later than August 29, 2016.

- 5) The City shall be responsible for reviewing and approving the language of the sample ballot and official ballot wording for the Candidates and Measures no later than September 9, 2016.

SERVICES TO BE PERFORMED BY REGISTRAR OF VOTERS:

- 1) The Registrar of Voters shall select and contract with the sample and official ballot printer(s) on behalf of the City.
- 2) The Registrar of Voters shall prepare and deliver to the printer the official ballot information.
- 3) The Registrar of Voters shall issue, receive and process all ballots on behalf of the City matters.
- 4) The Registrar of Voters shall procure all necessary and appropriate polling place locations, hire polling place workers, and conduct the election in accordance with all applicable state, federal and local laws.
- 5) The Registrar of Voters shall prepare a Canvass of Votes Cast and submit a Certificate of Registrar of Voters to the City regarding the City matters.
- 6) The Registrar of Voters shall conduct other various and miscellaneous election activities as required including but not limited to all those required as the City's Election Official other than those described under "Services to be Performed by the City".

TERMS:

This Agreement shall be in effect for the performance of all services incident to the preparation and conduct of the election to be held on November 8, 2016.

In the event the Registrar of Voters is unable to perform services required under this Agreement, as a result of employer/employee relation conditions, vendor conditions or other conditions beyond the control of the Registrar of Voters, the Registrar of Voters will be relieved of all obligations under this Agreement. The Registrar of Voters may terminate this agreement after giving 72 hours written notice and the Registrar of Voters will be relieved of all obligations.

This agreement can be mutually terminated upon a 30 days' advance written notice.

CONSIDERATION:

In consideration of the performance of services and supplies provided by the Registrar of Voters, the City shall pay to the Registrar of Voters a sum equal to the actual cost of such services, expenses, and supplies related to the work performed on behalf of City. In the event that this Agreement is terminated prematurely, the City shall pay to the Registrar a sum equal to the actual cost of such services performed or supplies/expenses incurred as of the effective date of the termination.

The City shall make payment within 30 days of receipt of invoice from Registrar of Voters.

CITY:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

COUNTY:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_