



DATE: June 26, 2018

CATEGORY: Consent

DEPT.: City Clerk/City Attorney

TITLE: **General Municipal Election –
November 6, 2018**

RECOMMENDATION

1. Adopt resolutions pertaining to the 2018 General Municipal Election as follows:
 - a. A Resolution and Order of the City Council of the City of Mountain View Calling a General Municipal Election for the Purpose of Electing Three (3) Members of the City Council, Requesting the Board of Supervisors to Authorize the Registrar of Voters to Contract for Election Services, Authorizing the City Clerk to Contract with the County of Santa Clara Pertaining to Services to be Performed by the County in Connection with the General Municipal Election to be held on Tuesday, November 6, 2018 and Related Actions, to be read in title only, further reading waived (Attachment 1 to the Council report).
 - b. A Resolution Adopting a 200-Word Maximum for a Candidate's Statement of Qualifications and Charging Each Candidate for a Fixed Share of Costs of the Printing, Handling, Translating, and Mailing for the General Municipal Election to Be Held on Tuesday, November 6, 2018, to be read in title only, further reading waived (Attachment 2 to the Council report).
2. Direct the City Clerk and the City Attorney to take all necessary actions to do the following:
 - a. Call a General Municipal Election;
 - b. Request the Board of Supervisors of the County of Santa Clara to consolidate a General Municipal Election with the Statewide election to be held on Tuesday, November 6, 2018; and
 - c. Take related actions.

BACKGROUND AND ANALYSIS

Council is required to take certain actions in order to consolidate the election of three Councilmembers with the General Municipal Election of November 6, 2018. As part of calling the election, Council must also take an action regarding the statements of the candidates that are included in the voter's pamphlets. Candidates who file a statement of acceptance of the Voluntary Expenditure Limit (VEL) and pay the first \$500 for the cost of publishing the 200-word candidate statement will be eligible to have the City pay for the balance of the cost of the candidate statement subject to certain limitations. The estimated full cost of a candidate statement is \$2,316. The VEL, campaign finances, and the candidate statements are interrelated. A VEL for each candidate for each election to City elective office was established in 2000 in the amount of Fifteen Thousand Dollars (\$15,000) and provides an automatic adjustment of the expenditure ceiling at the rate of 3 percent per year to keep pace with the changes in the cost of living. The VEL for the November 6, 2018 election is \$25,539. Each candidate is required to file, at the time of filing his/her nomination papers, a statement of acceptance or rejection of the voluntary expenditure ceiling.

The cost of the candidate statement, whether paid by the candidate or the City, contributions returned by the candidate to the contributor within 30 days of receipt, and expenditures paid from a campaign bank account not related to the support of a candidacy (e.g., maintenance of a P.O. box after an election; an after-election party) do not count toward the VEL. For any violation of the VEL, a notice of violation is posted on the City's website and at the official posting board at City Hall, and the notice is forwarded to a newspaper of general circulation for publication. A repayment to the City of the costs of the candidate's statement is required if a candidate exceeds the VEL. Repayment is due within 30 days of exceeding the limit. The candidate must repay the City 25 percent of the amount the City paid toward the candidate statement if he/she exceeds the VEL by no more than Five Hundred Dollars (\$500). The candidate must repay the City the entire amount of the City contribution if he/she exceeds the VEL by more than Five Hundred Dollars (\$500).

FISCAL IMPACT

One Hundred Thousand Dollars (\$100,000) is budgeted in Fiscal Year 2018-19 to conduct the election of Councilmembers, based on an estimate provided by the County Registrar of Voters. This estimate includes the amount required to cover a portion of the cost of the candidate statement fee the City pays for each candidate who accepts the VEL of \$25,539 pursuant to Campaign Finance and Voluntary Expenditure Limit Program.

CONCLUSION

The attached resolutions set forth the actions required to consolidate the forthcoming election and establish a 200-word limit for candidate statements. The resolutions conform with our City Charter which incorporates the provisions set forth in the California Elections Code.

PUBLIC NOTICING – Agenda posting.

Prepared by:

Lisa Natusch
City Clerk

Jannie L. Quinn
City Attorney

LN-JLQ/WW/4/CAM
430-06-26-18CR-E

- Attachments:
1. A Resolution and Order of the City Council of the City of Mountain View Calling a General Municipal Election for the Purpose of Electing Three (3) Members of the City Council, Requesting the Board of Supervisors to Authorize the Registrar of Voters to Contract for Election Services, Authorizing the City Clerk to Contract with the County of Santa Clara Pertaining to Services to be Performed by the County in Connection with the General Municipal Election to be held on Tuesday, November 6, 2018 and Related Actions
 2. A Resolution Adopting a 200-Word Maximum for a Candidate's Statement of Qualifications and Charging Each Candidate for a Fixed Share of Costs of the Printing, Handling, Translating, and Mailing for the General Municipal Election to Be Held on Tuesday, November 6, 2018