



**DATE:** June 9, 2020

**CATEGORY:** Consent

**DEPT.:** City Clerk's Office

**TITLE:** **General Municipal Election for Four Councilmembers – November 3, 2020**

### **RECOMMENDATION**

1. Adopt resolutions pertaining to the 2020 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 Four (4) 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 3, 2020 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 3, 2020, to be read in title only, further reading waived (Attachment 2 to the Council report).
2. Direct the City Clerk 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 3, 2020; and
  - c. Take related actions.

## **BACKGROUND AND ANALYSIS**

Council is required to take certain actions in order to consolidate the election of four Councilmembers with the General Municipal Election of November 3, 2020. The Elections Code requires action by the Council to call the election and to request from the Santa Clara County Board of Supervisors consolidation of such election with the Statewide election.

As part of calling the election, Council must also take an action regarding the statements of the candidates that are included in the Voter Information Guide. Each candidate is required to file, at the time of filing, his/her nomination papers and a statement of acceptance or rejection of the voluntary expenditure limit. Pursuant to Article XII, Division 3, Section 2.151 of the Mountain View City Code, 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 \$3,120. 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 \$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 3, 2020 election is \$27,094.

The following items do not count toward the VEL: (1) the cost of a candidate statement, whether paid by the candidate or the City; (2) contributions returned by the candidate to a contributor within 30 days of receipt; (3) fees paid to the Secretary of State for opening/maintaining committees; and (4) 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). 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, which is due within 30 days of exceeding the limit. If a candidate exceeds the VEL by no more than \$500, the candidate must repay the City 25 percent of the amount the City paid toward the candidate statement. If a candidate exceeds the VEL by more than \$500, the candidate must repay the City the entire amount of the City contribution.

The attached resolutions set forth the actions required to consolidate the election and establish a 200-word limit for candidate statements. The resolutions conform with the

City Charter, which incorporates the provisions set forth in the California Elections Code, and the City Code.

**FISCAL IMPACT**

One Hundred Fifty-Eight Thousand Dollars (\$158,000) has been proposed in the Fiscal Year 2020-21 budget for the election of Councilmembers, based on an estimate provided by the County Registrar of Voters and for the cost of legal advertising. 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 \$27,094.

**PUBLIC NOTICING** – Agenda posting.

Prepared by:

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City Clerk

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Attachments: 1. Resolution – Calling Election  
2. Resolution – Candidate Statement