RESOLUTION NO. 50-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY CALLING THE REGULAR GENERAL MUNICIPAL ELECTION FOR THREE CITY COUNCIL SEATS; REQUESTING THE CONSOLIDATION OF ELECTIONS ON NOVEMBER 3, 2020; REQUESTING THE COUNTY REGISTRAR TO PERFORM ELECTION SERVICES IN CONNECTION WITH SAID CONSOLIDATED ELECTION; SETTING SPECIFICATIONS OF THE ELECTION ORDER; AND AUTHORIZING THE CITY TO REIMBURSE THE COUNTY REGISTRAR OF VOTERS FOR ELECTION SERVICES PERFORMED

WHEREAS, the terms of three City Council seats will expire in November 2020, and the City Council desires to submit to the voters election of three candidates to said City Council seats, at-large, for full terms of four years at its regularly scheduled general municipal election on November 3, 2020; and

WHEREAS, the City Council desires to have the Contra Costa County Registrar of Voters to render certain services in connection with the primary election; and,

WHEREAS, Elections Code Section 10400, et seq., authorizes the City and the County to consolidate elections that may be held in whole or in part of the territory of the City; and,

WHEREAS, Elections Code Section 10002 provides that the City may, by resolution, request the Board of Supervisors to permit the County elections official to render specified services to the City related to the conduct of an election and that the City shall reimburse the County in full for the services performed upon presentation of a bill to the City by the County Elections Official; and,

WHEREAS, Elections Code Section 13307 provides that before the nominating period opens the City shall determine whether a charge shall be levied against a candidate for the candidate's statement to be sent to each voter; that the governing body may estimate the cost of printing, handling, translating and mailing candidate's statements and may require each candidate filing a statement to pay in advance his or her pro rata share of this cost as a condition of having his or her statement included in the voter pamphlet; and,

WHEREAS, Elections Code Section 15651 requires that tie votes shall be determined by lot and that a special runoff election shall be held only if the City Council chooses to adopt the provisions of Elections Code Section 15651(b) prior to the conduct of the election resulting in the tie vote.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oakley that pursuant to the requirements of the laws of the State of California relating to municipal elections, there shall be called and ordered held in the City of Oakley, County of Contra Costa, State of California, on Tuesday, November 3, 2020 a general municipal election of the qualified electors of the City of Oakley for the purpose of electing three (3) members of

the City Council for a full term of four (4) years each. In all particulars not recited in this Resolution, said general municipal election shall be held and conducted as provided for by law for the holding of municipal elections in the City of Oakley.

BE IT FURTHER RESOLVED that pursuant to Section 10400, et seq., of the Elections Code, the Board of Supervisors of the County of Contra Costa is hereby requested to consent and agree to the consolidation of the City of Oakley's general municipal election with other elections which may be held in whole or in part of the territory of the City on Tuesday, November 3, 2020.

BE IT FURTHER RESOLVED that, pursuant to certain provisions of the California Elections Code, the Board of Supervisors is hereby authorized and directed to canvass the returns of the election and to direct the Contra Costa County Registrar to conduct all necessary services related to the Oakley General Municipal Election in accordance with the provisions in this resolution and applicable state law. The City Manager is hereby authorized to reimburse the County of Contra Costa for all costs and expenses incurred by the County for all services performed in conducting said election upon presentation of a bill to the City by the County.

BE IT FURTHER RESOLVED that the City Council hereby determines that:

1.   A candidate for City Council shall pay for processing his or her statement for the November 3, 2020 Election. The requirements for filing candidate's statements shall be as set forth in Exhibit A attached hereto and applicable state law.

2.   Unless otherwise provided by law, the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day.

3.   In accordance with Elections Code Section 15651(a), a tie vote shall be determined by drawing lots.

4.   Each candidate shall also pay a $25.00 filing fee to offset the City's administrative costs associated with processing election documents. This fee shall be paid to the City of Oakley when nomination papers are filed with the City Clerk.

5.   During the Nomination Period, prospective candidates can pull and file required nomination papers with the City Clerk or the City of Oakley Elections Official by appointment only during regular business hours: Monday through Thursday (8:00am-6:00pm) and Friday (8:00am-5:00pm). Presently, the City is complying with applicable state and local orders concerning the COVID-19 public-health emergency. Unless state or local health authorities authorize the full reopening of Oakley City Hall, appointments are required during the nomination period due to the closure of the City Hall lobby. In addition, and even if City Hall is reopened, prospective candidates may pull or file required nomination papers on the first and third Fridays of each month (July 17, 2020 and August 7, 2020), which are regular City Hall closure days; however, appointments on these days will be required and only available from 8:00 a.m. – 5:00 p.m. Candidates are strongly encouraged not to wait until the last day to pull or file nomination papers.
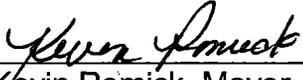
6.   No boundary changes have been made in the City of Oakley since Oakley's previous General Municipal Election held November 6, 2018.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors of Contra Costa County and the County Election Official of the County of Contra Costa and to publish the Notice of Election in accordance with Elections Code Section 12101.

PASSED, APPROVED AND ADOPTED this 12th day of May, 2020 by the following vote:

AYES: Alaura, Higgins, Krieg, Pope, Romick
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

Kevin Romick, Mayor

ATTEST:

Libby Vreonis, City Clerk

5 - 13 - 2020

Date

EXHIBIT A

City of Oakley
Requirements for Candidate's Statements
for Inclusion in the Voter Pamphlet

1. Candidate's statements shall not exceed 250 words each.

2. Candidate's statements shall comply with the provisions of Elections Code Section 13307.

3. Candidate's statements shall be prepared on the form provided by the City Clerk to meet the requirements of the Contra Costa County Elections Department.

4. The cost of printing, handling, translating and mailing the candidate's statements shall be charged to each candidate on a pro-rata basis. As a condition of having the statement published, the candidate will pay the cost at the time of filing. Based on the amount provided by the Contra Costa County Elections Department, the City Council hereby establishes the cost for a 250-word candidate's statement as $524.00.