



Item No. 3 Town of Atherton

CITY COUNCIL STAFF REPORT – REGULAR AGENDA

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

FROM: ANTHONY SUBER, DEPUTY CITY MANAGER / CITY CLERK

DATE: JULY 8, 2020

**SUBJECT: ADOPTION OF A RESOLUTION TO CONSOLIDATE AND CALL THE
NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION AND
CONTRACT WITH THE CHIEF ELECTIONS OFFICE FOR ELECTION
SERVICES**

RECOMMENDATION

1. Adopt a Resolution calling and ordering a Tuesday, November 3, 2020 General Municipal Election for the Town of Atherton, for the purpose of electing two members to the City Council: and
2. Authorizing the City Manager to enter into a service agreement with San Mateo County's Chief Election Officer to conduct the election; and
3. Requesting the Board of Supervisors of the County of San Mateo to consolidate a Municipal Election to be held on November 3, 2020, with the Statewide General Election held on that date pursuant to Section 10403 of the Election Code.

BACKGROUND | ANALYSIS

Pursuant to State law and Town of Atherton Municipal Code Section 2.32.010 relating to elections, a regular General Election is to be held on every even numbered year for the purpose of filling vacant and/or term expired council seats. A General Municipal Election will take place on Tuesday, November 3, 2020 in which the Town of Atherton Council will have two (2) terms expiring.

The City Council will have two (2) expired terms as of December 2020. The terms that are expiring are held by Cary Wiest and Elizabeth Lewis. In order to meet requirements, set by the Election Code, the City Clerk:

- Prepared the staff report and resolutions calling and ordering the General Municipal Election;
- Prepare and execute the San Mateo County Service Agreement to conduct the election and deliver it to the County Chief Elections Officer with a copy of the certified resolution after adoption; and

- Publish a Notice of Election in a local adjudicated newspaper

The nomination period opens on Monday, July 13, 2020 at 8:00 AM and closes at 5:00 PM, on Friday, August 7, 2020 unless an incumbent does not file. In the event an incumbent does not file by 5:00 PM on August 7th, the filing period will be extended to 5:00 PM on Wednesday, August 12, 2020.

POLICY FOCUS

The recommendations in this report are consistent with Town policies and Council goals.

FISCAL IMPACT

\$10,000 has been appropriated in the Fiscal Year 2020 – 21 General Fund Budget in preparation for this election. San Mateo County will provide a final accounting and invoice to the City by January 2021.

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town’s electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town’s electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.

COMMISSION/COMMITTEE FEEDBACK/REFERRAL

This item ___ has or X has not been before a Town Committee or Commission.

- ___ Audit/Finance Committee (meets every other month)
- ___ Bicycle/Pedestrian Committee (meets as needed)
- ___ Civic Center Advisory Committee (meets as needed)
- ___ Environmental Programs Committee (meets every other month)
- ___ Park and Recreation Committee (meets each month)
- ___ Planning Commission (meets each month)
- ___ Rail Committee (meets every other month)
- ___ Transportation Committee (meets every other month)

ATTACHMENTS

1. Resolution Calling the Election
2. Resolution for Board of Supervisors

RESOLUTION NO. 20- __

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF
ATHERTON CALLING AND ORDERING A GENERAL
MUNICIPAL ELECTION TO BE HELD ON TUESDAY,
NOVEMBER 3, 2020; AND AUTHORIZING THE CITY MANAGER
TO ENTER INTO A SERVICE AGREEMENT WITH THE SAN
MATEO COUNTY CHIEF ELECTIONS OFFICER TO CONDUCT
THE TOWN’S ELECTION**

WHEREAS, under the provisions of State law and the Town of Atherton (“Town”) Municipal Regulations relating to elections, there is to be a General Municipal Election, Tuesday, November 3, 2020 for the purpose of electing two members to the City Council to each fill a four-year term; and

WHEREAS, a service agreement will be prepared and forwarded by the City Clerk to the San Mateo County Chief Elections Officer for the purpose of conducting the General Municipal Election for the Town of Atherton; and

WHEREAS, the City Clerk will cause a legal notice calling and ordering an election to be published in an adjudicated newspaper; and

WHEREAS, ten thousand dollars (\$10,000) has been appropriated from the Town’s General Fund in the 2020-21 Fiscal Budget to cover the cost of the San Mateo County’s Registration & Elections Division (“County”) services to the City connected to this election and the Town will receive an invoice from the County in January 2021

NOW, THEREFORE, BE IT RESOLVED by the City Council of the Town of Atherton as follows:

THAT, the Town of Atherton calls and orders a Tuesday, November 3, 2020 General Municipal Election for the Town of Atherton, for the purpose of electing two members to the City Council; and

THAT, the Town authorizes the City Manager to enter into a service agreement with San Mateo County’s Chief Election Officer to conduct the election; and

THAT, the Town requests the Board of Supervisors of the County of San Mateo to consolidate a municipal Election to be held on November 3, 2020, with the Statewide General Election held on that date pursuant to section 10403 of the Elections Code.

* * * * *

ATTACHMENT 1

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a Regular meeting thereof held on this 8th day of July, 2020, by the following vote:

<i>AYES:</i>	<i>COUNCILMEMBERS:</i>
<i>NOES:</i>	<i>COUNCILMEMBERS:</i>
<i>ABSENT:</i>	<i>COUNCILMEMBERS:</i>
<i>ABSTAIN:</i>	<i>COUNCILMEMBERS:</i>

ATTEST:

Rick DeGolia, MAYOR
TOWN OF ATHERTON

Anthony Suber, City Clerk

APPROVED AS TO FORM:

Mona G. Ebrahimi, City Attorney

RESOLUTION NO. 20- __

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF
ATHERTON REQUESTING THE BOARD OF SUPERVISORS OF
THE COUNTY OF SAN MATEO TO CONSOLIDATE A
MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL
ELECTION TO BE HELD ON NOVEMBER 3, 2020 PURSUANT TO
SECTION 10403 OF THE ELECTIONS CODE**

WHEREAS, under the provisions of Elections Code Section 1001, et seq. relating to elections, there is to be a Presidential General Election (“General Election”) on Tuesday, November 3, 2020, and

WHEREAS, it is desirable that the Town of Atherton (“Town”) Municipal Election be consolidated with the General Election to be held on the same date and that within the Town precincts, vote centers and election officers of the two elections be the same, and that the County of San Mateo Assessor-County Clerk-Recorder & Elections Office canvass the returns of the municipal election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the Town of Atherton orders as follows:

SECTION 1. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of San Mateo is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Presidential General Election on Tuesday, November 3, 2020.

SECTION 2. That pursuant to Section 10002 of the Elections Code, the Board of Supervisors of San Mateo County is requested to permit the Chief Elections Officer to render specified services to the Town of Atherton relating to the conduct of the election.

SECTION 3. That the County of San Mateo Assessor-County Clerk-Recorder & Elections Office is authorized to canvass the returns of the Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the applicable provisions of law regulating the statewide election.

SECTION 4. That the Board of Supervisors is requested to issue instructions to the County of San Mateo Assessor-County Clerk-Recorder & Elections Office to take all steps necessary for the holding of the consolidated election.

SECTION 5. That the Town of Atherton recognizes that additional costs will be incurred by the County of San Mateo by reason of this consolidation and agrees to reimburse

the County for any justifiable costs for services upon the presentation of a properly submitted bill.

SECTION 6. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County of San Mateo Assessor-County Clerk-Recorder & Elections Office.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a Regular meeting thereof held on this 8th day of July, 2020, by the following vote:

<i>AYES:</i>	<i>COUNCILMEMBERS:</i>
<i>NOES:</i>	<i>COUNCILMEMBERS:</i>
<i>ABSENT:</i>	<i>COUNCILMEMBERS:</i>
<i>ABSTAIN:</i>	<i>COUNCILMEMBERS:</i>

ATTEST:

Rick DeGolia, MAYOR
TOWN OF ATHERTON

Anthony Suber, City Clerk

APPROVED AS TO FORM:

Mona G. Ebrahimi, City Attorney