



Office of the City Manager

CONSENT CALENDAR
May 7, 2024

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Mark Numainville, City Clerk
Subject: Calling for a Consolidated General Municipal Election for November 5, 2024

RECOMMENDATION

Adopt a Resolution: a) Calling for a General Municipal Election to be consolidated with the Presidential General Election to be held in Berkeley on November 5, 2024; b) Requesting that the Alameda County Board of Supervisors consolidate the City of Berkeley General Municipal Election with the Presidential General Election; c) Authorizing certain procedural and contractual actions; and d) Establishing policies for the filing of candidate statements of qualification.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal impacts related to the recommended action. Election services have seen a steep increase since 2018, with the City's first million-dollar election in 2020. In general, the number of measures placed on the ballot, and the length of the measures, are the primary driving factors in the fluctuation of election costs.

CURRENT SITUATION AND ITS EFFECTS

The City of Berkeley is required under the City's Charter to conduct its general municipal elections in November of each even-numbered year. Adopting this resolution is the first official step toward holding the election.

The resolution in Attachment 1: a) calls for a General Municipal Election and requests the Alameda County Board of Supervisors accept consolidation of the City's General Municipal Election with the Presidential General Election on November 5, 2024; b) provides authority for the City Clerk to enter into contracts necessary for election supplies and services for the general election; c) provides authority for the City Clerk to hire temporary staff as needed to assist with the conduct of this election; d) adopts certain administrative policies for the filing of candidate statements; and e) authorizes the filing of rebuttal arguments for City ballot measures pursuant to Elections Code Section 9285.

BACKGROUND

Since 2010, voters have selected candidates for Mayor, Auditor, and City Council using Ranked-Choice Voting (RCV). In 2024 voters will continue to use RCV, thus eliminating the need for runoff elections. The use of RCV does not affect any of the actions stated in the resolution calling the election.

The City Charter, State Elections, and Government Codes require adoption of a resolution requesting consolidation, and authorizing procedural, contractual and organizational actions in connection with the General Municipal Election to be held on November 5, 2024.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

CONTACT PERSON

Mark Numainville, City Clerk, (510) 981-6900

Attachments:

1: Resolution Calling the November 5, 2024 General Municipal Election

RESOLUTION NO. – N.S.

CALLING FOR A GENERAL MUNICIPAL ELECTION TO BE CONSOLIDATED WITH
THE PRESIDENTIAL GENERAL ELECTION ON NOVEMBER 5, 2024

WHEREAS, a General Municipal Election is to be held on Tuesday, November 5, 2024, in and for the City of Berkeley; and

WHEREAS, certain actions are required in connection with said election.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the General Municipal Election to be held in the City of Berkeley on November 5, 2024, is hereby called.

BE IT FURTHER RESOLVED as follows:

1. In accordance with the provisions of Section 10002 and 10403 of the Elections Code of the State of California, the Alameda County Board of Supervisors is requested to consolidate the City of Berkeley General Municipal Election with the Presidential General Election to be held November 5, 2024 and to permit the county elections official to render services specified.
2. The Registrar of Voters of Alameda County is requested to perform services in connection with said election at the request of the City Clerk. These services include all necessary services related to signature checking for nomination petitions and signatures-in-lieu of filing fee, official ballot creation, sample ballot and voter information pamphlet preparation, vote-by-mail, vote centers, drop boxes, vote center workers, voter registration, voting machines, canvass operations, and any and all other services necessary for the conduct of the general election.
3. The City hereby requests that the Registrar of Voters conduct the election for City Council and Mayor using ranked choice voting in accordance with the executed Memorandum of Understanding between the City and the Registrar as well as Berkeley Municipal Code Section 2.14.010 et seq.
4. The Board of Supervisors of Alameda County is requested to include on the ballots and sample ballots, all qualified measures submitted by the City Council to be ratified by the qualified electors of the City of Berkeley.
5. That the City of Berkeley acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code Section 10418.
6. The City Clerk is hereby directed to cause the posting, publication, and printing of all notices or other election materials pursuant to the requirements of the Charter

of the City of Berkeley and the Elections and Government Codes of the State of California.

7. The City Clerk is hereby authorized to enter into any contracts necessary for election consulting services, temporary employment services, printing services, and any such other supplies and services as may be required by the statutes of the State of California and the Charter of the City of Berkeley for the conduct of the November General Municipal Election.
8. The offices to be voted upon at the General Municipal Election shall be:
 - a) One council member seat, District 2, term ending November 30, 2028
 - b) One council member seat, District 3, term ending November 30, 2028
 - c) One council member seat, District 5, term ending November 30, 2028
 - d) One council member seat, District 6, term ending November 30, 2028
 - e) One seat for mayor, term ending November 30, 2028
 - f) Two school board director seats, terms ending November 30, 2028
 - g) Four rent stabilization board commissioner seats, terms ending November 30, 2028;
9. The offices of mayor and council member require a 50%+1 majority in the ranked choice voting system to be elected. The offices of school board director and rent stabilization board commissioner require a plurality of the votes cast.
10. The City Council of the City of Berkeley approves and endorses the use of five (5) voting choices for candidates on the Ranked-Choice Voting ballot.
11. Candidates may file a statement of qualification pursuant to the regulations in the Elections Code, the City Charter, the Municipal Code, and the policies set forth below:
 - a. Candidate statements must be filed no later than the last day to file nomination papers.
 - b. Candidate statements must be filed at the same time as completed nomination papers are filed.
 - c. Statements may not be changed once they are submitted. Statements may be withdrawn until 5:00 p.m. on the next business day after the close of the nomination period.
 - d. Statements are confidential until the close of the nomination period. The statements are subject to public review and contest.
 - e. There shall be no fee charged by the City for the submission of a candidate statement of qualifications.
 - f. Statements must be typed or printed from a computer. If prepared on a computer, submission in electronic format, in addition to the required hard copy, is required.
 - g. Statements shall be submitted in plain text formatting, single paragraph, without any formatting such as underline, bold, italics, or all caps.

- h. Candidate statements must be in the format provided by the City Clerk when filed.
 - i. Statements are limited to 200 words. The word counting guidelines in Elections Code Section 9 shall govern the counting of words.
 - j. The candidate statement will be translated into Spanish, Chinese, Vietnamese, and Tagalog pursuant to the requirements of the Federal Voting Rights Act.
 - k. Signed and completed consent forms are required for each Berkeley resident referenced as an endorser (no less than 5, no more than 20) and for any person and any organization mentioned in the text of the statement as an endorser or supporter.
 - l. For any discrepancy between the information listed on the hard copy of a candidate statement or candidate statement form and the consent form, the signed consent form will take precedence.
 - m. The name and title of an endorser will be printed exactly as it is written on the consent form.
 - n. The total word count for all title(s) of a single endorser shall not exceed 20 words. In the case that there are more than 20 words, the title will be truncated at the 20th word. Words will be counted in accordance with Elections Code Section 9.
 - o. Any mention of partisan activity or membership is prohibited in the 200-word statement.
 - p. Any mention of any opponent or other candidate for the same office is prohibited.
 - q. Candidates may submit a photograph of themselves to be printed with their statement. Hard copy and electronic photo must be submitted at the same time the candidate statement is filed in order to be included in the voter pamphlet.
12. The City of Berkeley agrees to reimburse the County of Alameda in full for the cost of election services performed.
13. Pursuant to Elections Code Section 9285 (b), the City Council hereby adopts the provisions of Elections Code Section 9285 (a) providing for the filing of rebuttal arguments for city ballot measures.

