



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-739

Meeting Date: 6/7/2022

TITLE:

RESOLUTIONS RELATING TO THE CALLING OF THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022

DEPARTMENT: CITY MANAGER'S OFFICE/CITY CLERK DIVISION

PRESENTED BY: BRENDA GREEN, CITY CLERK

CONTACT INFORMATION: BRENDA GREEN, CITY CLERK, (714) 754-5221

RECOMMENDATION:

Staff recommends the City Council take the following actions:

1. Adopt Resolution No. 2022-xx, to be read by title only and waive further reading, calling and giving notice to conduct a General Municipal Election on November 8, 2022 for the purpose of electing a Mayor for the full term of two years; and election of three members of the City Council from the third, fourth, and fifth districts, for the full term of four years.
2. Adopt Resolution No. 2022-xx, to be read by title only and waive further reading, requesting the Orange County Board of Supervisors to consolidate the General Municipal Election with the Statewide General Election and to issue instruction to the Orange County Registrar of Voters Elections Department to provide specific services in the conduct of the consolidated election.
3. Adopt Resolution No. 2022-xx, to be read by title only and waive further reading, adopting regulations pertaining to Candidate Statements submitted to the voters at a General Municipal Election to be held on November 8, 2022.

BACKGROUND:

Pursuant to Costa Mesa Municipal Code Section 2-14, the City's General Municipal Elections are held in November of even-numbered years, concurrent with the statewide elections. The purpose of the 2022 election is to elect a Mayor to a two-year term, and three members of the City Council to a four-year term, from districts three, four, and five.

The state Elections Code requires the adoption of resolutions for the purpose of calling the election, requesting that the County Board of Supervisors consolidate the proposed General Municipal Election with the Statewide General Election, and for adopting regulations pertaining to candidate statements.

The nomination period for the office of Mayor and Council Members is July 18, 2022 through August

12, 2022 at 5:00 p.m. Pursuant to section 10225 of the Elections Code, if an incumbent who is eligible for re-election does not file a declaration of candidacy by August 12, 2022 at 5:00 p.m., a five-day extension follows for any person other than the incumbent to file a declaration of candidacy for such office. If the nomination period is extended, the filing period for that office will end on August 17, 2022 at 5:00 p.m.

The Calling and Holding of a General Municipal Election also provides the process for determining the outcome in the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the County of Orange Registrar of Voters (Registrar). The City Council, in accordance with Election Code Section 15651(a), shall 1) set a date, time and place; 2) summon the candidates who have received the tie votes to appear; and 3) determine the tie by lot (i.e., coin toss or drawing straws).

Resolution No. 2022-xx regarding regulations for candidate statements pertains only to the November 8, 2022 election. The Election Code authorizes the City to require each candidate who chooses to file a 200-word candidate statement in the voter information guide to pay in advance, at the time of filing nomination papers, the pro rata share of costs to translate, print and mail a candidate statement as a condition of having a statement included in the voter information guide. The costs are determined by the Registrar based on printing and translation costs, and a projection of total jurisdictional participation (number of registered voters). An alternate option allows any candidate to submit an electronic candidate statement that will not be printed in the voter information guide but will be available on the Registrar of Voters' website.

ANALYSIS:

Elections are held in accordance with the provisions of the California Elections Code. The council terms are staggered and, therefore, three seats are available during this election cycle. It has been a long standing practice to consolidate the General Municipal Elections with the County of Orange, along with the statewide elections held in the even numbered years. Consolidation of the General Municipal Election with the County is cost-effective and reduces the duplication of efforts and expenses. Once adopted, certified copies of the resolutions will be forwarded to the County Board of Supervisors and the Orange County Registrar of Voters' Election Division. The appropriate legal notices will be published and the nomination period will begin on Monday, July 18, 2022 through Friday, August 2, 2022 at 5:00 p.m.

ALTERNATIVES:

No alternatives have been considered, as it is mandated by state code and the City's Municipal Code that the elections be held.

FISCAL REVIEW:

The City is required to reimburse the County of Orange for costs related to the City's General Municipal election. The estimated amount of \$200,000 is included in the Fiscal Year 2022-2023 budget.

LEGAL REVIEW:

The City Attorney has reviewed the report and resolutions and approved them as to form.

CITY COUNCIL GOALS AND PRIORITIES:

This item is administrative in nature.

CONCLUSION:

Staff recommends that the City Council adopt the following resolutions as required by the California Elections Code in order to conduct the 2022 General Municipal Election:

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