



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 30, 2009

TO: Mayor and Councilmembers

FROM: City Clerk's Office, Administrative Services Department

SUBJECT: General Municipal Election Of November 3, 2009

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Calling for the Holding of a Vote-By-Mail General Municipal Election to be Held in the City on Tuesday, November 3, 2009, for the Election of Certain Officers as Required by the Provisions of the Charter and for the Submission of Four Charter Amendment Measures;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Conduct of a Vote-By-Mail Election for the November 3, 2009, General Municipal Election;
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements to be Provided to the Voters for the General Municipal Election to be Held in the City on Tuesday, November 3, 2009;
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Directing the City Attorney to Prepare Impartial Analyses of the City's Charter Amendment Measures to be Placed on the Ballot for the November 3, 2009, General Municipal Election;
- E. Determine whether the City Council or any individual member(s) of City Council will file an argument regarding the proposed Charter Amendments related to Charter Sections 1506, 809, 811 and 814, and if so, adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Setting Priorities for Filing Written Arguments Regarding City Charter Amendments to be Placed on the Ballot for the November 3, 2009, General Municipal Election; and
- F. Cancel the November 3, 2009, City Council Meeting due to the holding of the stand-alone election.

DISCUSSION:

As required by the City Charter and the California Elections Code, the City Council is requested to adopt the appropriate resolutions as follows:

- Calling for the election;
- Authorizing the conduct of a vote-by-mail election;
- Adopting regulations pertaining to candidates' statements;
- Directing the City Attorney to prepare impartial analyses of the City's four proposed Charter Amendment measures; and
- Setting priorities for filing written arguments regarding the City's four proposed Charter Amendment measures.

The purpose of the election is to elect a Mayor and three Councilmembers and to submit four possible City Charter Amendments related to Sections 1506 (Building Heights), 809 (Board of Park Commissioners), 811 (Board of Harbor Commissioners), and 814 (Architectural Board of Review) to their City electorate.

The candidate filing period will be July 13 through August 10, 2009. However, the candidate filing period may be extended to August 12, 2009, for persons other than the incumbents should an incumbent who is eligible to file elect not to file. No incumbent may file during the extended candidate filing period. The terms of Mayor Marty Blum and Councilmembers Iya Falcone, Roger Horton and Grant House will expire in January 2010, and these four offices will be filled at the November 2009 election.

On March 10, 2009, Council authorized staff to conduct a vote-by-mail election with 7 drop-off centers throughout the City, allowing voters the option to vote in person. The City's plan includes pre-paid postage for returned ballots. The City has received the County of Santa Barbara precinct and polling location maps used for the May 19, 2009 special statewide election. The City's plan is to use 7 locations situated within the City limits that were used by the County for the 2009 special election. The plan also includes placement of signage at the remaining centers, directing voters to the 7 designated drop-off centers, and providing the direct phone number to the City Clerk's Office.

Voters will have the opportunity to vote by mail beginning October 5 and continuing through Election Day, November 3, 2009, and during this time, voters may vote at City Hall during regular business hours.

Voters will also have the opportunity to vote in person at any of the 7 drop-off centers, including City Hall, on the following days:

- Saturday, October 31, 2009, from 8:00 a.m. to 5:00 p.m.; and
- Election Day, Tuesday, November 3, 2009, from 7:00 a.m. to 8:00 p.m.

The California Elections Code allows each candidate for a non-partisan elective office in a city to prepare a statement which will be mailed to each registered voter as part of a sample ballot. It is recommended that candidates be permitted to submit candidate's statements containing up to 200 words. State law requires the City Council to adopt a policy regarding the candidate's obligation to pay for statements. It has been the City's policy since 1987 to waive candidate statement fees.

Schedule for the Charter Amendments

The schedule and deadlines in this section relate specifically to the statutory requirement that the City Attorney prepare impartial analyses for all ballot measures, arguments for and against the charter amendment measures, rebuttal arguments by authors of direct arguments, and the public examination period for the charter amendments.

City Attorney's Impartial Analyses

In accordance with the Elections Code, it is recommended that the City Council direct the City Attorney to prepare an impartial analysis of each of the four proposed charter amendment measures. The first day the City Clerk's Office will receive the City Attorney's impartial analyses is July 1, 2009, and the last day will be July 14, 2009.

Written Ballot Arguments For or Against Charter Amendments

The City Council, or any member or members of the Council, or any individual voter who is eligible to vote on the measures, or bona fide association of citizens, or any combination of voters and associations, may file a written argument either for or against any city measure. The first day the City Clerk's Office will receive typewritten arguments in favor of or against the measures is July 1, 2009, and the last day will be July 14, 2009.

The Elections Code provides that, upon authorization by the City Council, an argument prepared and signed by the City Council or by one or more Councilmembers shall be given first priority for placement in the sample ballot election brochure by the City Elections Official.

Rebuttal Arguments by Authors of Direct Arguments to Measures

The first day the City Clerk's Office will receive typewritten rebuttal arguments by the authors of direct arguments for and against the measures is July 15, 2009, and the last day will be July 27, 2009.

Public Examination Period for Charter Amendment Measures

The public examination period of the Charter Amendment measures, City Attorney's impartial analyses, ballot measure arguments and rebuttal arguments filed with the City Clerk's Office is 10 days, commencing July 28, 2009, and concluding August 6, 2009.

Cancellation of Election Day Council Meeting

Since the Council Chambers will serve as the Central Counting Center, staff recommends canceling the City Council Meeting on Tuesday, November 3, 2009.

BUDGET/FINANCIAL INFORMATION:

The Fiscal Year 2010 budget for the City Clerk's Office includes \$300,000 to cover the estimated cost of the election.

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SUBMITTED BY: Marcelo A. López, Administrative Services Director

APPROVED BY: City Administrator's Office