

City of Piedmont  
COUNCIL AGENDA REPORT

---

DATE: December 2, 2019

TO: Mayor and Council

FROM: Sara Lillevand, City Administrator

SUBJECT: Consideration of a Resolution Regarding Procedural Details for the Special Municipal Election of March 3, 2020

---

RECOMMENDATION

Should the Council approve the resolution placing a renewal of the Municipal Services Special Tax (Parcel Tax) on the March 3, 2020 ballot, the Council should approve the attached resolution setting details of the Special Municipal Election of March 3, 2020, and taking other actions necessary to call and conduct the election.

BACKGROUND

Pursuant to the Elections Code, the City Council must establish procedures for the Special Municipal Election to be held on March 3, 2020. This resolution completes several procedural tasks including requesting the services of the Alameda County Registrar of Voters to conduct this election, requesting that this election be consolidated with the Presidential Primary Election of the same date, setting the compensation for election officials, directing the City Attorney to prepare an Impartial Analysis of the Parcel Tax renewal measure which the Council placed on the ballot, setting the deadlines for the submission of direct and rebuttal arguments, and establishing other details related to the election.

This resolution also sets the 75 word ballot question which will appear on each voter's ballot as the formal question of the measure. The ballot question used in the resolution, and shown below, is similar to the question that has been used in years past, but it has been updated to conform to a new state law requiring the tax rate, duration, and amount to be raised annually to be included. The proposed ballot question is:

“Shall Ordinance 746 N.S which maintains essential police, fire, and paramedic services, prevents the reduction in maintenance of City parks, greenspaces and other public areas, and prevents the loss of recreational and other public services, by renewing the City of Piedmont's expiring parcel tax for four years, with annual rates depending on use between \$551 and \$1,395 per parcel, or \$383 per dwelling unit, subject to CPI adjustment, raising approximately \$2,424,620 annually, be

adopted?”

The attached resolution has been reviewed by the City Attorney and satisfies the requirements of the City Charter and the California Elections Code.

By: John O. Tulloch, City Clerk

Resolution \_\_\_\_\_

**A RESOLUTION CALLING FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 3, 2020, REQUESTING THE CONSOLIDATION OF THE SPECIAL MUNICIPAL ELECTION WITH THE PRESIDENTIAL PRIMARY ELECTION, AND DIRECTING THAT A MEASURE BE ADDED TO THE BALLOT CONTINUING THE EXISTING MUNICIPAL SERVICES SPECIAL TAX**

**WHEREAS**, the City Council desires to schedule a Special Municipal Election for March 3, 2020, to vote on a continuation of the Municipal Services Special Tax; and

**WHEREAS**, it is necessary to determine a number of details relating to such Special Municipal Election and to request that the Alameda County Board of Supervisors consolidate such Special Municipal Election with the Presidential Primary Election to be held on the same date; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Piedmont does hereby resolve, declare, determine and order as follows:

**SECTION 1.** Pursuant to the requirements of the Charter of the City of Piedmont, a Special Municipal Election is called and ordered to be held in the City of Piedmont, California on Tuesday, March 3, 2020 for the purpose of voting on an extension of the Municipal Services Special Tax.

**SECTION 2.** Pursuant to §10002 and §10403 of the Elections Code, the City of Piedmont formally requests that the Special Municipal Election be consolidated with the Presidential Primary Election to be held on March 3, 2020 and further requests the services of the Alameda County Registrar of Voters in carrying out the Special Municipal Election, including sending to the City's registered voters all required election materials, conducting the Special Municipal Election, canvassing the vote received, and taking all steps necessary and required for the holding of this election within the City of Piedmont.

**SECTION 3.** The City Council acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code §10418.

**SECTION 4.** The compensation for election officers shall be based on the rates set by the Alameda County Board of Supervisors which are in effect at the time of the Special Municipal Election.

**SECTION 5.** The location of the central counting place for the ballots to be cast at the Special Municipal Election shall be the Alameda County Courthouse, 1225 Fallon Street, Oakland, California.

**SECTION 6.** The polling place rental fees shall be the same as the fees which are adopted by the Alameda County Board of Supervisors and which are currently in effect at the time of the Special Municipal Election.

**SECTION 7.** The City Clerk is directed to give notice of the election in the time, form, and manner as required by law.

**SECTION 8.** Pursuant to Section 8.03 of the City Charter and Elections Code Section 9222, the following proposed measure, which shall be designated by letter by the Alameda County Registrar of Voters, shall be added to the ballot for the March 3, 2020 Special Municipal Election and thereby submitted to the voters of the City:

“Shall Ordinance 746 N.S which maintains essential police, fire, and paramedic services, prevents the reduction in maintenance of City parks, greenspaces and other public areas, and prevents the loss of recreational and other public services, by renewing the City of Piedmont’s expiring parcel tax for four years, with annual rates depending on use between \$551 and \$1,395 per parcel, or \$383 per dwelling unit, subject to CPI adjustment, raising approximately \$2,424,620 annually, be adopted?”

**SECTION 9.** The City Council directs the City Clerk to submit to the City Attorney a copy of the measure, and the City Attorney is hereby authorized and directed to prepare an impartial analysis of the ballot measure showing the effect of the measure on the existing law and operation of the measure. The impartial analysis shall be submitted by the City Attorney to the City Clerk on or before December 13, 2019 at 4:00 p.m., shall not exceed 500 words in length, and otherwise shall comply in all respects with the applicable provisions of the Elections Code of the State of California.

**SECTION 10.** The last day for filing direct arguments for or against the measure shall be December 13, 2019 at 4:00 p.m. and all such arguments shall be filed with the Piedmont City Clerk, 120 Vista Avenue, Piedmont, California and shall not exceed 300 words in length. The City Clerk, upon receipt of arguments and after the filing deadline, shall immediately transmit copies to any known opposing parties who may then submit rebuttals within the time period described in Section 11 below. Arguments received prior to the deadline shall be confidential until the deadline.

**SECTION 11.** The last day for filing rebuttal arguments for or against the ballot measure shall be December 20, 2019 at 4:00 p.m. and all such arguments shall be filed with the Piedmont City Clerk, 120 Vista Avenue, Piedmont, California and shall not exceed 250 words in length. Arguments received prior to the deadline are confidential until the deadline.

**SECTION 12.** Pursuant to Elections Code Section 9295, the ten (10) day public review period for direct arguments submitted pursuant to Section 10, above, shall open at 4:00 p.m. on December 13, 2019 and shall close at 4:00 p.m. on December 23, 2019. If a rebuttal argument is submitted pursuant to Section 11, above, the ten (10) day public

review period shall open at 4:00 p.m. on December 20, 2019 and shall close at 4:00 p.m. on December 30, 2019.

**SECTION 13.** The City Clerk is directed to give notice of the election in the time, form, and manner as required by law.

**SECTION 14.** In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 15.** The City Clerk is authorized to transmit a certified copy of this resolution to the Alameda County Board of Supervisors and the Alameda County Registrar of Voters.

[END OF RESOLUTION]