



TOWN OF FAIRFAX

STAFF REPORT

June 5, 2019

TO: Mayor and Council

FROM: Michele Gardner, Town Clerk *MG*

SUBJECT: Adoption of a Resolution Calling for a General Municipal Election to Be Held on November 5, 2019, for the Election of Certain Officers, Requesting the Marin County Board of Supervisors to Consolidate with any other Election Conducted on that Date, and Requesting Election Services of the County Elections Department

RECOMMENDATION

Adopt the Resolution.

BACKGROUND

Every regular election year, in order to meet the applicable election deadlines, the Town Council adopts a resolution in June calling for the November election and requesting consolidation and election services from the County of Marin. Fairfax holds staggered elections for its 5 councilmembers in odd-numbered years to elect 3 Councilmembers one year, and 2 Councilmembers two years later (along with the Town Treasurer and Town Clerk).

In response to the Voter Participation Rights Act, the Council adopted Ordinance No. 807 in May 2017, which changes the Town's regular municipal election dates from November of odd-numbered years to November of even-numbered years. The change is being phased in by electing Town officers (Town Councilmembers, the Town Clerk, and the Town Treasurer) to 3-year terms in the two election cycles following the legislation: November of 2017 and 2019. Beginning with the November 2020 election, the terms of Fairfax officeholders will return to 4 years.

DISCUSSION

The terms of Councilmembers Renee Goddard and Peter Lacques, Town Treasurer Janet Garvin, and Town Clerk Michele Gardner will expire upon the certification of the November 5, 2019 election, and thus four offices will be up for election, each for a three-year term in accordance with Ordinance No. 807. The filing timeline for candidates and incumbents is as follows:

July 15 - August 9 **Filing Period:** Candidates and incumbents may take out nomination papers from the Fairfax Town Clerk during this period, collect signatures, and file their completed papers with the Town Clerk.

August 16 **Extended Filing Deadline:** If an incumbent does not file by August 9, the deadline for NON-incumbents to file is extended to this date.

FISCAL IMPACT

The Marin County Registrar of Voters has estimated the cost of this election to be \$5.00 to \$9.00 per registered voter. Staff has budgeted \$45,000 for this election. The significant increase over the average per-voter cost of \$1.75 to \$3.00 in the past is due to most agencies having moved their 2019 elections to 2020 to conform to the Voter Participation Rights Act, resulting in very few agencies to share in the costs of the 2019 consolidated election.

ATTACHMENT

Resolution

RESOLUTION 19-__

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX
CALLING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD
ON NOVEMBER 5, 2019, FOR THE ELECTION OF CERTAIN OFFICERS,
REQUESTING THE MARIN COUNTY BOARD OF SUPERVISORS TO CONSOLIDATE
WITH THE ANY OTHER ELECTION CONDUCTED ON THAT DATE, AND
REQUESTING ELECTION SERVICES OF THE COUNTY ELECTIONS DEPARTMENT**

WHEREAS, two four-year terms of office on the Fairfax Town Council will expire on the certification of the November 5, 2019 election results; and

WHEREAS, the four-year terms of office for the Fairfax Town Treasurer and for the Town Clerk will also expire on the certification of the November 5, 2019 election results; and

WHEREAS, in order to comply with the California Voter Rights Participation Act, the Town Council adopted Ordinance No. 807 to transition the Town's general municipal election dates from the current odd-year schedule to the even-year statewide general election dates, by providing for a one-time adjustment to the terms of office for those prospective Town Councilmembers, the Town Clerk, and the Town Treasurer to be elected in November 2019 each to three (3) year terms, ending upon the certification of the November 2022 election results; and

WHEREAS, as required by the Section 10403.5 of the California Elections Code the Marin County Board of Supervisors approved the change of election date under Ordinance No. 807; and

WHEREAS, pursuant to Sections 10002 and 10403 of the Elections Code, the Town Council of the Town of Fairfax may request the Board of Supervisors to permit the County Elections Department to render specified service to the Town relating to the conduct of the election on a reimbursable basis;

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

1. That an election is hereby called to be held on November 5, 2019, at which election of two (2) Town Council seats and the offices of Town Clerk and Town Treasurer each for a term of three (3) years will be determined; and
2. That the consolidated election will be held and conducted in the manner prescribed in Elections Code Section 10418; and

3. That the Board of Supervisors of the County of Marin is hereby requested to consolidate said election with any other applicable election conducted on the same day; and
4. That the Board of Supervisors of the County of Marin is hereby requested to authorize and direct the County Elections Department to provide all necessary election services and to canvass the results of said election; and
5. That Town acknowledges that the County will bear additional costs by reason of this consolidation and agrees to reimburse the County for any such costs upon the Town's receipt of a properly approved invoice; and
6. That the Town Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Elections Official of the County of Marin.
7. The Town Clerk shall publish a "Notice of Election" pursuant to California Elections Code §12101.

The foregoing resolution was duly and regularly adopted by the Town Council of the Town of Fairfax, County of Marin, State of California, at a regular meeting thereof, held on the ___ day of June 2019, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

BARBARA COLER, Mayor

ATTEST:

Michele Gardner, Town Clerk