



Office of the City Manager

INFORMATION CALENDAR

September 11, 2007

To: Honorable Mayor and
Members of the City Council

From: *PK* Phil Kamlarz, City Manager

Submitted by: Pamyla Means, City Clerk

Subject: February and June 2008 Statewide Election Timelines

SUMMARY

Election timelines for placing measures on the February 8, 2008 Presidential Primary (statewide) and the June 3, 2008 Statewide Direct Primary Elections are provided for Council's information.

CURRENT SITUATION AND ITS EFFECTS

The Berkeley Charter and State election laws establish deadlines and certain actions that must be taken prior to placing any Council-sponsored measure or citizen initiative on the ballot for any election.

The proposed timeline for a February 2008 special election requires the Council to call a special election no later than October 9, 2008. This is the date required to meet legal deadlines for posting election notices. However, this date does not provide the time required for staff work involved in preparation of the title, text, financial implications and City Attorney analysis making a February special election not feasible.

The proposed timeline for a June 2008 special election requires the City Council to submit all ballot measures to staff no later than January 3, 2008 to allow time for preparation of the title, text, financial implication and City Attorney analysis. If Council is interested in a June special election to submit measures to the voters, time is of the essence and staff recommends that Council provide direction regarding the measures prior to January 3, 2008. Council must vote on calling an election and final approval of all ballot measures no later than January 29, 2008 in order to make the legal deadlines.

At present, staff is not aware of any local citizen initiatives circulating for either the February 8 or June 3 elections. At this point, it is not feasible that a citizen-initiated measure would be able to qualify for the February 8 election. For the June 2008 election, the timeline for citizen initiated measure(s) to be submitted to the City Clerk (final petitions) is suggested at no later than December 1, 2007.

Berkeley Charter Article III, Section 4(c) requires that a special municipal election, except in the case of a recall, vacancy in office, or successful 10% initiative, may only be held upon determination by a vote of two-thirds of the Council that an urgent necessity exists. Conducting an election on a date other than the City's general municipal election date in November of even-numbered years qualifies as a "special" municipal election under the City's Charter.

It is recommended that Council begin discussions regarding any measures to be submitted to the voters at the November 3, 2008 General Municipal Election in October 2007. Action to finalize measures for this election will need to occur by July 8, 2008 in order to make the legal deadlines for that election.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

The cost of placing measures on the February or June 2008 Statewide Elections is estimated at \$250,000. Alameda County bills jurisdictions a pro-rated amount based on number of jurisdictions listed on the ballot, the number of items for each jurisdiction, and the number of registered voters in each jurisdiction. In addition, the City will pay the direct cost of printing the text of the measure in the sample ballot. This cost varies based on the length of the measure and is approximate at \$5,000 to \$10,000 per measure.

The City Clerk Department's Budget for FY 2009/FY2010 provides funding for a November 3, 2008 General Municipal Election as well as funds for Berkeley's share of the costs associated with implementing Instant Runoff Voting for that election.

CONTACT PERSON

Pamyla Means, MMC, City Clerk, 981-6900

Attachments

- 1: Timeline for February 5, 2008 Election
- 2: Timeline for June 3, 2008 Election

CITY OF BERKELEY
SPECIAL ELECTION CALENDAR - COUNCIL INITIATED BALLOT MEASURE
February 5, 2008
Suggested Timeline

<u>DAYS PRIOR TO ELECTION</u>	<u>DATE</u>	<u>ACTION TAKEN</u>
	February 5, 2008	
	September 13, 2007	Agenda Reports due to Clerk for 10/9/07 meeting
	October 1, 2007	Agenda Committee to review and draft Oct. 9 meeting agenda
	October 9, 2007	Suggested Council Meeting date to adopt resolution calling election for ballot measure and requesting consolidation with statewide primary election. Ballot text, title, and summary to be in final format.
	October 10, 2007	Post notice of election and deadline for filing arguments.
	October 10, 2007	File resolution with Board of Supervisors and Registrar of Voters.
	October 23, 2007	Suggested last day to file direct arguments. EC 9280-9287
	November 2, 2007	Suggested last day to file rebuttal arguments. Impartial Analysis also due. EC 9280-9287
	November 5, 2007 November 14, 2007	Public review period for direct and rebuttal arguments and Impartial Analysis. EC 9295
88	November 9, 2007	Last day council can meet to call election for Ballot Measures. Note – if this is the case, a new argument period will be established.
88	November 9, 2007	Last day for city to deliver resolution calling ballot measure election to County Elections Officer. EC 10002, 1405, 9241 If bond measure, Tax Rate Statement also due on this date. EC 9400-9401
88	November 9, 2007	Last day for city to request election services/consolidation from the Alameda County Board of Supervisors. EC 1405, 10002, 12001
83	November 14, 2007	Last day for city to amend or withdraw measure. EC 9605

CITY OF BERKELEY
SPECIAL ELECTION CALENDAR - COUNCIL INITIATED BALLOT MEASURE
June 3, 2008
Suggested Timeline

<u>DAYS PRIOR TO ELECTION</u>	<u>DATE</u>	<u>ACTION TAKEN</u>
	June 3, 2008	
	January 3, 2008	Agenda Reports due to Clerk for 1/29/08 meeting
	January 21, 2008	Agenda Committee to review and draft January 29 meeting agenda
	January 29, 2008	Suggested Council Meeting date to adopt resolution calling election for ballot measure and requesting consolidation with statewide primary election. Ballot text, title, and summary to be in final format.
	January 30, 2008	Post notice of election and deadline for filing arguments.
	January 30, 2008	File resolution with Board of Supervisors and Registrar of Voters.
	February 12, 2008	Suggested last day to file direct arguments. EC 9280-9287
	February 22, 2008	Suggested last day to file rebuttal arguments. Impartial Analysis also due. EC 9280-9287
	February 25, 2008 March 6, 2008	Public review period for direct and rebuttal arguments and Impartial Analysis. EC 9295
88	March 7, 2008	Last day council can meet to call election for Ballot Measures. Note – if this is the case, a new argument period will be established.
88	March 7, 2008	Last day for city to deliver resolution calling ballot measure election to County Elections Officer. EC 10002, 1405, 9241 If bond measure, Tax Rate Statement also due on this date. EC 9400-9401
88	March 7, 2008	Last day for city to request election services/consolidation from the Alameda County Board of Supervisors. EC 1405, 10002, 12001
83	March 12, 2008	Last day for city to amend or withdraw measure. EC 9605