

## STAFF REPORT

**DATE:** September 3, 2019

**TO:** City Council

**FROM:** Mike Webb, City Manager  
Kelly Stachowicz, Assistant City Manager  
Zoe Mirabile, City Clerk

**SUBJECT:** Moving the Date of Municipal Elections to November

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### **Recommendation**

1. Introduce Ordinance Changing the Date of the City's General Municipal Election by Amending Section 12.01.090 of the Davis Municipal Code
2. Direct staff to submit the Ordinance to the Yolo County Board of Supervisors for approval

### **Fiscal Impact**

The fiscal impact associated with consolidating the city's general municipal elections with the November statewide general election is unknown at this time and may vary from election to election, but is likely to be minimal. Costs vary based on factors including the number of agencies consolidating in a particular election, number of candidates, numbers of measures, number of voters, number of polling locations, etc.

### **Background and Analysis**

Currently, the City of Davis holds general municipal elections in even-numbered years on the same day as the statewide direct primary elections. In 2020, the statewide primary will be held on the first Tuesday after the first Monday in March (next election = March 3, 2020).

On August 13, 2019, City Council directed staff to return with a draft ordinance modifying future municipal elections to coincide with the statewide general elections commencing in 2020. Statewide general elections are held in even-numbered years on the first Tuesday after the first Monday in November (next election = November 3, 2020). This change will allow the in-progress district election process to be concluded and in effect for the next municipal election.

The City Attorney has prepared an Ordinance to implement the election date change. If adopted, the proposed Ordinance will result in a one-time approximately eight-month increase to existing City Council terms. California Elections Code Section 10403.5(b) permits cities to either increase or decrease terms of office by no more than 12 months as a result of this type of Ordinance. All City Council offices filled by general municipal election occurring after the election date change shall be for a term of four years.

After adoption by the City Council, the Ordinance will be sent to the Yolo County Board of Supervisors for its consideration pursuant to Elections Code Section 1301(b)(1). The Ordinance

will become operative upon the Board's approval. Within 30 days after the Board's approval of the proposed Ordinance, a notice will be sent directly to all registered voters in Davis informing them of the change in the general municipal election date and the extension of the incumbent Councilmembers terms resulting from this change (EC 10403.5(e)).

**Attachment**

1. Ordinance

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAVIS  
CHANGING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION  
BY AMENDING SECTION 12.01.090 OF THE DAVIS MUNICIPAL CODE**

**WHEREAS**, Section 12.01.090 of the Davis Municipal Code provides that the City general municipal election shall be held in even-numbered years on the same day as the statewide direct primary elections; and

**WHEREAS** the City Council now desires to change its general municipal election date in response to the threat of a legal challenge to the City's at-large election to be held on March 3, 2020; and

**WHEREAS**, Elections Code Sections 1301 and 10403.5 authorize the City Council to change the date of the general municipal election, with the approval of the Yolo County Board of Supervisors.

**THE CITY COUNCIL OF THE CITY OF DAVIS DOES ORDAIN AS  
FOLLOWS:**

**SECTION 1.** Section 12.01.090 (Date of general municipal elections) of Article 12.01 (General) of Chapter 12 (Elections) of the Davis Municipal Code shall be amended in its entirety to read as follows:

“12.01.090 General Municipal Election Date.

All elective City offices shall be filled by the City electorate at a general municipal election to be held on the date of the statewide general election on the first Tuesday after the first Monday in November of each even-numbered year.”

**SECTION 2.** The term of office for any elective City officer who presently serves with a term that would have expired following the March 3, 2020 general municipal election, absent the adoption of this Ordinance, shall be extended until the City Council declares the results of the November 3, 2020 general municipal election and installs the newly elected officers. The term of office for any elective City officer who presently serves with a term that would have expired following the March 8, 2022 general municipal election, absent the adoption of this Ordinance, shall be extended until the City Council declares the results of the November 8, 2022 general municipal election and installs the newly elected officers.

**SECTION 3.** The provisions of this Ordinance are intended to and shall supersede any City ordinance that conflicts with the provisions of this Ordinance.

**SECTION 4.** The City Clerk is hereby directed to submit this Ordinance to the Yolo County Board of Supervisors for approval by such body to the extent required by

and in accordance with Elections Code Sections 1301 and 10403.5. This Ordinance shall not become effective unless and until it is approved by the Yolo County Board of Supervisors, at which time this Ordinance shall take effect immediately as an Ordinance relating to an election.

SECTION 5. Within 30 days after the Ordinance is effective, as provided in Section 4 of this Ordinance, the City Clerk shall cause a notice to be mailed to all registered voters of the City informing the voters of the change in the election date and that as a result of the change in the election date, the terms of all elective City officers will be changed.

**INTRODUCED** at a regular meeting of the City Council of the City of Davis on the \_\_\_ day of \_\_\_, 2019, and

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2019, by the following vote:

AYES: COUNCILMEMBERS \_\_\_\_\_

NOES: COUNCILMEMBERS \_\_\_\_\_

ABSENT: COUNCILMEMBERS \_\_\_\_\_

ABSTAIN: COUNCILMEMBERS \_\_\_\_\_

\_\_\_\_\_  
Brett Lee  
MAYOR

ATTEST:

\_\_\_\_\_  
Zoe S. Mirabile, CMC  
CITY CLERK