

**TO:** Andrew P. Powers, City Manager

**FROM:** Laura B. Maguire, City Clerk

**DATE:** May 21, 2024

**SUBJECT:** **November 5, 2024 General Municipal Election and League of Women Voters City Council Candidate Forum**

**RECOMMENDATION:**

1. Adopt resolution Calling for the General Municipal Election for November 5, 2024, for election of two Councilmembers (Districts 4 and 5).
2. Adopt resolution Consolidating General Municipal Election with the Statewide Presidential General Election (including contract with Ventura County for Election Services).
3. Adopt resolution Adopting Candidate Statement Guidelines and Costs.
4. Authorize expenditure in an amount not to exceed \$33,000 in FY 2024-25 from A/C #001-2110-611-6910 (General Fund - Election Costs) for contract services with Ventura County Elections Division.
5. Authorize expenditure of \$3,000 in FY 2024-25 from A/C #001-2110-611-6910 (General Fund - Election Costs) and approve League of Women Voters' (LWV) request for use of the Scherr Forum Theatre and Thousand Oaks Television (TOTV) for a televised City Council Candidate Forum on a date to be determined if so requested by LWV and contingent on theatre availability.
6. Find that this is not a project as defined by the California Environmental Quality Act.

**LEVINE ACT ITEM:** No

**FINANCIAL IMPACT:**

**No Additional Funding Requested.** \$113,000 for contracted election services, \$3,000 for the LWV forum, and costs related to the annual December City Council Reorganization are included in the Adopted FY 2024-25 General Fund Budget. Costs incurred for staff time for election activities, such as preparing the nomination process, candidate materials, responding to candidate and public inquiries and information requests, managing campaign disclosure filing process, any necessary research, and other activities related to the November 5, 2024, election are included in the Adopted FY 2023-24 and FY 2024-25 General Fund Budgets.

**BACKGROUND:**

Pursuant to law relating to General Law Cities in the State of California, a General Municipal Election will be held on November 5, 2024, for the purpose of electing two Councilmembers to four-year terms, one from District 4 and one from District 5.

**General Municipal Election** – The following standard resolutions have been prepared for adoption by City Council pursuant to the California Elections Code:

1. Calling For and Giving Notice of General Municipal Election
2. Requesting Ventura County Board of Supervisors to Approve Consolidation of General Municipal Election with Statewide Presidential General Election and Provide Election Services
3. Adopting Regulations for Candidates Pertaining to Candidate Statement Materials and Wording, including Estimated Costs of Candidate Statements (District 4 - \$2,063 and District 5 - \$1,888)

**Candidate Forum** – LWV is a non-profit, non-partisan organization with the mission to encourage informed and active participation of citizens in government and influence public policy through education and advocacy. In the past, LWV has requested approval to hold televised candidate forums in the Scherr Forum Theatre, contingent on theatre availability. Should LWV express interest to once again offer a City Council Candidate Forum, staff is requesting an allocation of up to \$3,000 to cover theatre costs. City Council has allowed the use of City funds in past election cycles.

**DISCUSSION/ANALYSIS:**

**Resolution Calling For and Giving Notice of Election** – Pursuant to California laws for General Law Cities, this resolution: calls the election for November 5, 2024, in order to elect two members to the City Council to four-year terms, one from District 4 and one from District 5; ensures ballots are in conformance with State Law; authorizes the City Clerk to prepare election materials as necessary; ensures polling is conducted in conformance with State Law; directs the City Clerk to provide notice of the election and authorizes expenses to be paid to the County of Ventura upon presentation of an invoice for said election (Attachment #1).

Included in Section 7 of the Resolution Calling For and Giving Notice of Election is the manner in which the Ventura County Clerk is directed to resolve a tie vote at the municipal election. On June 5, 2018, and reaffirmed in 2020, and in 2022, City Council adopted a resolution providing for the breaking of a tie vote to be determined by lot. The adopted resolution assists the City with its fiscal responsibility amid the rising cost of conducting elections which has significantly increased during the past two decades (Attachment #2).

**Resolution Requesting Ventura County Board of Supervisors to Consolidate the General Municipal Election with the Statewide Presidential General Election** – California Elections Code § 10403 authorizes the consolidation of the City's November 5, 2024, General Municipal Election with the Statewide Presidential General Election. The resolution also authorizes the County of Ventura to canvass the returns and authorizes payment to the County of Ventura for specified election services (Attachment #3).

**Resolution Adopting Regulations for Candidate Statements** – Pursuant to California Elections Code § 13307 and the Federal Voting Rights Act, candidates have the option to prepare a candidate statement with specific criteria, and ensures voting material will be translated into Spanish, in compliance with the Federal Voting Rights Act. It also provides the estimated cost of the candidate statement (District 4 - \$2,063 and District 5 - \$1,888) and specifies the payment mechanism for candidates to pay the City initially by deposit for the cost of printing, including additional billing if actual cost is more, or refund to candidate if actual cost is less (Attachment #4).

**Nomination Period** – The nomination period for Thousand Oaks City Council candidates is July 15, 2024, through August 9, 2024. As a result of the 2024 election being the first by-district election, there will not be an extension of the nomination period due to an incumbent choosing to not run, as there are no incumbents in Districts 4 or 5. During the nomination period, City Clerk staff furnishes interested persons all necessary paperwork to run for office (i.e., Nomination Papers, Conflict of Interest Form, optional Candidate Statement, etc.), as well as information related to State and local campaign regulations, including disclosure requirements.

**Candidate Information/Requests** – Once the nomination period closes and candidates are certified by the Ventura County Elections Division, additional reference material resources are provided to certified candidates (i.e., Budget, Agenda Packets, etc.). This information assists in familiarizing candidates with City functions. In previous elections, City Council took action to provide certified candidates the first ten pages of responses to information requests for free; copies of more than ten pages are charged at the standard City reproduction fee as outlined in the FYs 2023-24 and 2024-25 User Fee Manual. It is proposed that this policy continue for the 2024 candidates.

**Voter's Choice Act** – The California Voter's Choice Act (VCA) passed in 2016 as Senate Bill 450. The VCA modernizes elections in California by allowing counties to conduct elections under a model which provides greater flexibility and convenience for voters. This election model allows voters to choose how, when, and where to cast their ballot by mailing every voter a ballot, expanding in-person early voting, and allowing voters to cast a ballot at any Vote Center in Ventura County. Voters will have three ways to return their ballot: mail the ballot, drop the ballot in a secure county ballot drop box, or visit any vote center in the county.

As with the 2022 election and this year's primary election, traditional polling places will be replaced by vote centers. Voters will have the choice to cast a ballot in-person at any vote center in their county instead of a single polling location. Vote centers look and feel like polling places, but provide additional modern features to make voting easy and convenient, including voting in-person, dropping off a ballot, getting a replacement ballot, voting using an accessible voting machine, getting help and voting material in multiple languages, registering to vote, or updating voter registration.

Under the VCA guidelines, the Ventura County Elections Division will open 11 vote centers countywide on October 26, 2024. All 52 vote centers in the county will open starting November 2, 2024. Prior to election day, the vote centers will be available from 9 a.m. to 5 p.m. On election day, all vote centers will be open from 7 a.m. to 8 p.m.

**Candidate Forum** – If City Council approves the payment of Scherr Forum fees by the General Fund, and LWV requests to hold a Candidate Forum, LWV will follow the Televised Candidate Forums Policy as adopted by City Council on April 24, 2012. The Cultural Affairs Department and TOTV will coordinate the date and the event will be contingent upon theatre availability.

**COUNCIL GOAL COMPLIANCE:**

Meets the following City Council goals:

B. Provide municipal government leadership which is open and responsive to residents, and is characterized by ethical behavior, stability, promoting public trust, transparency, confidence in the future, and cooperative interaction among civic leaders, residents, business representatives, and staff, while recognizing and respecting legitimate differences of opinion on critical issues facing the City.

C. Operate City government in a fiscally and managerially responsible and prudent manner to ensure that the City of Thousand Oaks remains one of California's most desirable places to live, work, visit, recreate, and raise a family.

**Attachments:**

- Attachment #1 – Resolution Calling for and Giving Notice of General Municipal Election
- Attachment #2 – Resolution No. 2018-033
- Attachment #3 – Resolution Requesting Consolidation of Election
- Attachment #4 – Resolution Adopting Regulations for Candidate Statements