

City of Piedmont  
COUNCIL AGENDA REPORT

---

DATE: July 6, 2004

FROM: Ann Swift, City Clerk

SUBJECT: **Approval of a Resolution Calling for a Special Municipal Election on November 2, 2004**

---

RECOMMENDATION

By motion, approve the attached resolution requesting the services of the Alameda County Registrar of Voters for a special municipal election on November 2, 2004, and setting other election details.

BACKGROUND

In order to hold a Special Municipal Election on November 2, 2004, the state Elections Code requires that the city council establish certain procedural details. The council must request the service of the Alameda County Registrar of Voters, establish other details related to the election, set the dates for direct and rebuttal arguments, and order an impartial analysis of the measure from the city attorney. The attached resolution will satisfy these requirements.

At the top of page 3 of this report, in the middle of the resolution calling for the election, is a section for ballot language for the measure. This will be the printed text which voters read when marking yes or no on their ballot. It is also the language which is printed in the Notice of Election which must be published by July 12.

Council must decide what language it wishes to insert in this section. Two possible versions have been attached as Exhibit A (page 4) of this report but council has sole discretion in determining this language. The city attorney will prepare the ballot measure title and an impartial analysis of the measure if council approves this resolution.

As required under the Elections Code Sec. 12101 and 12111 and Government Code 6061, the council's order to call a special election (including a synopsis of the measure) will be published before the July 12, 2004 deadline which is 113 days before the proposed election.

**RESOLUTION NO.**

**RELATING TO THE SPECIAL MUNICIPAL ELECTION**

November 2, 2004

WHEREAS, a Special Municipal Election is scheduled for November 2, 2004 to vote on a Municipal Services parcel tax; and

WHEREAS, it is necessary to determine a number of details relating to such Special Municipal Election;

RESOLVED, that the City of Piedmont officially requests the services of the Alameda County Registrar of Voters in carrying out the Special Municipal Election; and

BE IT FURTHER RESOLVED, that the Registrar of Voters is requested to set forth on all sample ballots to be mailed to the qualified electors of the city said measure hereafter set forth and to mail with said sample ballots to said electors printed copies of Ordinance 650 N.S. and of arguments (if any) for and against said measure, and to provide absent voter ballots for the special municipal election for use by qualified electors of the city who are entitled thereto, in the manner provided by law;

BE IT FURTHER RESOLVED, that 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; and

BE IT FURTHER RESOLVED, that 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; and

BE IT FURTHER RESOLVED, that 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; and

**RELATING TO A BALLOT MEASURE AT THE SPECIAL MUNICIPAL  
ELECTION**

BE IT FURTHER RESOLVED that the City of Piedmont officially requests that the following measure be incorporated in the special municipal election ballot for November 2, 2004;



**(TO BE FILLED IN)**

WHEREAS, it is appropriate to set the last day for filing ballot arguments and rebuttal arguments for or against such ballot measure; and

WHEREAS, an impartial analysis of the ballot measure by the city attorney will be required, and a deadline for submission should be made;

RESOLVED that the last day for filing direct arguments for or against the ballot measure appearing on the November 2, 2004 Special Municipal Ballot shall be August 16, 2004 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; and

BE IT FURTHER RESOLVED, that the last day for filing rebuttal arguments for or against the ballot measure appearing on the November 2, 2004 Special Municipal Ballot shall be August 23, 2004 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; and

BE IT FURTHER RESOLVED, that the City Council directs the city attorney to prepare an impartial analysis of the ballot measure to be submitted on or before August 16, 2004 at 4:00 p.m.

I certify that the foregoing is a full, true and correct copy of the original resolution which is on file in my office and that it was passed and adopted at a regular meeting of the Piedmont City Council on July 6, 2004 by the following vote:

AYES:

NOES:

ABSENT:

Attest: \_\_\_\_\_  
Ann Swift, City Clerk

Option 1

“To provide funding essential for maintaining (1) adequate staffing for police, fire and paramedic service; (2) existing youth services and school crossing guards; and (3) other city services including parks and public library access; shall the City of Piedmont authorize a parcel tax to replace the existing Municipal Services Tax, as more specifically set forth in Ord. 650 N.S. which is on file with the City Clerk?”

Option 2

“To provide and maintain police, fire and paramedic service levels, to prevent the reduction in the conditions of City parks, greenspaces and other public areas, and to prevent the loss of youth, family and senior recreational and safety services, shall the City of Piedmont continue to authorize a parcel tax, replacing the existing Municipal Services Tax, as is more specifically set forth in Ord. 650 which is on file with the City Clerk?”