



# Memorandum

**TO:** RULES AND OPEN  
GOVERNMENT COMMITTEE

**FROM:** Toni Taber, CMC  
City Clerk

**SUBJECT:** SEE BELOW

**DATE:** March 14, 2019

## **SUBJECT**

**BOARD OF FAIR CAMPAIGN AND POLITICAL PRACTICES RESPONSE AND PROPOSED RECOMMENDATIONS TO OCTOBER 16, 2018 COUNCIL REFERRAL REGARDING SHIFTING MAYORAL ELECTIONS FROM THE GUBERNATORIAL ELECTION CYCLE TO THE PRESIDENTIAL ELECTION CYCLE**

## **RECOMMENDATION**

Accept the recommendation from the Board of Fair Campaign and Political Practices to shift the City's mayoral election from the gubernatorial cycle to the presidential cycle.

## **BACKGROUND**

On October 3, 2018, a memorandum from Councilmembers Carrasco, Jones, Jimenez and Rocha was heard by the Rules and Open Government Committee and referred to Council on October 23, 2018. At the meeting on October 23, 2018, the Council moved to refer the matter to the Board of Fair Campaign and Political Practices ("Board" or "BFCPP") for their review and input with instructions to return to Council with their recommendation.

The referral was first brought to the Board at a special meeting on November 28, 2018. Due to a loss of quorum, the item was postponed to the following meeting on December 12, 2018, where, due to another loss of quorum, the item was continued to the Board's meeting in February 2019.

On February 13, 2019, the Board discussed the referral and unanimously approved the draft response posted on their agenda. The response and attachments that were considered are attached to this item.

## **ANALYSIS**

See attached letter from the Chair of the Board of Fair Campaign and Political Practices for analysis.

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In addition, the shifting of the mayoral election to the presidential election cycle will require the Council to submit a ballot measure to the voters to amend the City Charter. Placing a charter amendment on the ballot requires the Council to pass a resolution calling the election at least 88 days before the election. (Elec. Code §§ 1415, 9255.)

The deadline to submit ballot measures for the March 3, 2020 statewide primary election is Friday, December 6, 2019. The deadline to submit ballot measures for the November 3, 2020 statewide general election is Friday, August 7, 2020.

### **PUBLIC OUTREACH**

The topic was first discussed at the Rules and Open Government Meeting of October 3, 2018, and was agendaized for discussion on the October 16, 2018 City Council meeting. The materials were posted for the Board of Fair Campaign and Political Practices (BFCPP) meetings for November 28, 2018 and December 12, 2018 and February 13, 2019. This memo will be posted as part of the agenda packet for March 26, 2019.

### **COORDINATION**

This memorandum has been coordinated with the Office of the City Attorney and the Board of Fair Campaign and Political Practices.

### **COMMISSION RECOMMENDATION**

See Analysis for the recommendation approved at the February 13, 2019 Board of Fair Campaign and Political Practices meeting.

### **CEQA**

CEQA: Not a Project; File No. PP 17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment.



Toni J. Taber, CMC  
City Clerk

For questions, please contact Toni J. Taber, City Clerk, at (408) 535-1260.

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Attachments:

Letter from Board of Fair Campaign and Political Practices

Memorandum from Council Meeting 10/16/2018

Letters from the Public for Council Meeting, 10/16/2018

Letters from the Public for BFCPP Meeting, 11/28/2018

Transcript from Rules and Open Government Meeting, 10/3/2018

San José Voter Turnout, 1980-2018