

**RESOLUTION NO. 2016-090**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF  
UNDERSTANDING WITH THE COUNTY OF SACRAMENTO FOR ELECTION  
ADMINISTRATION SERVICES**

**WHEREAS**, under the provisions of the State of California Elections Code and Elk Grove Municipal Code Chapter 1.02, general municipal elections for the City of Elk Grove are to be consolidated with the Statewide general elections to be held on the first Tuesday after the first Monday in November of each even-numbered year; and

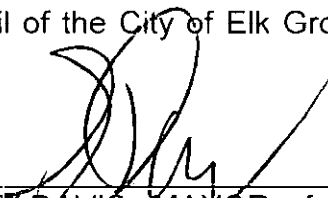
**WHEREAS**, statewide general elections are held within the County of Sacramento on the same day; and

**WHEREAS**, in the course of conduct of elections the City of Elk Grove requests the services of the County; and

**WHEREAS**, the purpose of the Memorandum of Understanding is to define the expectations, rights, and responsibilities of the parties with regard to providing certain services for all elections when the City of Elk Grove requests consolidation with the County of Sacramento for statewide elections or for holding special elections.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute a Memorandum of Understanding with the County of Sacramento for election administration services, in the form attached hereto as Exhibit A.


**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 11<sup>th</sup> day of May 2016.

  
\_\_\_\_\_  
GARY DAVIS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JONATHAN P. HOBBS,  
CITY ATTORNEY

## EXHIBIT A

### MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF ELK GROVE AND THE COUNTY OF SACRAMENTO FOR ELECTION ADMINISTRATION SERVICES

1. **PARTIES.** This Memorandum of Understanding (MOU) is entered into by the City of Elk Grove, a California general law city and municipal corporation ("City") and the County of Sacramento, a political subdivision of the State of California ("County").

2. **PURPOSE OF THIS MOU.** The purpose of this MOU is to define the expectations, rights, and responsibilities of the parties with regard to providing certain services for all elections. This MOU supersedes any other agreement between the parties related to the matters covered by this MOU.

3. **ROLES AND RESPONSIBILITIES.** The responsibilities of the Sacramento County Registrar of Voters and the City Clerk of the City of Elk Grove are defined in Attachment A (Scope of Services), which is a part of this MOU.

4. **REIMBURSEMENT FOR SERVICES PROVIDED.** The City agrees to reimburse the County for elections services within 30 days from receipt of an invoice from the County Elections Office. If there is a dispute about services provided or costs claimed, the Registrar of Voters and the City Clerk shall meet in good faith to resolve the dispute before any other remedies are sought.

5. **MUTUAL INDEMNIFICATION.**

5.1 City agrees to indemnify and hold harmless County, its officers, employees, agents, and volunteers from any and all liabilities for injury to persons and damage to property arising out of any act or omission of City, its officers, employees, agents or volunteers in connection with City's performance of its obligations under this MOU.

5.2 County agrees to indemnify and hold harmless City, its officers, employees, agents, and volunteers from any and all liabilities for injury to persons and damage to property arising out of any act or omission of County, its officers, employees, agents or volunteers in connection with County's performance of its obligations under this MOU.

5.3 This Section 5 survives the termination or expiration of this MOU.

6. **TERM OF AGREEMENT.** This MOU is effective upon the signatures of the parties, and may be modified at any time by the written consent of the parties. It may be terminated at any time upon mutual consent of the parties, or unilaterally upon written notice from the terminating party to the other party at least 60 days prior to the date of termination. The City shall reimburse the County for cost of services provided through the date of the termination notice.

CITY OF ELK GROVE, a California  
general law city and municipal corporation

COUNTY OF SACRAMENTO,  
a political subdivision of the State of  
California

By: \_\_\_\_\_  
Laura S. Gill, City Manager

By: \_\_\_\_\_  
Registrar of Voters

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Jason Lindgren, City Clerk

Date: \_\_\_\_\_

Approved as to Form:

Approved as to Form:

By: \_\_\_\_\_  
Jonathan P. Hobbs, City Attorney

By: \_\_\_\_\_  
County Counsel

Attest:

By: \_\_\_\_\_  
Brenda Haggard, Assistant City Clerk

## ATTACHMENT A - SCOPE OF SERVICES

### ALL ELECTIONS

#### **Registrar of Voters shall provide the following services for all City of Elk Grove elections:**

1. Prepare election process forms and provide to the City Clerk at least 120 days prior to the election.
2. Verify signatures on petitions, including but not limited to, all candidate official filing forms, nomination paper petitions, and supplemental nomination paper petitions; initiative, referendum, and recall petitions; Notices of Intent to Circulate Petitions; and Notices of Intent to Recall.
3. Assign measure letters.
4. Prepare, translate, and format the sample ballot for materials including, as applicable: candidates' statement, ballot arguments and rebuttals, measure ballot title and summary, measure impartial analysis, facsimile ballot, voting instructions, polling place information, and map and/or address of ballot drop-off locations in the City of Elk Grove.
5. Provide all sample ballot materials to the City Clerk for review and confirmation within the Registrar's time frames to make necessary changes in time to meet legal deadlines prior to printing and mailing.
6. Supply sample ballot materials to registered voters in the affected Council Districts.
7. Provide to the City Clerk an electronic listing of all electors eligible to vote in the election, including polling place, if applicable.
8. Provide ballot tabulation equipment and qualified and trained personnel for its operation throughout the election as provided by law.
9. Provide security during ballot counting and tabulation process.
10. Provide sufficient personnel to deliver, process, count, and tabulate election ballots.
11. Provide sufficient personnel to process, count, and tabulate signature withdrawal requests.
12. Distribute and process vote-by-mail ballots.
13. Distribute and process provisional ballots and challenged ballots.
14. Perform canvass and issue Official Statement of Vote to the City Clerk as required by federal and state election laws.
15. Prepare invoices for services rendered within 45 days of the election and provide revised invoices, as necessary, following cost reconciliation
16. Refer media inquiries and requests relating to City of Elk Grove elections to the City Clerk.
17. Other services as requested by the City Clerk.

#### **The City Clerk shall provide the following services to the Registrar of Voters for all City of Elk Grove elections:**

1. Provide a copy of the resolution calling the election and requesting services as required by federal and state election law.
2. Provide City Council action regarding costs for printing of candidate statements.
3. Promptly forward candidates' Candidate Official Filing forms and Statement of Qualification upon submittal.

4. As applicable, promptly furnish copies of the full text of measures, including a written description of any related maps or images, impartial analysis, ballot title and summary, arguments, and rebuttals.
5. Promptly review and confirm content and content placement of sample ballot materials.
6. Furnish copies of published Notice of Election and list of qualified candidates.
7. Remit payment for services rendered within 30 days of receiving invoice.

#### ELECTION POLLING LOCATIONS

**The Registrar of Voters shall provide the additional following services for City of Elk Grove polling location elections:**

1. Establish polling locations that are compliant with State of California law regarding accessibility.
2. Provide furniture and equipment, as needed, for polling locations and poll workers.
3. Hire, train, and compensate poll workers and alternate poll workers.
4. Hire, train, and compensate Coordinators and technical teams for technical and logistical support to poll workers and elections personnel.
5. Provide the City Clerk with a direct link to County website that indicates polling locations.

**The City Clerk shall provide the additional following services for City of Elk Grove polling place elections:**

1. Provide location and security for a ballot box for vote-by-mail drop-offs at City Hall on Election Day and at least 15 days prior.

#### ALL-MAIL-BALLOT ELECTIONS

**The Registrar of Voters shall provide the additional following services for City of Elk Grove all-mail-ballot elections:**

1. Provide materials, equipment, staffing, and activities required for all-mail-ballot elections as required by law.
2. Hire and train workers for ballot drop-off locations.
3. Provide for the establishment of ballot drop-off locations, with days and hours of operation for a period of at least 15 days prior to Election Day and on Election Day from 7 a.m. to 8 p.m. or as required by election law.
4. Provide materials, furniture, and equipment, as needed, for ballot drop-off locations.
5. Timely deliver all official ballots as required by law.
6. Provide daily tallies of returned ballots by Council District (*if applicable*) to the City Clerk.

**The City Clerk shall provide to the Registrar of Voters for City of Elk Grove all-mail-ballot elections:**

1. Assist with the identification of potential facilities for ballot drop-off locations.
2. Provide location and security for a ballot box for vote-by-mail drop-offs at City Hall on Election Day and 15 days prior to Election Day or as otherwise required by law.

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2016-090**

STATE OF CALIFORNIA        )  
COUNTY OF SACRAMENTO    )        ss  
CITY OF ELK GROVE         )

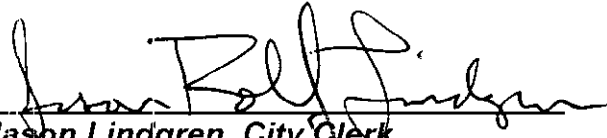
*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on May 11, 2016 by the following vote:*

**AYES :**        **COUNCILMEMBERS:**        *Davis, Ly, Detrick, Hume, Suen*

**NOES:**        **COUNCILMEMBERS:**        *None*

**ABSTAIN :**    **COUNCILMEMBERS:**        *None*

**ABSENT:**     **COUNCILMEMBERS:**        *None*

  
\_\_\_\_\_  
**Jason Lindgren, City Clerk  
City of Elk Grove, California**