
File ID: 2026-01109

6/23/2026

Administrative Approvals Associated with the November 3, 2026 Municipal Election for the Purpose of Submitting Proposed Ballot Measure(s) to the Voters

File ID: 2026-01109

Location: Citywide

Recommendation: Adopt: 1) a **Resolution** calling for a municipal election to be held on November 3, 2026 for the purpose of submitting proposed ballot measure(s) to the voters; 2) a **Resolution** calling and giving notice of the submittal to the voters a question relating to Sacramento City Employees' Retirement System Termination Act; and 3) a **Resolution** requesting the Sacramento County Board of Supervisors consolidate the City of Sacramento's November 3, 2026 municipal election with the statewide election on the same date and to permit the Sacramento County Voter Registration and Elections Department to render certain elections services to the City of Sacramento relating to the conduct of the November 3, 2026 and the statewide election of the same date.

Contact: Mindy Cuppy, City Clerk, (916) 808-5442, mcuppy@cityofsacramento.org, Office of the City Clerk

Presenter: None

Attachments:

- 1-Description/Analysis
- 2-Resolution Calling for a Municipal Election for the Purpose of submitting proposed ballot measure (s)
- 3-Resolution Calling and Giving Notice of the Placement of One Measure on the Ballot
- 4-Exhibit A: Sacramento City Employees' Retirement System Termination Act
- 5-Resolution Consolidating the City of Sacramento's Election with the Statewide Election and Requesting the Sacramento County Voter Registration and Elections Department to Render Elections Services
- 6-Exhibit B - City-County Elections Services Memorandum of Understanding (MOU)

Description/Analysis

Issue Detail: In accordance with the Sacramento City Charter § 152, regular city municipal elections shall be held on the same date as the California statewide elections. In accordance with California Elections Code § 9222, the council must adopt a resolution to place a measure on the ballot. These

administrative approvals associated with the November 3, 2026 Municipal Election are necessary to call and give notice of the election and to consolidate and request elections services from the County of Sacramento.

Policy Considerations: The actions outlined in this report are in accordance with Sacramento City Code, Sacramento City Charter, and California Elections Code.

Economic Impacts: Not applicable.

Environmental Considerations:

California Environmental Quality Act (CEQA): The proposed action is not a project under CEQA because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines §15378(b)(5).)

Sustainability: Not applicable.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: The recommendations are consistent with standard practice, Sacramento City Code, Sacramento City Charter, and California Elections Code.

Financial Considerations: The estimated cost of an election for this ballot measure is \$421,714. This estimate includes four printed pages pertaining to the measure, the cost will increase if additional pages are needed. There is sufficient funding in the elections budget to cover the cost for this ballot measure.

Local Business Enterprise (LBE): Not applicable.

RESOLUTION NO.

Adopted by the Sacramento City Council

Date Adopted

Calling for a Municipal Election to be Held on November 3, 2026, for the Purpose of Proposing Ballot Measure(s), as Required by the Provision of the Laws of the State of California Relating to Charter Cities

BACKGROUND

- A. On June ____, 2026, the Sacramento City Council directed a municipal election to be held on November 3, 2026, for the purpose of submitting a proposed ballot measure(s) to the voters.

- A. As provided in the California Elections Code, elections must be formally called by resolution.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1.

Pursuant to the requirements of the laws of the State of California relating to charter cities, there is called and ordered to be held in the City of Sacramento, California, on November 3, 2026, a municipal election, for the purpose of voting on proposed ballot measure(s).

SECTION 2.

That the ballots to be used at the election shall be in the form and content as required by law.

SECTION 3.

That the vote center locations and hours of operations, ballot drop box locations and hours of operations, vote-by-mail procedures and timing, the election officers, and all other persons and procedures for the General Municipal Election shall be the same as those utilized by the County of Sacramento and in compliance with the Elections Code of the

State of California. In addition, the polls/vote centers for the election shall be open at seven o'clock a.m. on the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code § 10242, except as provided in Elections Code § 14401.

SECTION 4.

If, upon canvass of the municipal election returns by the Sacramento County Voter Registration and Elections Department, both candidates for an office to be voted for receive an equal number of votes for an office, the City Council shall forthwith summon the candidates who have received the tie votes to appear before them at a time and place designated by the City Council. Pursuant to Elections Code § 15651, at that time and place, the City Council shall determine the tie by lot.

All elected officials shall take office on the day of the last regularly scheduled city council meeting in December in the year of their election, and their terms of office shall commence on said date.

SECTION 5.

That in all particulars not recited in this resolution, the election shall be held and conducted as provided by the law for holding municipal elections.

SECTION 6.

That notice of the time and place of holding the election is hereby given and the City Clerk is hereby authorized, instructed and directed to give further or additional notice of the election, in the time, form, and manner required by law.

RESOLUTION NO.

Adopted by the Sacramento City Council

Date Adopted

**Calling for and Giving Notice of the Submittal to the Voters a Question
Relating to Sacramento City Employees' Retirement System (SCERS)
Termination Act (Charter Amendment) to be Included in the
Municipal Election on November 3, 2026**

BACKGROUND

- A. On June ____, 2026, the Sacramento City Council adopted Resolution 2026-XXXX, known as Sacramento City Employees' Retirement System (SCERS) Termination Act (Charter Amendment), which is subject to approval by the voters.
- B. On June ____, 2026, the City Council adopted Resolution 2026-XXXX calling for, giving notice of, and consolidating a municipal election to be held in conjunction with the statewide election to be held on November 3, 2026 for the purpose of proposing ballot measure(s).
- C. The City Council desires to submit this measure to the voters at the November 3, 2026 municipal election.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1.

The City Council hereby orders that the following question be submitted to the voters in the City of Sacramento, California on November 3, 2026:

Measure __ - Charter Amendment Regarding the Sacramento City Employees' Retirement System (SCERS):

"Shall the measure amending the City of Sacramento Charter – to provide a mechanism to terminate the Sacramento City Employees' Retirement System (SCERS) when conditions are met; ensure that the City of Sacramento's obligations to remaining members, surviving spouses, and other beneficiaries are fulfilled; with any surplus funds remaining after termination to be used to establish or contribute to a housing revolving loan fund and to finance affordable housing and market-rate housing with affordable financing components – be adopted?"	YES
	NO

SECTION 2.

That the proposed complete text of the measure to be submitted to the voters is attached as Exhibit A.

SECTION 3.

That the vote requirement for the measure to pass is a majority (50%+1) of the votes cast.

SECTION 4.

That the ballots to be used at the election shall be in the form and content as required by law.

SECTION 5.

That the vote center locations and hours of operations, ballot drop box locations and hours of operations, vote-by-mail procedures and timing, the election officers, and all other persons and procedures for the general municipal election shall be the same as those utilized by the County of Sacramento and in compliance with the California Elections

Code (Elections Code). In addition, the polls/vote centers for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code § 10242, except as provided in Elections Code § 14401.

SECTION 6.

That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7.

That notice of the time and place of holding the election is hereby given and the City Clerk is hereby authorized, instructed and directed to give further or additional notice of the election, in the time, form, and manner required by law.

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Exhibit A – Sacramento City Employees' Retirement System (SCERS) Termination Act (Charter Amendment)

Sacramento City Charter Amendment Regarding the Sacramento City Employees Retirement System (SCERS)

Section 1. Title, Findings, and Purpose.

A. Title.

This charter amendment is titled and may be cited as the “Sacramento City Employees’ Retirement System Termination Act” (hereinafter, the “Act”).

B. Findings.

1. The Sacramento City Employees’ Retirement System (“SCERS”) is a defined benefit pension plan described in article XVII of the City of Sacramento Charter (“City Charter”) and chapter 2.124 of the Sacramento City Code, which was enacted to implement article XVII of the City Charter. SCERS has been closed to new members since 1977.

2. At present, only one person covered by SCERS remains employed by the City of Sacramento.

3. As of July 31, 2025, there were 706 members, surviving spouses, and other beneficiaries receiving benefits from SCERS, with an average age of 81.8 years. There are also up to two vested, terminated members who have not yet begun receiving benefits.

4. Currently, SCERS assets exceed 100% of the actuarially determined liabilities for members, surviving spouses, and other beneficiaries. As the number of members, surviving spouses, and other beneficiaries declines over time, that funding percentage is expected to increase.

5. At some future time, there will be sufficient funds in SCERS to purchase an annuity policy (or policies) to fully secure and replicate all accrued benefits owed to members, surviving spouses, and other beneficiaries in perpetuity. At that point, there will be no ongoing need to maintain SCERS, and the administrative needs and costs associated with managing its remaining funds will decrease. It will then be efficient to commence the termination of SCERS and address any surplus funds.

6. The City Charter currently contains no mechanism to terminate SCERS or to address any surplus funds remaining after all accrued benefits have been fully paid or secured.

7. This Act creates a City Charter mechanism to terminate SCERS when conditions are met; ensures that the City of Sacramento’s obligations to remaining members, surviving spouses, and other beneficiaries are fulfilled; and provides direction regarding the handling of any surplus remaining after termination.

C. Purpose and Effect.

As the member, surviving spouse, and other beneficiary population declines, SCERS assets may continue to grow beyond the amounts necessary to pay all accrued benefits. Under the current City Charter, there is no mechanism to terminate SCERS or to address any surplus funds.

This Act creates a mechanism for SCERS termination in the City Charter. Voter approval of this Act does not, by itself, terminate SCERS; rather, termination may occur only after the city council makes the requisite findings and adopts the resolution of termination required by this Act. Prior to bringing the resolution of termination to the city council, a plan for the wind-down of SCERS operations shall be developed with city staff and, as appropriate, the SCERS board, including as part of the accounting required under section 402(c) of the City Charter. The development and completion of the wind-down plan shall be a condition precedent to the city council's adoption of the resolution of termination described in section 402 of the City Charter.

No transfer of surplus funds out of SCERS will occur until the city council has adopted the resolution of termination described in section 402 and all accrued benefits, reasonable plan wind-down expenses, and administration expenses have been fully paid or secured on an actuarially conservative basis appropriate for plan termination, consistent with fiduciary duties and the exclusive benefit rule described in United States Internal Revenue Code section 401(a)(2).

Upon adoption of the resolution of termination, the current provisions in the City Charter governing SCERS (other than the termination provisions established by this Act) will be repealed, and the City Code provisions related to SCERS will be repealed.

Section 2. Section 402 is hereby added to the Sacramento City Charter to read as follows:

§ 402. Resolution of Findings Supporting Termination of SCERS.

The city council may adopt a resolution of termination making the following findings:

(a) There are no longer any SCERS members who are employed by the City of Sacramento;

(b) The City of Sacramento, acting through the board in its fiduciary capacity, has purchased an annuity policy (or policies) from an insurance company or companies with an appropriate financial strength rating, following a prudent, competitive process designed to obtain the safest available annuity under the circumstances, unless the board determines that a different approach is in the best interests of SCERS members, surviving spouses, and other beneficiaries. The annuity purchase, together with any reserves retained in SCERS, must fully secure, on an actuarially conservative basis appropriate for plan termination, all accrued benefits of all remaining members, surviving spouses, and other

beneficiaries of SCERS; and

(c) An accounting has been completed of all remaining funds in SCERS, and the accounting is supported by a written report of the SCERS actuary addressing termination-basis liabilities, annuity purchase sufficiency, and wind-down costs; by a written report of the SCERS board documenting its fiduciary analysis; and by an opinion of tax counsel that any proposed transfer of surplus funds complies with applicable federal exclusive benefit requirements for governmental plans. The accounting shall identify the following:

(1) The amount needed to pay administrative costs to wind down SCERS operations;

(2) The amount of any funds needed, as determined on an actuarially conservative basis, to confirm that the annuity policy (or policies) purchased under subsection (b), together with any reserves retained in SCERS, fully secures all accrued benefits of all remaining members, surviving spouses, and other beneficiaries of SCERS;

(3) A reasonable contingency reserve, if any, determined on an actuarially conservative basis, to address unanticipated benefit administration or annuity transition costs, including the continued payment of benefits to any vested and terminated members who have not begun receiving benefits and were not included in the annuity policy (or policies); and

(4) The amount of any funds that are not included in (1) through (3), or that were previously included in (1) through (3) but are no longer needed for the purposes described therein, which shall be deemed surplus funds.

The resolution of termination must be adopted at a public hearing, notice of which shall be published in a newspaper published within the City designated by the council as the official newspaper of the City no fewer than seven days before the date of such hearing and shall include the time and place of the hearing and a statement that testimony from all interested persons for or against the proposed action will be heard. The resolution adopted under this section shall be effective immediately upon adoption.

Section 3. Section 403 is hereby added to the Sacramento City Charter to read as follows:

§ 403 Effects of City Council's Adoption of a Resolution of Facts Supporting Termination of SCERS

Upon the city council's adoption of the resolution of termination, the following shall occur:

(a) All funds identified under section 402(c)(1), (2), and (3) shall remain in the SCERS fund and shall be used to complete the wind-down of SCERS operations, administer any remaining benefit obligations not covered by the annuity policy (or policies) purchased under section 402(b), and maintain the contingency reserve described in section 402(c)(3). Funds described in this subsection (a) shall be held and administered solely for the purposes described in this subsection (a), consistent with fiduciary duties and the exclusive benefit rule described in United States Internal Revenue Code section 401(a)(2).

(b) All surplus funds identified under section 402(c)(4) shall, within 30 days after adoption of the resolution of termination, be transferred to a new fund under the city's control ("Surplus Fund"). Amounts in the Surplus Fund are no longer assets of SCERS and shall be used only for the following public purpose: to establish or contribute to a housing revolving loan fund and to finance affordable housing and market-rate housing with affordable financing components.

(c) Except for sections 402, 403, and 404, all provisions of article XVII of the City Charter are repealed; provided, however, that the procedures therein at the time of repeal shall be used as necessary to determine accrued benefits of any remaining members, surviving spouses, and other beneficiaries if the insurance company or companies from which the annuity was purchased fails to perform;

(d) Chapter 2.124 of the Sacramento City Code is repealed; provided, however, that the procedures therein at the time of repeal shall be used as necessary to determine accrued benefits of any remaining members, surviving spouses, and other beneficiaries if the insurance company or companies from which the annuity was purchased fails to perform;

(e) All resolutions, policies, and procedures directly related to SCERS or the board are rescinded;

(f) In the unlikely event an insurance company from which the city purchased an annuity fails to timely pay benefits as and when due under the contract (including due to insolvency, rehabilitation, receivership, or liquidation), the city shall remain liable to any remaining members, surviving spouses, and other beneficiaries for the payment of accrued benefits when due. The city's obligation under this subsection is limited to the payment of accrued benefits as determined on a termination basis under section 402 and shall be reduced by any amounts payable from a state guaranty association or other recoveries. The city shall be subrogated to, and may require assignment of, the payee's rights against the insurer, any guaranty association, and any other responsible party. The city may establish reasonable procedures to coordinate such payments and recoveries to avoid duplication and ensure continuity of benefit payments to SCERS members, surviving spouses, and other beneficiaries.

(g) Funds; Audits, Reporting, and Controls.

(1) Subsection (a) Funds. The city treasurer shall have exclusive control of the administration, management, and investment of the funds described in

subsection (a). The city treasurer shall act as a fiduciary for SCERS members, surviving spouses, and other beneficiaries and shall manage those funds in accordance with the prudent investor standard and other applicable law.

(2) Surplus Fund. Monies transferred to the Surplus Fund under subsection (b) are no longer assets of SCERS and are not subject to the fiduciary duties owed to SCERS members, surviving spouses, and other beneficiaries. The Surplus Fund shall be held in a separate accounting fund and shall not be commingled with the city's general fund. The city treasurer shall manage and invest Surplus Fund monies in accordance with California Government Code section 53601 and the city's standard investment policies applicable to city funds.

(3) Audits, Reporting, and Controls. The funds described in subsection (g)(1) are subject to the following requirements:

(A) Independent Audits and Access. The funds described in subsection (a) shall be subject to an annual independent financial and compliance audit performed in accordance with generally accepted government auditing standards. The independent auditor shall be engaged by, and report directly to, the city council or its audit committee, and shall have unrestricted access to all records, service-provider agreements, custodial statements, systems, and personnel necessary to perform the audit.

(B) Scope of Audit Opinion and Compliance Testing. The annual audit described in subsection (A) above shall include: (i) an opinion on the fair presentation of the financial statements for the funds described in subsection (a); (ii) compliance testing and an opinion or report on compliance with this subsection (g), including the prudent investor standard, segregation of assets, and prohibited commingling; and (iii) an evaluation of internal controls over financial reporting and safeguarding of assets, including disbursements, reconciliations, and investment compliance monitoring.

(C) Quarterly Reporting and Certifications. The city treasurer shall deliver to the city council, within 45 days after the close of each fiscal quarter, a written report for the funds described in subsection (a) setting forth holdings, market value, credit quality, duration, performance versus appropriate benchmarks, cash flows, fees and expenses, and a certification of compliance with this subsection (g) and with the applicable investment policies. Any instances of noncompliance shall be disclosed with a remediation plan and timeline.

(D) Investment Policies and Benchmarks. The city treasurer shall adopt and maintain written investment policies for the funds described in subsection (a), including risk limits, permitted investments, diversification, liquidity, benchmark selection, and procedures for

monitoring and reporting compliance. The city council or a council-designated subcommittee shall review such policies at least annually.

(E) Independent Custody and Reconciliations. All securities and cash for the funds described in subsection (a) shall be held by an independent third-party custodian in the name of the city, with annual custodial statements delivered directly to the City's independent auditor. The city treasurer shall perform monthly reconciliations to the custodian and bank records and retain evidence of such reconciliations.

(F) Disbursement Controls. All disbursements from the funds described in subsection (a) shall require authorization in accordance with written procedures approved by city council. Commingling with other city monies is prohibited, except to the extent necessary for pooled cash management where separate accounting and daily unitization are maintained.

(G) Service-Provider Control Reports. The city treasurer shall obtain and annually review Service Organization Control (SOC 1 Type II or equivalent) reports, if available, from the custodian and any investment managers or recordkeepers for the funds described in subsection (a), evaluate user-control considerations, and document the Treasurer's assessment and any remediation steps.

(H) Corrective Action and Status Reporting. Within 60 days of any audit finding or management letter comment, the city treasurer shall submit to the city council or its audit committee a written corrective-action plan with milestones and shall provide quarterly status updates until remediation is complete.

(I) Transparency. The annual independent audit reports, quarterly reports, investment policies, and any corrective-action plans for the funds described in subsection (a) shall be annually reviewed and approved by city council.

(J) Triggers for Special Examinations. In addition to the annual audit, the city council or its audit committee may direct a special examination or agreed-upon procedures review upon the occurrence of any of the following: (i) a material control deficiency or noncompliance disclosed in quarterly reporting or an audit; (ii) a realized loss exceeding a threshold established by council policy; (iii) a change in custodian or investment manager; (iv) any failure of the insurer(s) providing annuities referenced in subsection (f) to perform; or (v) any other circumstance deemed appropriate by the city council.

(K) Bonding and Insurance. The city treasurer and any employee with authority over the funds described in subsection (a) may be covered by fidelity bonds and applicable professional liability insurance in

amounts and on terms as may be approved by the city council or a council-designated subcommittee.

(L) The funds described in subsection (a) shall be used to pay for all costs incurred by the city treasurer under subsection (g), including, without limitation, costs of actuarial services, professional advisors, specialized legal counsel, trust or custodial services, and related administrative expenses. No costs of administering or using the Surplus Fund may be charged to the funds described in subsection (a).

Section 4. Section 404 is hereby added to the Sacramento City Charter to read as follows:

§ 404 Validation

The City of Sacramento, or any other person, may bring an action to determine the validity of the Sacramento City Employees' Retirement System Termination Act pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the California Code of Civil Procedure.

Section 5: Effective Date.

This Act shall take effect as provided in California Government Code sections 34459 and 34460.

Section 6: Severability.

The provisions of this Act, including any portion, section, subsection, paragraph, subparagraph, sentence, clause, or word, are severable. If any provision of this Act or its application is held to be invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

RESOLUTION NO.

Adopted by the Sacramento City Council

Date Adopted

Requesting the Sacramento County Board of Supervisors Consolidate the City of Sacramento, California November 3, 2026 Municipal Election with the Statewide Election on the Same Date and to Permit the Sacramento County Voter Registration and Elections Department to Render Certain Elections Services to the City of Sacramento for the November 3, 2026 Municipal Election

BACKGROUND

- A. The City Council has called and ordered a municipal election to be held on November 3, 2026, for the purpose of submitting proposed ballot measure(s) to the voters.
- B. It is desirable that the City of Sacramento’s municipal election be consolidated with the California statewide election to be held on the same date and in the same manner as if there were one election.
- C. As provided in the California Elections Code, the request for consolidation with the jurisdiction conducting the election must be formally adopted by resolution.
- D. In the course of conducting the elections it is necessary for the City of Sacramento to request services of the County of Sacramento.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1.

Pursuant to the requirements of California Elections Code § 10403, the Sacramento County Board of Supervisors is hereby requested to consent and agree to the consolidation of a municipal election with the statewide election on November 3, 2026 for the purposes of the voting on proposed ballot measure(s).

SECTION 2.

The Board of Supervisors of the County of Sacramento is hereby requested to permit the Sacramento County Voter Registration and Elections Department to render the following services in accordance with and pursuant to the provisions of the California Elections Code § 10002 to the City of Sacramento in conducting a municipal election to be held on November 3, 2026:

1. Establish voting centers, secure election officers, and prepare and mail notices of appointment.
2. Purchase vote center supplies and absentee voter supplies.
3. Print sample ballots and polling place cards, including the statements of candidates' qualifications and mail to registered voters.
4. Transport ballots, original books of affidavits, ballot boxes, and other supplies to voting centers.
5. Provide printed official ballots.
6. Provide for "Vote by Mail" voting through the Office of the County Registrar of Voters.
7. Supervise and conduct election.
8. Tabulate electronic votes.
9. Perform all things necessary or incidental to accomplish the proper and legal conduct of the election.

SECTION 3.

That the Sacramento County Voter Registration and Elections Department is authorized to canvass and certify the returns of the municipal elections. The elections shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 4.

That the Sacramento County Board of Supervisors is requested to issue instructions to the Sacramento County Voter Registration and Elections Department to take any and all steps necessary for the holding of the consolidated election.

SECTION 5.

That the vote center locations and hours of operations, ballot drop box locations and hours of operations, vote-by-mail procedures and timing, the election officers, and all other persons and procedures for the general municipal election shall be the same as those utilized by the County of Sacramento and in compliance with the California Elections Code (Elections Code). In addition, the polls/vote centers for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code § 10242, except as provided in Elections Code § 14401.

SECTION 6.

That the City of Sacramento recognizes that additional costs will be incurred by the County of Sacramento. The City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

SECTION 7.

That the City Clerk is hereby directed to file a copy of this resolution with the Sacramento County Board of Supervisors and the Sacramento County Voter Registration and Elections Department.

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Exhibit B – City-County Elections Services Memorandum of Understanding (MOU)

**MEMORANDUM OF UNDERSTANDING BY AND BETWEEN
THE CITY OF SACRAMENTO
AND
THE COUNTY OF SACRAMENTO**

1. **PARTIES.** This Memorandum of Understanding (MOU) is entered into by the City of Sacramento, a California charter 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. By entering this MOU the parties are mutually cancelling that certain City Agreement No. 83119, which was approved by the Board of Supervisors Resolution No. 84-124 and City Council Resolution 83-1034.

3. **ROLES AND RESPONSIBILITIES.** The responsibilities of the Sacramento County Registrar of Voters and the City Clerk of the City of Sacramento 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.

2015-1915

Title: Election Services
Other Party: County of Sacramento
Registrar of Voters

**MEMORANDUM OF UNDERSTANDING BY AND BETWEEN
THE CITY OF SACRAMENTO
AND
THE COUNTY OF SACRAMENTO**

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CITY OF SACRAMENTO, a California
charter city and municipal corporation

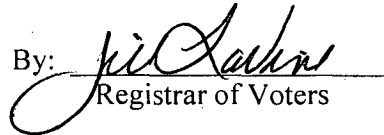
By: 
City Clerk

Date: 11-9-15

Approved as to Form:

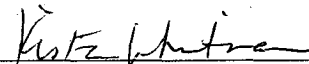
By: 
Assistant City Attorney

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

By: 
Registrar of Voters

Date: 11-20-15

Approved as to Form:

By: 
County Counsel

ATTACHMENT A

SCOPE OF SERVICES

ALL ELECTIONS

Registrar of Voters shall provide the following services for all City of Sacramento 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 location information, and map and/or address of ballot drop-off locations in the City of Sacramento.
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 location, 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 Sacramento 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 Sacramento 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 Sacramento 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 Sacramento polling election locations:

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 Sacramento 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 to the City Clerk.

The City Clerk shall provide to the Registrar of Voters for City of Sacramento 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.



City of Sacramento

Tax ID # if applicable:

Requires Council Approval: No YES Meeting: 10/27/2015

Real Estate Other Party Signature Needed Recording Requested

General Information

Type: Other	PO Type: Select PO Type	Attachment: Original No.:
\$ Not to Exceed: \$		Original Doc Number:
Other Party: County of Sacramento Registrar of Voters		Certified Copies of Document: 2
Project Name: Election Services		Deed: <input checked="" type="checkbox"/> None <input type="checkbox"/> Included <input type="checkbox"/> Separate
Project Number:	Bid Transaction #:	E/SBE-DBE-M/WBE:

Department Information

Department: City Clerk Division:

Project Mgr: Phoebe Schueler Supervisor: Wendy Klock-Johnson

Contract Services: Date: Division Mgr:

Phone Number: 808-7605 Org Number: 04001011

Comment:

Review and Signature Routing

Department	Signature or Initial	Date
Project Mgr:	PS	11/4/15
Accounting:		
Contract Services:		
Supervisor:	WJ	11/04/2015
Division Manager:	WJ	11/04/2015
City Attorney	Signature or Initial	Date
City Attorney:	MDR	11-12-15

Send Interoffice Mail Notify for Pick Up

Authorization	Signature or Initial	Date
Concolino, Shirley Department Director:	S. Concolino	11-9-15
City Mgr: yes <input type="checkbox"/> No <input type="checkbox"/>		

Contract Cover/Routing Form: Must Accompany ALL Contracts; however, is not part of the contract. (01-01-09)

For City Clerk Processing

Finalized:
Initial: [Signature]
Date: 11/17/2015
Imaged:
Initial: [Signature]
Date: 11/24/15

Received:
(City Clerk Stamp Here)

Title: Election Services
Other Party: County of Sacramento
Registrar of Voters

2015-1915

RECEIVED
CITY CLERK'S OFFICE
CITY OF SACRAMENTO
NOV 17 10:44 AM 2015