

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, FOR A VOTE ON ONE BALLOT MEASURE THAT, IF PASSED, WOULD AMEND SECTIONS 600 AND 700.1 AND ADD SECTION 700.2 TO THE SANTA CLARA CITY CHARTER

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That pursuant to the requirements of the City Charter, there is called and ordered to be held in the City of Santa Clara, California, on Tuesday, November 6, 2018, a special municipal election placing one measure that, if passed, would amend Charter Sections 600 and 700.1 and add Section 700.2 to the Santa Clara City Charter;
2. That the ballot question read as follows:

MEASURE 1	
BY DISTRICT COUNCIL ELECTIONS. Shall the City Charter be amended to change how Council Members are elected by establishing two districts beginning in 2020 each represented by three Council Members with sequencing and terms to be established by ordinance of the City Council?	YES
	NO

3. That the measure read as follows:

The Charter of the City of Santa Clara shall be amended as follows:

Section 600 of the Charter of the City of Santa Clara is amended to be entitled and to read as follows:

Sec. 600 City elected officers.

No person shall be eligible to hold ~~any the~~ elective office ~~in the City including of~~ Mayor; ~~City Council~~, Chief of the Police Department ~~and or~~ City Clerk, unless he or she is a resident and a qualified registered elector of the City. No person shall be eligible to hold the elective office of City Council Member other than Mayor unless he or she is a resident and a qualified elector of the City in the district represented by the Council Member office.

The elective officers of the City shall consist of a City Council composed of seven members, the Chief of the Police Department and the City Clerk. The members of the City Council, (which includes the office of the Mayor), the Chief of the Police Department and the City Clerk shall be elected from the City ~~at large~~ at the times and in the manner provided in this Charter. Except as otherwise herein provided, a person elected to an office for other than an unexpired term shall serve a term of four years and shall serve until a successor is elected and qualified. The term shall commence on the date the City Council certifies the canvass of the election returns submitted to it by the County Registrar of Voters.

~~The person receiving the most votes cast for a particular City office shall be declared duly elected. Ties shall be broken as provided from time to time by ordinance.~~

The office of Mayor shall be separately voted upon and is a separate office. The person elected at any election to the office designated "Mayor" shall be deemed elected, both as a Mayor and as a member of the Council. Although the Mayor is a Council member, his or her election does not change the number of Council members from seven.

No person shall be a candidate for both Mayor and a City Council seat at the same election. However, an incumbent member of the City Council may run for the elective office of Mayor, and the Mayor may run for the separate office of Mayor or other City Council office. However, at no time shall a member of the Council, including the Mayor, hold more than one City elective office. Except as otherwise provided elsewhere in this Charter, no incumbent member of the City Council while serving in such office with an unexpired term of more than six months shall be a candidate for any ~~numbered~~ Council seat other than the one which he or she holds.

Section 700.1 of the Charter of the City of Santa Clara is amended to be entitled and to read as follows:

Sec. 700.1 Elections – City Council ~~Designation of seats.~~

Members of the City Council shall be elected by district. There shall be two districts to be known as District 1 and District 2, with elections to be conducted as follows:

- (a) Each District shall be represented by three (3) Council Members.
- (b) The sequence of elections and terms of office for each district shall be enacted by ordinance of the City Council. The method by which Districts are to be drawn and redrawn shall be enacted by ordinance of the City Council. Upon any redistricting pursuant to the provisions of this section of the Charter or the ordinances enacted hereunder, each incumbent member of the Council will continue, during the remainder of the member's term, to hold office and represent the district by which the member was elected prior to such redistricting, notwithstanding any provision of Section 600 requiring a member to be a resident of the district represented by such member.

Section 700.2 of the Charter of the City of Santa Clara is added to be entitled and to read as follows:

Section 700.2 Method of Elections.

All City elected officers shall be elected by the method of election set forth in Elections Code Section 15450.

4. That in accordance with Section 700 of the City Charter, sections 12101 and 12111 of the California Elections Code, and section 6061 of the California Government Code, the City Clerk is hereby authorized and directed on behalf of the City Council to cause notice of the time and place of the holding of the election to be published once in a newspaper of general circulation, printed, published, and circulated in the City of Santa Clara and hereby designated for that purpose by the City Council of Santa Clara.

5. That the City Clerk is hereby authorized and directed to certify to the due adoption of this Resolution.

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6. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED
AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A SPECIAL MEETING
THEREOF HELD ON THE ____ DAY OF _____, 2018, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA, REQUESTING, PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE, THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2018 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT SAME DATE FOR THE PURPOSE OF SUBMITTING ONE BALLOT MEASURE TO THE VOTERS TO CONSIDER CHARTER AMENDMENTS RELATING TO BY-DISTRICT ELECTIONS

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, pursuant to California Elections Code section 1200, the next statewide general election will be held on November 6, 2018;

WHEREAS, the City Council desires to submit to the voters one proposed ballot measure amending the City Charter relating to the establishment of by-district elections with the creation of two districts;

WHEREAS, pursuant to Santa Clara City Charter Section 600.01, such a ballot measure is considered as a Special Municipal Election; and,

WHEREAS, in the course of conducting a Special Municipal Election on November 6, 2018, it is desirable that such Special Municipal Election be consolidated with the Statewide General Election to be held on the same date as if there were only one election. It is also necessary for the City to request services of the County as set forth in this resolution.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That pursuant to the requirements of section 10403 of the California Elections Code, the Board of Supervisors of the County of Santa Clara is hereby requested to consent and agree to

the consolidation of a Special Municipal Election with the Statewide General Election on Tuesday, November 6, 2018, for the purpose of placing one measure on the ballot that, if passed, would amend the City Charter relating to the establishment of by-district elections with the creation of two districts.

2. That the consolidated election shall be held and conducted, the election officers appointed, the voting precincts designated, the ballots printed, the polls opened and closed, the ballots counted and returned, the returns canvassed, and all other applicable proceedings to be performed in connection with the above consolidated election, be regulated and performed by the Registrar of Voters of the County of Santa Clara in accordance with the provisions of applicable laws regulating consolidating elections. This City Council consents to such consolidation.

3. That the Registrar of Voters is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

4. That the Board of Supervisors is requested to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

5. That the City of Santa Clara recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

6. That the City Clerk is directed to file a certified copy of this Resolution without delay with the Board of Supervisors and the County Registrar of Voters.

7. That the City Council hereby calls and orders to be held in the City of Santa Clara, California, on Tuesday, November 6, 2018, a Special Municipal Election for the purpose of submitting to the voters the following ballot measure:

A. **Measure 1**

The City Council hereby orders submitted to the voters the following ballot question:

MEASURE 1	
BY DISTRICT COUNCIL ELECTIONS. Shall the City Charter be amended to change how Council Members are elected by establishing two districts beginning in 2020 each represented by three Council Members with sequencing and terms to be established by ordinance of the City Council?	YES
	NO

8. That pursuant to California Elections Code section 10002, the City Council hereby requests that the Board of Supervisors authorize and direct the County Elections Department to provide such services as may be necessary to properly and lawfully hold and conduct a Consolidated Special Municipal Election in the City on November 6, 2018, including, but not restricted to, furnishing indexes and election equipment, appointing precinct workers and officials, instructing workers and officials, addressing sample ballots for said City election, issuing absentee ballots, establishing and providing early voting, conducting central counting and official canvass, and performing such other acts as may be required, or directed by the City Clerk, subsequent to acceptance of nomination materials by the City Clerk.

9. That the City Clerk is hereby authorized and directed to reimburse the County for services performed in accordance with this resolution, when the work is completed and upon presentation to the City of a properly approved bill subject to the approval by the City Clerk.

10. That the City Clerk is hereby authorized and directed to coordinate with the County Registrar of Voters to procure and furnish the procurement of any and all official ballots, notices, printed matter, and all supplies, equipment, paraphernalia that may be necessary in order to

properly and lawfully conduct the Consolidated Special Municipal Election. The ballots to be used at the election shall be in form and content as required by law.

11. That in all particulars not recited in this Resolution, the Special Municipal Election shall be held and conducted as provided by law for holding municipal elections.

12. That this resolution provides notice of the time and place of holding the Special Municipal Election, and the City Clerk is authorized, instructed and directed to give further or additional notice of the Special Municipal Election in time, form, and manner as required by law.

13. That the proposed measures shall not take effect unless and until approved by a vote of at least 50% plus one of the voters voting on the questions at the election.

13. Effective date. This Resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A SPECIAL MEETING THEREOF HELD ON THE ____ DAY OF _____, 2018, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA ORDERING THE SUBMISSION OF A BALLOT MEASURE TO THE QUALIFIED ELECTORS OF THE CITY AT SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2018, REGARDING PROPOSED CITY CHARTER AMENDMENTS TO ESTABLISH BY DISTRICT ELECTIONS; AND DIRECTING THE CITY ATTORNEY TO PREPARE THE IMPARTIAL ANALYSIS

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the next Statewide General Election will be held November 6, 2018;

WHEREAS, the City Council intends to submit a ballot measure and ballot question, as described in this Resolution, to the qualified electors of the City of Santa Clara at such election;

WHEREAS, in accordance with the Santa Clara County Registrar of Voters election calendar, and pursuant to Elections Code 9280-9287, the primary ballot arguments in favor or against a local ballot measure must be submitted no later than August 14, 2018 at 12:00 p.m., noon, to the City Clerk, and rebuttal arguments in favor or against local ballot measures must be submitted no later than August 21, 2018 at 12:00 p.m., noon, to the City Clerk; and,

WHEREAS, the City Council is authorized to direct the City Attorney to prepare an impartial analysis of the measure by the August 21, 2018 at 12:00 p.m., noon, deadline, showing the operation of the measure and its effect on the existing law.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby proposes to amend Santa Clara City Charter Sections 600, 700.1 and 700.2 as set forth in Exhibit A, attached hereto and incorporated herein by reference (with additions to and deletions from the current text indicated thereon); and the City Council hereby approves and orders the proposed measure to be submitted to the qualified electors of the City of Santa Clara at a Special Municipal Election on November 6, 2018. If the measure is

approved by a majority of voters, City Charter Sections 600 and 700.1 shall be amended and Section 700.2 shall be added as set forth in the measure, and the amendment shall be effective on the date that the City Council declares the results of the special municipal election.

2. That in order to submit the proposed measure described herein to the voters, the City Council hereby approves and orders the following ballot question to be submitted to the qualified electors of the City of Santa Clara at the Special Municipal Election on November 6, 2018:

MEASURE 1	
BY DISTRICT COUNCIL ELECTIONS. Shall the City Charter be amended to change how Council Members are elected by establishing two districts beginning in 2020 each represented by three Council Members with sequencing and terms to be established by ordinance of the City Council?	YES
	NO

3. That the City Council directs the City Attorney, by the established deadline of August 21, 2018 at 12:00 p.m., noon, to prepare an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure in accordance with Elections Code section 9280.

4. That the City Clerk is authorized and directed to give additional notice of the election in the time, form and manner as required by law.

5. Effective date. This resolution shall become effective immediately.

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AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A SPECIAL MEETING
THEREOF HELD ON THE ____ DAY OF _____, 2018, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Exhibit A – Proposed Charter Amendments

EXHIBIT A

The Charter of the City of Santa Clara shall be amended as follows:

Section 600 of the Charter of the City of Santa Clara is amended to be entitled and to read as follows:

Sec. 600 City elected officers.

No person shall be eligible to hold ~~any the~~ the elective office ~~in the City including of~~ Mayor, City Council, Chief of the Police Department ~~and or~~ City Clerk, unless he or she is a resident and a qualified registered elector of the City. No person shall be eligible to hold the elective office of City Council Member other than Mayor unless he or she is a resident and a qualified elector of the City in the district represented by the Council Member office.

The elective officers of the City shall consist of a City Council composed of seven members, the Chief of the Police Department and the City Clerk. The members of the City Council, (which includes the office of the Mayor), the Chief of the Police Department and the City Clerk shall be elected from the City ~~at large~~ at the times and in the manner provided in this Charter. Except as otherwise herein provided, a person elected to an office for other than an unexpired term shall serve a term of four years and shall serve until a successor is elected and qualified. The term shall commence on the date the City Council certifies the canvass of the election returns submitted to it by the County Registrar of Voters.

~~The person receiving the most votes cast for a particular City office shall be declared duly elected. Ties shall be broken as provided from time to time by ordinance.~~

The office of Mayor shall be separately voted upon and is a separate office. The person elected at any election to the office designated "Mayor" shall be deemed elected, both as a Mayor and as a member of the Council. Although the Mayor is a Council member, his or her election does not change the number of Council members from seven.

No person shall be a candidate for both Mayor and a City Council seat at the same election. However, an incumbent member of the City Council may run for the elective office of Mayor, and the Mayor may run for the separate office of Mayor or other City Council office. However, at no time shall a member of the Council, including the Mayor, hold more than one City elective office. Except as otherwise provided elsewhere in this Charter, no incumbent member of the City Council while serving in such office with an unexpired term of more than six months shall be a candidate for any ~~numbered~~ Council seat other than the one which he or she holds.

Section 700.1 of the Charter of the City of Santa Clara is amended to be entitled and to read as follows:

Sec. 700.1 Elections – City Council ~~Designation of seats.~~

Members of the City Council shall be elected by district. There shall be two districts to be known as District 1 and District 2, with elections to be conducted as follows:

- (a) Each District shall be represented by three (3) Council Members.
- (b) The sequence of elections and terms of office for each district shall be enacted by ordinance of the City Council. The method by which Districts are to be drawn and redrawn shall be enacted by ordinance of the City Council. Upon any redistricting pursuant to the provisions of this section of the Charter or the ordinances enacted hereunder, each incumbent member of the Council will continue, during the remainder of the member's term, to hold office and represent the district by which the member was elected prior to such redistricting, notwithstanding any provision of Section 600 requiring a member to be a resident of the district represented by such member.

Section 700.2 of the Charter of the City of Santa Clara is added to be entitled and to read as follows:

Section 700.2 Method of Elections.

All City elected officers shall be elected by the method of election set forth in Elections Code Section 15450.