RESOLUTION NO. 18-8502

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA ORDERING THE SUBMISSION OF A BALLOT MEASURE TO THE QUALIFIED ELECTORS OF THE CITY AT A JUNE 5, 2018, SPECIAL MUNICIPAL ELECTION REGARDING PROPOSED CITY CHARTER AMENDMENTS TO ESTABLISH DISTRICT COUNCIL ELECTIONS AND THE VOTING METHOD; 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 direct primary election will be held on June 5, 2018;

WHEREAS, the City Council intends to submit the ballot measure and ballot question, as described in this Resolution, to the qualified electors of the City of Santa Clara at a June 5, 2018, special municipal election;

WHEREAS, in accordance with the Santa Clara County Registrar of Voters election calendar, the ballot arguments must be submitted no later than March 13, 2018, to the City Clerk or designee, and rebuttal arguments must be submitted no later than March 20, 2018, to the City Clerk or designee; and,

WHEREAS, the City Council is authorized to direct the City Attorney to prepare an impartial analysis of the measure by March 20, 2018, 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 and 700.1 and add Section 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 June 5, 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 accordance with Elections Code sections 13247 and 9051, and 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 June 5, 2018:

MEASURE 1		
DISTRICT COUNCIL ELECTIONS/VOTING METHOD. Shall the City Charter be amended: to establish two districts starting in 2018 to be represented by three Council Members each; and, when available, use ranked choice voting to allow voters to select candidates in order of choice to determine the winners of elections of all city elected officers?	**YES**	
	NO	

3.   That the City Council directs the City Attorney, by March 20, 2018, 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 or designee is authorized and directed to give additional notice of the election in the time, form and manner as required by law.

5.   That this Resolution supersedes Resolution No. 18-8493.

6.   <u>Effective date</u>. 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, AT A REGULAR MEETING THEREOF HELD ON THE 6th DAY OF MARCH 2018, BY THE FOLLOWING VOTE:
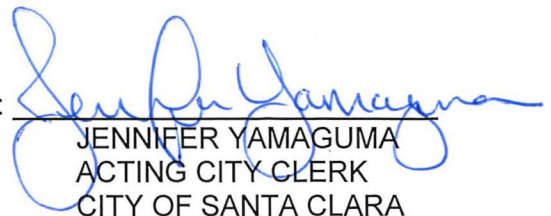
AYES: COUNCILORS: Caserta, Davis, Kolstad, O'Neill, Watanabe and Mayor Gillmor

NOES: COUNCILORS: None

ABSENT: COUNCILORS: Mahan

ABSTAINED: COUNCILORS: None

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

Attachments incorporated by reference: Exhibit A

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 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) In the election to be held in November 2018, the voters of District 1 shall nominate and elect two (2) Council Members who meet the qualifications set forth in Section 600 of this Charter for four year terms each.

(c) In the election to be held in November 2020, the voters of District 1 shall nominate and elect one (1) Council Member who meets the qualifications set forth in Section 600 of this Charter for a two year term; and the voters of District 2 shall nominate and elect three (3) Council Members who meet the qualifications set forth in Section 600 of this Charter for four year terms each.

(d) In the election to be held in November 2022 and each district election held thereafter, the voters of District 1 shall nominate and elect three (3) Council Members who meet the qualifications set forth in Section 600 of this Charter for four year terms each.

(e) In the election to be held in November 2024 and each district election held thereafter, the voters of District 2 shall nominate and elect three (3) Council Members who meet the qualifications set forth in Section 600 of this Charter for four year terms each.

(f) The method by which Districts are to be drawn and redrawn and the method of voting for City Council 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 amended to be entitled and to read as follows:

Section 700.2 Method of Elections.

(a) In the general municipal election in November 2018 Members of the City Council shall be elected by the method of election set forth in Elections Code Section 15450.

(b) The single transferable vote form of ranked choice voting shall be used for electing the Mayor, Police Chief, City Clerk and Members of the City Council in the general municipal election in November 2020 and all subsequent elections. If the Registrar of Voters will not be ready to implement ranked-choice balloting in November 2020, then the City shall use the method of election provided for in Elections Code Section 15450 until the Registrar of Voters is able to implement ranked-choice voting.

(c) The City Council shall, by ordinance, establish the ballot format and the rules for casting and counting the vote.