

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
CALLING A SPECIAL MUNICIPAL ELECTION TO BE HELD ON
TUESDAY, NOVEMBER 6, 2018, FOR THE ELECTION OF CITY
CLERK FOR THE PARTIAL TERM ENDING NOVEMBER 2020**

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

WHEREAS, the former City Clerk, Rod Diridon, Jr. resigned on February 6, 2018, which created a vacancy in the position of the elected City Clerk;

WHEREAS, pursuant to Santa Clara City Charter Section 703, a vacancy in any elective office of the City, including City Clerk, from whatever cause arising, shall be filled by appointment by the City Council by a four-fifths vote of the members and in the event the City Council shall fail to fill a vacancy by appointment within thirty (30) days after such office shall have been declared vacant, it shall forthwith cause an election to be held to fill such vacancy;

WHEREAS, the individual appointed or elected to fill a vacancy holds office for the unexpired term of the former incumbent, provided that if the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general municipal election, the person appointed to fill the vacancy shall hold office until the next general municipal election that is scheduled 130 or more days after the date the City Council is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

WHEREAS, on March 29, 2018, the Council did not fill the vacancy of the elected position of City Clerk and directed that a Special Election be called to fill the vacancy for the partial term ending November 2020;

WHEREAS, pursuant to California Government Code Section 36512(b)(1), the next established election date is the statewide general election on November 6, 2018;

WHEREAS, pursuant to Santa Clara City Charter Section 600.01, the election of the City Clerk for a partial term shall be known as a Special Election; and

WHEREAS, the City Council desires to submit to the voters at the Special Municipal Election to

be held November 6, 2018 to elect a City Clerk for a partial term ending November 2020.

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

1. That pursuant to the requirements of the City Charter, there is called to be held, on Tuesday, November 5, 2018, a Special Municipal Election in the City of Santa Clara for the purpose of electing a City Clerk for the partial term ending November 2020.
2. That in accordance with Section 700 of the City Charter and Section 12101 of the California Elections Code, the Acting City Clerk is hereby directed, on behalf of the City Council, to cause notice of the time and place of holding the election to be published in an official newspaper of the City in the time, form and manner as required by law.
3. The Acting City Clerk is hereby authorized and directed to certify to the due adoption of this Resolution.
4. 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 REGULAR 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