


City Council Meeting

Item No. 8. 19-1007: Adopt a Resolution Calling and Giving Notice of a Special Municipal Election to be Held on Tuesday, March 3, 2020, for a Vote on One Ballot Measure that, if passed, Would Amend Sections 600, 700.1 and 700.2 of the Santa Clara City Charter; Requesting the Consolidation of the Special Municipal Election with the Statewide Presidential Primary Election to be Held in Santa Clara County on March 3, 2020; and Directing the City Attorney to Prepare the Impartial Analysis

November 19, 2019



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Proposed Ballot Measure Question

DISTRICT COUNCIL ELECTIONS. Shall the City Charter be amended to elect city council members by district, excepting the mayor, as follows: for the 2020 election to establish six districts for the election of one council member to represent each district; and, beginning in 2022 to establish three districts for the election of two council members to represent each district; and to require an independent redistricting committee?	Yes	
	No	

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Charter Section 600

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, or~~ 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, excepting the Mayor, unless he or she is a qualified registered elector of the City and a resident in the district represented by the Council Member office.

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Charter Section 600

In order to hold the elective office of Mayor, Chief of the Police Department or City Clerk a person must have been a resident of the City of Santa Clara for at least thirty (30) days immediately preceding the last day specified by law for the filing of nomination papers with the City Clerk for such office or, if appointed, preceding the date of the person's appointment to fill a vacancy.

In order to hold the elective office of Council Member, excepting the Mayor, a person must have been a resident of the City of Santa Clara and of the District represented by the person as a Council Member for at least thirty (30) days immediately preceding the last day specified by law for the filing of nomination papers with the City Clerk for such office or, if appointed, preceding the date of the person's appointment to fill a vacancy.

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Charter Section 600

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) and 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.

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Charter Section 600

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.

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Charter Section 600

No person shall be a candidate for both Mayor and a City Council office 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 office seat other than the one which he or she holds.

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Charter Section 700.1

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

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Charter Section 700.1

Sec. 700.1 Elections— Designation of seats.

For purposes of City Council elections, each Council office shall be designated by an appropriate descriptive designation, as follows: The Council seat which on the effective date of this Section is occupied by the Mayor shall continue to be designated as "Mayor"; each of the other six seats, respectively, shall be designated as "Council Member Seat No. 2," "Council Member Seat No. 3," "Council Member Seat No. 4," "Council Member Seat No. 5," "Council Member Seat No. 6" and "Council Member Seat No. 7" respectively, and shall continue to be designated by the respective designation. The designation so given to each such office shall thereafter be used in all election, nomination papers, certificates of election, and other election papers pertaining or referring to such office, and to designate incumbency in such office.

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Charter Section 700.1

Sec. 700.1 Elections – City Council Districts.

Members of the City Council, excepting the Mayor, shall be elected by district.

For the election to be held in November 2020, there shall be 6 (six) districts as such districts are designated on that certain map adopted by judgment of the Superior Court dated July 24, 2018, as set forth in Resolution No. 18-8585 of the City Council.

For the elections to be held beginning in November 2022 and thereafter, there shall be three districts to be known as District 1, District 2 and District 3, as such districts shall be drawn by an independent redistricting committee following the 2020 United States Census, with elections to be conducted as follows:

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Charter Section 700.1

- a. Each District shall be represented by two (2) Council Members.
- b. In the election to be held in November 2022 the Council District elections shall be conducted as follows:
 - 1. the voters of District 1 shall nominate and elect one (1) Council Member for a four-year term; and
 - 2. the voters of District 2 shall nominate and elect one (1) Council Member for a four-year term.

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Charter Section 700.1

- c. In the election to be held in November 2024 the Council District elections shall be conducted as follows:
 - 1. the voters of District 1 shall nominate and elect one (1) Council Member for a four-year term;
 - 2. the voters of District 2 shall nominate and elect one (1) Council Member for a four-year term; and
 - 3. the voters of District 3 shall nominate and elect two (2) Council Members. The candidate who receives the greatest number of votes shall be elected to a four-year term, and the candidate who receives the second greatest number of votes shall be elected to a two-year term.

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Charter Section 700.1

- d. In the election to be held in November 2026 and in each Council District election held thereafter, the voters of each District shall nominate and elect one (1) Council Member for a four-year term.

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Charter Section 700.2

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

Sec. 700.2 Elections: Designation of Seats. Establishment of Independent Redistricting Committee

The City Council shall enact an ordinance to establish an independent redistricting committee in accordance with Elections Code Sections 23001 and 23003 to make changes to the City Council District boundaries.

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Charter Section 700.2

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.

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