

**RESOLUTION NO. 24-9336**

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA, CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, FOR THE PURPOSE OF ELECTING FOUR COUNCILMEMBERS ONE FOR EACH COUNCIL DISTRICT 1, 4, 5 AND 6, ONE CHIEF OF POLICE AND ONE CITY CLERK; AND REQUESTING THE CONSOLIDATION AND PERFORMANCE OF SERVICES FROM THE COUNTY OF SANTA CLARA REGISTRAR OF VOTERS OF THE GENERAL MUNICIPAL ELECTION WITH THE STATEWIDE ELECTION; AND ADOPT REGULATIONS FOR CANDIDATE STATEMENTS OF QUALIFICATIONS SUBMITTED TO THE VOTERS FOR AN ELECTION AND LEVYING A SHARE OF THE COST OF THE CANDIDATES' STATEMENTS ON THE CANDIDATES**

**WHEREAS**, the terms of the following elected officials will be expiring November 2024: Council District 1 – Councilmember Kathy Watanabe, Council District 4 – Councilmember Kevin Park, Council District 5 – Councilmember Sudhanshu Jain and Council District 6 – Councilmember Anthony Becker; one Chief of Police Patrick Nikolai and one City Clerk Hosam Haggag;

**WHEREAS**, pursuant to Section 1001 of the Elections Code of the State of California, there is an established Primary Statewide election to be held on Tuesday, November 5, 2024; and

**WHEREAS**, pursuant to Part 3, Consolidation of Elections, and commencing with Section 10400 of the Elections Code of the State of California, such municipal election may be either completed or partially consolidated and held on the same day as a statewide election, upon order of this City Council.

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

**Section 1.** That pursuant to Section 10403 of the Elections Code of the State of California, the City Council of the City of Santa Clara calls a municipal election to be held on Tuesday, November 5, 2024; and requests the Board of Supervisors of the County of Santa Clara to completely consolidate the election with the Primary Statewide election. The consolidated municipal election will be held, regulated, and conducted in accordance with the provisions of the law.

**Section 2**, pursuant to the City of Santa Clara Charter Section 600.01 Municipal Elections, a municipal election is necessary for purposes of filling a City Councilmember and at-large seat for the offices listed below and to be voted upon at such election.

| <u>Title of Office</u> | <u>Length of Term</u> | <u>Number of Seats</u> | <u>At Large or District</u> |
|------------------------|-----------------------|------------------------|-----------------------------|
| Councilmember          | 4 Year Full-Term      | 1                      | District 1                  |
| Councilmember          | 4 Year Full-Term      | 1                      | District 4                  |
| Councilmember          | 4 Year Full-Term      | 1                      | District 5                  |
| Councilmember          | 4 Year Full-Term      | 1                      | District 6                  |
| Chief of Police        | 4 Year Full-Term      | 1                      | At Large                    |
| City Clerk             | 4 Year Full-Term      | 1                      | At Large                    |

**Section 3.** That pursuant to Section 10002 of the Elections Code of the State of California, the City of Santa Clara requests the services of the Board of Supervisors of the County of Santa Clara and the Registrar of Voters of the County of Santa Clara to render such services to the City as requested by the City Clerk; and shall reimburse the county for the costs incurred by the County of Santa Clara Registrar of Voters in conducting the General Statewide election for the City. The City requests the County of Santa Clara Board of Supervisors to permit the County of Santa Clara Registrar of Voters to prepare the City’s election materials. The election services to be performed shall include the preparation, printing and mailing of official ballots and county voter information guides; the establishment of precincts, elections ballots, return mail envelopes, ballot drop boxes, vote centers, elections officers, and producing such publications as are required by law in connection therewith; the furnishing of ballots, envelopes, and other necessary supplies and materials for voting places; the canvassing of the returns of the election; the furnishing of the results of such canvassing to the City Clerk; and, the performance of other election services as may be requested by the City Clerk.

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**Section 4.** That the City Council of the City of Santa Clara requests the Board of Supervisors of the County of Santa Clara to hold and conduct the municipal election in the manner prescribed in Section 10418 of the Elections Code of the State of California, and to further provide that the Registrar of Voters canvass the returns of the municipal election. The County of Santa Clara is hereby authorized to certify the returns of the municipal election.

**Section 5.** That pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted upon in the City of Santa Clara on November 5, 2024, may prepare a candidate's statement on an appropriate form provided by the City Clerk, as the City election official, or his/her designee. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate. Each candidate who files such a statement shall be required to pay in advance his or her pro rata share of the estimated costs of printing, handling, and mailing said candidate statement, and such estimated costs shall be determined by the Registrar of Voters. Based on the foregoing, the City Council of the City of Santa Clara hereby determines to levy the pro-rata charges as follows:

- \$3,250 for Council District 1
- \$3,250 for Council District 4
- \$3,260 for Council District 5
- \$3,290 for Council District 6
- \$4,040 for Citywide Chief of Police
- \$4,040 for Citywide City Clerk

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If a candidate agrees to adhere to the City of Santa Clara Voluntary Campaign Expenditure Limit, as stated in Section 2.130.160 of the City Code of the City of Santa Clara, the candidate will be responsible for one-half of the estimated cost of the voter's guide, calculated on a pro-rata shared basis per candidate. It is estimated that each candidate is responsible for the following toward the cost of the voter's guide, which shall be paid at the time of filing of nomination papers to the City of Santa Clara:

- \$1,625 for Council District 1
- \$1,625 for Council District 4
- \$1,630 for Council District 5
- \$1,645 for Council District 6
- \$2,020 for Citywide Chief of Police
- \$2,020 for Citywide City Clerk

If the ultimate cost to the City of the voter's guide exceeds the estimated amounts, the City will pay the additional costs. If the actual cost is less than the estimation, there will be no refund to the candidate.

**Section 6.** That pursuant to Section 15651 of the Elections Code of the State of California, the method of determining the winner or winners in the event of a tie vote (two or more persons receive an equal and the highest number of votes for an office) as certified by the County of Santa Clara Registrar of Voter, the City Council of the City Santa Clara, in accordance with Section 15651(a), any tie vote shall be resolved by lot.

**Section 7.** In all particulars not recited in this resolution, the municipal election shall be held and conducted as provided by law for holding municipal elections.

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**Section 8.** The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

**Section 9. 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 25<sup>TH</sup> DAY OF JUNE, 2024, BY THE FOLLOWING VOTE:

|            |             |  |
|------------|-------------|--|
| AYES:      | COUNCILORS: | Becker, Chahal, Hardy, Jain, and Watanabe, and Mayor Gillmor |
| NOES:      | COUNCILORS: | None   |
| ABSENT:    | COUNCILORS: | Park   |
| ABSTAINED: | COUNCILORS: | None   |

ATTEST:



NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference: None