



CITY OF PALO ALTO OFFICE OF THE CITY CLERK

June 22, 2020

The Honorable City Council
Palo Alto, California

Adoption of a Resolution Calling a General Municipal Election for Tuesday, November 3, 2020, for Four Council Member Seats

RECOMMENDATION:

Adopt the attached Resolution calling for a General Municipal Election for four Council seats for November 3, 2020. By motion, direct the City Clerk to use the random name order set by the Secretary of State to determine the order of candidates' names on the ballot.

BACKGROUND:

Attached is a Resolution calling a General Municipal Election for four Council Member seats on November 3, 2020, requesting the services of the Santa Clara County Registrar of Voters (Registrar), and requesting consolidation of the General Municipal Election with any other election called for this jurisdiction for this date.

The Charter requires that the order of candidates' names on the ballot be determined by lot (Charter Art. VII, Sec. 3). The City Clerk recommends that Council continue prior practice and direct that the Charter requirement be implemented by using the random name order set by the California Secretary of State.

Terms of the following Council Members expire on December 31, 2020: Adrian Fine, Liz Kniss Lydia Kou, and Greg Tanaka. Council Member Liz Kniss will have served two full consecutive terms and is not eligible to seek re-election on the November 3, 2020 ballot. Council Members Adrian Fine, Lydia Kou, and Greg Tanaka each will have served one full term and are eligible to seek re-election on the November 3, 2020 ballot.

The attached resolution provides that a tie vote (upon the canvas or after a recount) be resolved by lot, which is the default procedure under state law. If the Council prefers, it may direct staff to revise the attached resolution to provide that a tie be resolved through a special run-off election to be held not less than 40 or more than 125 days after the certification of the tie vote.

The attached Resolution and proposed motion are not projects subject to review under the California Environmental Quality Act (CEQA).

RESOURCE IMPACT:

The estimated cost of the November 2020 election including the 4 vacant Council seats, 2-3 ballot measures, and translation into several languages is approximately \$150,000. The FY 2021

Budget currently includes funding of \$100,000.

ATTACHMENTS:

- Attachment A: Resolution Calling General Municipal Election (DOC)

Department Head: Beth Minor, City Clerk

Resolution No.
Resolution of the Council of the City of Palo Alto Calling a
General Municipal Election of Four Council Member Seats,
Requesting the Services of the Registrar of Voters, and
Ordering the Consolidation of the Election

R E C I T A L S

A. Article III, Section 3, of the Palo Alto City Charter requires that a general municipal election for election of council members be held on the first Tuesday after the first Monday in November of each even-numbered year, that is, November 3, 2020; and

B. A statewide election is scheduled to be held on November 3, 2020; elections in certain school districts and special districts in Santa Clara County are also scheduled to be held on that date; and

C. Under Part 3 of Division 10 of the Elections Code, beginning at Section 10400, and Education Code Section 5342, elections called by various governing bodies may be partially or completely consolidated;

NOW, THEREFORE, the Council of the City of Palo Alto RESOLVES as follows:

SECTION 1. Call of Election. A general municipal election is called for the City of Palo Alto to be held on Tuesday, November 3, 2020, for the purpose of electing four (4) council members for full terms (four years).

SECTION 2. Request to Consolidate. The Council of the City of Palo Alto requests the governing body of the state and any other political subdivision, or any officers otherwise authorized by law, to partially or completely consolidate such elections and the City Council consents to such consolidation. The Council acknowledges that the election will be held and conducted according to procedures in the Elections Code, including Section 10418.

SECTION 3. Request for County Services. Under Section 10002 of the California Elections Code, the Council of the City of Palo Alto requests the Board of Supervisors of Santa Clara County to permit the Registrar of Voters to render services to the City of Palo Alto relating to the conduct of Palo Alto's General Municipal and Special Elections which are called to be held on Tuesday, November 3, 2020. The services shall be of the type normally performed by the Registrar of Voters in assisting the clerks of municipalities in the conduct of elections, including but not limited to checking registrations, mailing ballots, hiring election officers and arranging for polling places, receiving absentee voter ballot applications, mailing and receiving absent voter ballots and opening and counting same, providing and distributing election supplies, and furnishing voting machines.

SECTION 4. Consolidation of Measures. The Council of the City of Palo Alto

requests the Board of Supervisors of Santa Clara County to include on the ballots and sample ballots, all qualified measures submitted by the City Council to be ratified by the qualified electors of the City of Palo Alto.

SECTION 6. Tie Votes. In the event two or more persons receive an equal and the highest number of votes for any office, the City Council shall summon the candidates who received the tie votes, whether upon the canvas of returns or upon recount, to appear before it and shall determine the tie by lot.

SECTION 5. Duties of City Clerk. The Palo Alto City Clerk shall do all things required by law to effectuate the November 3, 2020, general municipal election, including but not limited to causing the posting, publication and printing of all notices or other election materials under the requirements of the Charter of the City of Palo Alto and the California Elections and Government Codes.

SECTION 6. Contract Authority. Subject to approval of the Board of Supervisors of Santa Clara County, the City Clerk may engage the services of the Registrar of Voters of the County of Santa Clara to aid in the conduct of the November 3, 2020, election including canvassing the returns of that election. The Palo Alto Director of Administrative Services shall pay the cost of contracted services provided that no payment shall be made for services which the Registrar of Voters is otherwise required by law to perform.

SECTION 7. Transmittal of Resolution. The City Clerk shall submit a certified copy of this resolution to the Board of Supervisors of the County of Santa Clara.

SECTION 8. CEQA. The Council finds that this resolution does not constitute a project subject to the California Environmental Quality Act under Public Resources Code section 21065 or CEQA Guidelines section 15378.

INTRODUCED AND PASSED: June 22, 2020

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

APPROVED:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney

City Manager

Director of Administrative Services