

DRAFT RESOLUTION

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS
CALLING AND GIVING NOTICE OF A MUNICIPAL ELECTION
TO BE HELD NOVEMBER 3, 2020 FOR THE SUBMISSION TO THE VOTERS
OF AN INITIATIVE AMENDING THE TOWN CODE
TO ESTABLISH A TOWN FINANCE COMMISSION**

WHEREAS, on October 7, 2019, a Notice of Intent to Circulate a Petition titled “A Citizens Initiative Measure Amending the Town Code to establish a Town Finance Commission (the “Initiative”) was filed with the Town’s Elections Official with a request that a title and summary be prepared for the measure; and

WHEREAS, the Town Attorney provided a title and summary for the proposed Initiative to the proponents; and

WHEREAS, the petitions regarding the Initiative were filed with the Elections Official on January 16, 2020 bearing unverified signatures; and

WHEREAS, to qualify for the November 3, 2020, ballot, proponents were required to obtain signatures of ten percent (10%) of the registered voters of the Town; and

WHEREAS, the Town Clerk and Town Attorney have found that the petition’s form complies with the Elections Code; and

WHEREAS, the County Elections Division has examined the records of voter registration and has certified that the Petition is signed by the requisite number of voters to qualify for the election; and

WHEREAS, the Town Council wishes to consolidate the Municipal Election with the Statewide Election to be held on November 3, 2020, and that the precincts, polling places, and elections officers of the two elections be the same within the Town; and that the Santa Clara County Elections Department canvass the returns of the Municipal Election, and that the elections be held in all respects as if one election.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Los Gatos does Declare, Determine, and Order as Follows:

SECTION 1. Pursuant to the laws of the State of California relating to general law cities there is called and ordered to be held in the Town of Los Gatos, California, on Tuesday, November 3, 2020, a Municipal Election.

ATTACHMENT 4

SECTION 2. Pursuant to Elections Code § 9214, subdivision (b) and § 1405, subdivision (a)(1), the Town Council hereby orders the Initiative to be placed on the ballot without alteration and does order the following question submitted to the voters at the Special Municipal Election:

<p>“Shall the measure proposing an ordinance replacing the Town’s current Finance Committee and Sales Tax Oversight Committee with a Finance Commission that would advise the Town Council on financial, budgetary and investment matters, including but not limited to, the Annual Budget, the Comprehensive Annual Financial Report, capital expenditures, sales tax revenue and expenditures, and other recommendations as the Town Council directs, be adopted?”</p>	<p>YES</p> <p>NO</p>
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SECTION 3. The text of the ballot measure, without its exhibits, is attached to this resolution as Exhibit A. The text of the measure, without its exhibits, shall be printed in the ballot materials; copies of the exhibits to the measure shall be available for public inspection in the Town Clerk’s office and on the Town’s website at www.losgatosca.gov/

SECTION 4. The Town Council directs the Town Clerk to transmit a copy of the measure to the Town Attorney and directs the Town Attorney to prepare an impartial analysis of the measure pursuant to Elections Code § 9280.

SECTION 5. Arguments in favor of or against the measure shall be submitted to the Town Clerk on or before August 4, 2020 by 5:00 p.m. under Elections Code section 9286 et seq. If the Town Clerk receives more than one argument for and/or against, the priorities established by Elections Code section 9287 shall control.

SECTION 6. Rebuttal arguments shall be controlled by the provisions of Elections Code section 9285. The deadline for filing rebuttal arguments shall be August 11, 2020, by 5:00 p.m.

SECTION 7. The initiative measure shall pass only if a majority of the votes cast by voters voting on the measure are “yes” votes.

SECTION 8. Pursuant to Elections Code commencing with Section 10400, the Town Council hereby requests the Board of Supervisors of the County of Santa Clara to order the consolidation of the general municipal election to be conducted within the boundaries of the Town of Los Gatos on November 3, 2020, with respect to which the Board of Supervisors of the County of Santa Clara has the power to order a consolidation. The Town Council further

consents to and orders the consolidation of the general municipal election hereby called with the statewide general election and acknowledges that the consolidated election will be held and conducted in the manner prescribed in Section 10418.

SECTION 9. The Town Clerk is hereby authorized and directed to publish a notice of the general municipal election within the time and in the manner specified in the Elections Code Section 12112. The Town Clerk is further authorized and directed to do all other things required by law to hold the general municipal election above provided.

SECTION 10. The Town Clerk is hereby authorized and directed to certify to the adoption of this resolution and to transmit a certified copy to the Board of Supervisors of the County of Santa Clara and to the Registrar of Voters of the County of Santa Clara.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos this 3rd day of March 2020 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSTAINED:

ABSENT:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____