

RESOLUTION

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS, CALIFORNIA, CALLING FOR A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020 FOR THE ELECTION OF AN UNEXPIRED TERM OF ONE TOWN COUNCIL SEAT THROUGH DECEMBER 2022 AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

WHEREAS, on December 20, 2019 the Town of Los Gatos Town Council Member seat became vacant; and

WHEREAS, Government Code Section 36512(b) addresses vacancies of elected officers of a general law city/town and provides that a vacancy must be filled by the Town Council either by 1) appointment by the Council within 60 days of the commencement of the vacancy, or 2) calling a special election within 60 days of the vacancy to fill the vacancy; and

WHEREAS, on December 17, 2019 the Town Council authorized calling a special election to fill the vacancy; and

WHEREAS, under the provisions of the State of California Elections Code, a special municipal election shall be held on the next regularly established election date not less than 114 days from the call of the special election and the next regularly established election date is Tuesday, November 3, 2020; and

WHEREAS, the County of Santa Clara has established procedures to conduct elections, and has the ability to conduct a special election on November 3, 2020 for the Town of Los Gatos; and

WHEREAS, Elections Code Section 10403 requires jurisdictions to file with the Board of Supervisors, and a copy with the County Registrar of Voters, a resolution requesting consolidation to hold an election.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Los Gatos:

1. A special municipal election hereby is called to be held in and for the Town of Los Gatos on Tuesday, November 3, 2020, to elect one (1) Council Member for a partial term of two (2) years of the vacated office, holding office until December 2022.

2. Pursuant to Elections Code Section 10002, the Town Council hereby requests the Board of Supervisors of the County of Santa Clara to make available the services of the Registrar

of Voters for the purpose of performing the usual services necessary in the conduct of the consolidated general municipal election, including the provisions of election supplies and voters' pamphlets; and that upon approval of such requests, the Registrar of Voters of the County of Santa Clara shall be reimbursed for all costs incurred by said services.

3. 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.

4. 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.

5. Pursuant to Section 13307 of the Elections Code, the Town Council hereby determines to levy against each candidate availing himself or herself of the service of including a candidate's statement not to exceed two hundred (200) words in length in the voter's pamphlet, the actual costs of printing, handling and translating the candidate statement, incurred by the Town of Los Gatos. The Town Clerk shall provide written notice to such effect with each set of nomination papers issued and shall require payment of the estimated cost at the time the candidate statement is filed.

6. Pursuant to Section 10228 of the Elections Code, and Town Code Section 2.30.011, each candidate shall pay a filing fee in the amount of twenty five dollars (\$25.00), which amount the Town Council hereby determines to be the amount which is proportionate to the costs of processing a candidate's nomination papers by the Town of Los Gatos. The Town Clerk shall provide written notice to such effect with each set of nomination papers issued.

7. 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 4th day of February 2020 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

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

DATE: _____