

MEASURE N

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE N

The Santa Clara City Council placed Measure N on the ballot which, if approved by the voters, would advise the City Council to engage City voters and residents in a public process to draft a Charter Amendment ballot measure to elect its council members, other than the Mayor, by district.

Approval of the advisory Measure would advise the City Council to initiate a process that would involve voters and other members of the public to examine changing how council members are elected. As a result of a lawsuit filed under the California Voting Rights Act, the Santa Clara County Superior Court ordered the City to create six districts with each district to be represented by one council member. Candidates for a district must be residents and qualified registered voters of the district; and only voters in the district may vote for the council member who represents the district. This court order changed how Santa Clara elects its council members, who were previously elected at-large by the voters of the entire City. The order did not change the language of the City Charter, but instead directly requires elections to be held in a manner that is not consistent with the City Charter.

The court order did not change the way Santa Clara elects the Mayor. The Mayor is still elected at-large by the entire City.

The purpose of the advisory Measure is to provide the City Council with direction on whether the City Charter should be amended to require the election of council members by district. If approved, the City Council would establish a commission of Santa Clara residents to draft a Charter Amendment to be placed on a future ballot.

If the advisory Measure is not approved, the City Council is not precluded from seeking further advisement from residents on a Charter Amendment related to the election of council members. Until any such Charter Amendment is approved by the voters, elections would proceed in accordance with the court order.

A "Yes" vote on Measure N would advise the City Council to proceed with a future Charter Amendment to elect council members by district. A "No" vote would advise the City Council to not proceed with such a plan.

This measure was placed on the ballot by action of the Santa Clara City Council on July 16, 2018.

/s/ Brian Doyle
City Attorney

ARGUMENT IN FAVOR OF MEASURE N

Santa Clara elections have always been clean and open to all types of candidates. We are proud of our history. Now we can make it even better through input by a public process.

The City Council desires to submit to the voters one proposed advisory ballot measure to ask the voters whether the City should engage the voters in a public process to draft an amendment to the City Charter to change the method of elections from at-large to by district for City Council Members only. The Mayor would continue to be elected at-large.

Based on previous efforts to change the City's Charter election system to comply with a Court Order to diversify the City Council, community efforts to receive public input caused confusion as a result of insufficient time to educate the voters. As a result, Measure A failed. Per a Court Order in July 2018, the City was ordered to be divided into six districts and still maintain an at-large Mayor.

Measure N will give residents an opportunity to vote on how they want to see the City's election system work. By voting Yes on N, it will help maximize community input and sequentially provides voters with the right to determine whether Santa Clara should be divided into Council districts and if so, how many.

By voting Yes on N, it would allow for a robust, sequential public outreach and engagement process to avoid voter confusion. It will provide the opportunity for information and education efforts for each step of the process. Specifically, this time and effort will be spent seeking public input on: number of districts, boundary lines, sequencing and transition plan.

By voting Yes on N, a Charter Amendment ballot measure would be voted on in June 2020 in time for November 2020 election if passed.

Please support Yes on N.

/s/ Kathleen Watanabe
Vice Mayor, City of Santa Clara

/s/ Teresa O'Neill
Santa Clara City Council Member

/s/ Tino Silva
Park and Recreation Commissioner

/s/ Ruth Lemmon
SCSCA Treasurer

/s/ Peter C. Kuo
Managing Director

NO ARGUMENT AGAINST MEASURE N WAS SUBMITTED