



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** TONI J. TABER, CMC  
CITY CLERK

**SUBJECT: CALLING FOR MUNICIPAL  
ELECTIONS ON MARCH 5, 2024  
AND NOVEMBER 5, 2024**

**DATE:** September 7, 2023

A handwritten signature in blue ink, appearing to read "Toni J. Taber".

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## **RECOMMENDATION**

Adopt a resolution calling for a Regular Municipal Election on March 5, 2024 and a Run-Off Municipal Election on November 5, 2024, if necessary, for the purpose of electing Council Members for Districts 2, 4, 6, 8, 10, and the Mayor and requesting consolidation with the County of Santa Clara.

## **OUTCOME**

By adopting the attached Resolution, the City Council authorizes the City Clerk and the County Registrar of Voters to take the next steps necessary to consolidate and coordinate the elections.

## **BACKGROUND**

State Election law provides that the governing body of a City may, by resolution, request the Board of Supervisors of the County to permit the County elections official (the Registrar of Voters) to render specified services to the City relating to the conduct of an election. Adoption of a resolution calling for a Regular Municipal Election to be held on March 5, 2024, and a run-off election if needed, will also request consolidation with any other elections being held in Santa Clara County on March 5, 2024 and November 5, 2024 as well as initiate the publication process.

The purpose of the Election is to ask the voters of San José to elect one Council Member each from Districts 2, 4, 6, 8, 10, and the Mayor to four-year terms beginning January 1, 2025 and ending December 31, 2028.

## **ANALYSIS**

The nomination period for the March 5, 2024 election opens on Monday, November 13, 2023 and closes at noon on Friday, December 8, 2023. It is timely and appropriate for the City Council to establish the election dates and procedures for the conduct of the General Municipal Election and to request consolidation with the County. Should no person or persons be declared elected on

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March 5th because of a failure to receive a majority of the votes cast for an office, a Run-off Municipal Election on November 5, 2024 will be necessary.

If the Council wishes to refer ballot measures to the March 5, 2024 election, any action to do so would have to be taken not later than the statutory deadline of Friday, December 8, 2023. Should the Council refer ballot measures, on its own motion, to the March 5, 2024 election, such a Resolution would include the title, ballot language, and an exhibit of changes, if any, to existing documents, should the proposals be approved by the electorate.

### **EVALUATION AND FOLLOW-UP**

Approval of this item will allow the City of San José to consolidate the Primary and Runoff Municipal Elections with the statewide primary and general elections held in the County of Santa Clara. The City Clerk will bring back the results of the election after the canvassing of the votes which takes place within 30 days of the election. Those candidates who will be moving to the Runoff election will be notified by the City Clerk.

### **PUBLIC OUTREACH**

The California Elections Code provides public noticing requirements which are carried out by the City Clerk and the County Registrar of Voters.

### **COORDINATION**

Preparation of this report has been coordinated with the City Attorney's Office.

### **COMMISSION RECOMMENDATION/INPUT**

No Commission input was solicited as this is a routine item required to consolidate the election with the County of Santa Clara.

### **COST SUMMARY/IMPLICATIONS**

The Office of the City Clerk reimburses the County of Santa Clara in full for any of the election services which may be performed by the Registrar of Voters upon presentation of a bill to the City. Election expenses are determined by voter turnout and the number of candidates and ballot measures. The Office of the City Clerk has been appropriated \$4,250,000 per election within its annual non-personal budget appropriation. The Office of the City Clerk will return to Council for an appropriation adjustment should the invoice for the March 5, 2024 election exceed the amount appropriated.

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**CEQA**

Not a Project, File No. PP17-008, General Procedures & Policy Making resulting in no changes to the physical environment.

TONI J. TABER, CMC  
City Clerk

If you have any questions, please contact the Office of the City Clerk at 408-535-1260.