



Special Meeting Agenda

City Council

Rich Constantine - Mayor
Yvonne Martinez Beltran - Mayor Pro Tem
Larry Carr - Council Member
John McKay - Council Member
Rene Spring - Council Member

Wednesday, December 9, 2020 7:00 p.m.

Virtual Zoom Meeting

MEETING GUIDELINES

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways:

Members of the public may NOT physically attend meetings at the Morgan Hill City Council Chamber.

The City Council Meeting will be live-streamed on Channel 17 and on the City's website. Those members of the public wishing to participate remotely may do so via the electronic meeting at: <https://bit.ly/120920CityCouncilMtg> by calling in to: (669) 900-9128, then enter the meeting id: 815 9976 5665.

Public comment for City Council meetings will be accepted via email to ccpubliccomment@morganhill.ca.gov <<mailto:ccpubliccomment@morganhill.ca.gov>>. Members of the public participating in the electronic meeting wishing to speak may do so during public comment.

SPECIAL MEETING

A Special Meeting of the City Council is called at 7:00 pm for the purpose of conducting City business.

CALL TO ORDER

Mayor Constantine

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Bigelow

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2
Deputy City Clerk Michelle Bigelow

RECOGNITIONS

Council Member Larry Carr

City Clerk Irma Torrez

City Treasurer David Clink

CITY CLERK SWEARING IN

Swearing-in of appointed City Clerk Michelle Bigelow

PUBLIC COMMENT

Members of the public are entitled to address the City Council concerning any item within the Morgan Hill City Council's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda. (See additional noticing at the end of this agenda)

ADOPTION OF AGENDA

OTHER BUSINESS

1. **ACCEPT CERTIFIED STATEMENT OF ELECTION RESULTS AND ADOPT
RESOLUTION CERTIFYING THE NOVEMBER 3, 2020 GENERAL MUNICIPAL
ELECTION**

Recommendation:

Adopt resolution reciting the facts of the General Municipal Election of November 3, 2020 and declare the results of such other matters as provided by law.

Estimated Time: 10 Minutes

OATHS OF OFFICE

Mayor Elect, Richard Constantine
Council Member Elect District A, Gino Borgioli
Council Member Elect District C, Rene Spring
City Treasurer Elect, Caitlin Robinett Jachimowicz

ADJOURNMENT

NOTICE

Any documents produced by the City and distributed to the majority of the City Council less than 72 hours prior to an open meeting, will be made available for public inspection at the City Clerk's Counter at City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 and at the Morgan Hill Public Library located at 660 West Main Avenue, Morgan Hill, California, 95037 during normal business hours. (Pursuant to Government Code 54957.5)

PUBLIC COMMENT

Members of the Public are entitled to directly address the City Council concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to address the Council on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council Chambers and deliver it to the Minutes Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Council, but it is very helpful. When you are called, proceed to the podium and the Mayor will recognize you. If you wish to address the City Council on any other item of interest to the public, you may do so during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.

Please submit written correspondence to the Minutes Clerk, who will distribute correspondence to the City Council.

Persons interested in proposing an item for the City Council agenda should contact a member of the City Council who may plan an item on the agenda for a future City Council meeting. Should your comments require Council action, your request may be placed on the next appropriate agenda. Council discussion or action may not be taken until your item appears on an agenda. This procedure is in compliance with the California Public Meeting Law (Brown Act) Government Code §54950.

City Council Policies and Procedures (CP 03-01) outlines the procedure for the conduct of public hearings. Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the Public Hearing on these matters.

The time within which judicial review must be sought of the action by the City Council, which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

For a copy of City Council Policies and Procedures CP 97-01, please contact the City Clerk's office (408) 779-7259, (408) 779-3117 (fax) or by email cityclerk@morganhill.ca.gov.

AMERICANS WITH DISABILITIES ACT (ADA)

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (408)779-7259, (408)779-3117 (fax) or by email cityclerk@morganhill.ca.gov. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

SUSTAINABLE MORGAN HILL



VISION

To sustain a safe, inclusive, socially responsible, environmentally conscious, and economically sound community

Choose Morgan Hill

The City of Morgan Hill is the best community for people to live, work, visit, and operate their businesses.

City Council Ongoing Priorities

- Enhancing Public Safety
- Protecting the Environment and Preserving Open Space and Agricultural Land
- Maintaining Infrastructure
- Supporting our Youth, Seniors, and Entire Community
- Fostering a Positive Organizational Culture
- Preserving and Cultivating Public Trust
- Preserving our Community History
- Enhancing Diversity and Inclusiveness
- Advancing Regional Initiatives

2020-2021 Strategic Priorities

- **Fiscal Sustainability**
- Affordable Housing and Homelessness
- Community Engagement and Messaging
- Economic Development
- Transportation



These strategic priorities were established prior to the COVID-19 pandemic. In light of recent events, we recognize that all of these goals and priorities will be viewed through the lens of the global pandemic, and we will continue to have equity, public health, and financial responsibility in mind.



CITY COUNCIL STAFF REPORT

MEETING DATE: December 9, 2020

PREPARED BY: Michelle Bigelow, Deputy City Clerk
APPROVED BY: City Manager

ACCEPT CERTIFIED STATEMENT OF ELECTION RESULTS AND ADOPT RESOLUTION CERTIFYING THE NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION

RECOMMENDATION(S)

Adopt resolution reciting the facts of the General Municipal Election of November 3, 2020 and declare the results of such other matters as provided by law.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Supporting Our Youth
Seniors
and Entire Community
Fostering a Positive Organizational Culture
Preserving and Cultivating Public Trust
Preserving Our Community History
Enhancing Diversity and Inclusiveness

REPORT NARRATIVE:

A General Municipal Election was held on Tuesday, November 3, 2020, for the purpose of electing a Mayor, a Council Member from District A, and a Council Member from District C. The Santa Clara County Registrar of Voters Office has concluded canvassing the election returns and has furnished the City Clerk with a Certified Statement of Election Results (Attachment 2). A resolution reciting the facts of the November 3, 2020 election has been prepared for Council adoption (Attachment 1).

COMMUNITY ENGAGEMENT: Involve

As a General Law City, Morgan Hill is governed by Government and Election Codes for the purpose of electing municipal officers (e.g., mayor, council members, and city treasurer) and ballot measures.

Adoption of the attached resolution which certifies the election results of the general municipal election held in Morgan Hill on November 3, 2020, memorializes how the registered voters in the City of Morgan Hill were involved in the democratic process of electing their municipal officers.

ALTERNATIVE ACTIONS:

There are no alternative actions to be taken as Article 4. Canvass of Ballots and Returns, Sections 10260 through 10266 of the California Elections Code outlines the actions to be taken/followed by the Governing Body.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

Municipal Elections are conducted every two years for the purpose of electing officers and presenting ballot measures to the electorate as required by law. The below listed Ordinance and Resolutions have been adopted by the City Council relating to the November 3, 2020 General Municipal Election:

- Ordinance No. 2258, New Series, adopted September 6, 2017, amending Chapter 1.16 of Title 1 of the Morgan Hill Municipal Code regarding Elections, specifically, District Elections. (Attachment 3)
- Resolution No. 20-033, adopted August 26, 2020, Calling and Giving Notice of the Holding of a Consolidated General Municipal Election to be held on Tuesday, November 3, 2020 (Attachment 4). The purpose of the General Municipal Election will be for the election of the following officers: A Mayor for a full two-year term; one (1) Member of the City Council from District A for a full four-year term; and one (1) Member of the City Council from District C for a full four-year term.
- Resolution No. 20-034, adopted June 3, 2020, Requesting the Board of Supervisors of the County of Santa Clara to consolidate a General Municipal Election with the Gubernatorial General Election, and the Services of the Registrar of Voters for services in the conduct of the election, including the provision of election supplies and voters' pamphlets. (Attachment 5)
- Resolution No. 20-045, adopted August 19, 2020, Appointing Caitlin Robinett Jachimowicz as the City Treasurer (Attachment 6)

FISCAL AND RESOURCE IMPACT:

The invoice for the General Municipal Election has not yet been received. \$158,632 has been budgeted under the Elections Budget (010.2420.42231) to cover the cost of contract services for consolidation of the election for the election of a Mayor, a Council Member from District A, and a Council Member from District C. Resources for the November 3, 2020 General Municipal Election were accommodated in the Elections Budget and the Council Services and Records Management Workplan.

CEQA (California Environmental Quality Act):

Not a project.

The certification of election results is not a project, as defined in Section 15378 of the State CEQA guidelines.

LINKS/ATTACHMENTS:

1. Resolution Certifying 11-3-20 General Municipal Election Results

2. City of Morgan Hill - Certificate of Election Results
3. Ordinance 2258 - Amending Chapter 1.16 of Title 1
4. Resolution 20-033 Calling for Nov 3, 2020 Election
5. Resolution 20-034 Consolidation of election with County of Santa Clara
6. Resolution 20-045 appointing the City Treasurer

RESOLUTION NO. 20-0XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL, CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION HELD ON TUESDAY, NOVEMBER 3, 2020 – DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a General Municipal Election was held and conducted in the City of Morgan Hill, California, on Tuesday, November 3, 2020, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, the Santa Clara County Registrar of Voters Office canvassed the returns of the election to this City Council, the results are received, attached, and made a part hereof as “Exhibit A”.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the whole number of votes cast in precincts in the City (including provisional ballots), except vote by mail voter ballots, was 1,809.

That the whole number of vote by mail voter ballots cast in the City was 22,690, making a total of 24,499 ballots cast in the City.

SECTION 2. That the names of persons voted for at the election for Mayor are as follows:

Richard Constantine

Steve Chappell

That the names of persons voted for at the election for Member of the City Council – District A are as follows:

Gino Borgioli

Julie Raia

Larry Carr

That the names of persons voted for at the election for Member of the City Council – District C are as follows:

Juan Miguel Munoz-Morris
Rene Spring

SECTION 3. That pursuant to California Elections Code Section 10229, the following person is being appointed to the office to which she was nominated and is considered to be the same as being elected:

Caitlin Robinett Jachimowicz

SECTION 4. That the number of votes given at each precinct and the number of votes given in the City to each of the persons above named for the respective offices for which the persons were candidates as listed in Exhibit “A” attached.

SECTION 5. The City Council does declare and determine that: Richard Constantine was elected as Mayor for the full term of two years; Gino Borgioli was elected as Member of the City Council – District A for the full term of four years; and Rene Spring was elected as Member of the City Council – District C for the full term of four years.

SECTION 6. The City Clerk shall enter on the records of the City Council of the City, a statement of the result of the election, showing: (1) The whole number of votes cast in the City; (2) The names of the persons voted for; (3) For what office each person was voted for.

SECTION 7. That the City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morgan Hill at a Special Meeting held on the 9th day of December 2020.

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

MICHELLE BIGELOW, City Clerk

∞ CERTIFICATION ∞

I, Michelle Bigelow, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 20-0XX adopted by the City Council at a special meeting held on December 9, 2020.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

MICHELLE BIGELOW, City Clerk

County of Santa Clara

Registrar of Voters

1555 Berger Drive, Bldg. 2
San Jose, CA 95112
Mailing Address: P.O. Box 611360, San Jose, CA 95161-1360
(408) 299-VOTE (8683) 866-430-VOTE (8683) FAX: (408) 998-7314
www.sccvote.org



December 3, 2020

Ms. Irma Torrez, City Clerk
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

RE: Certification of Election Results – November 3, 2020 Presidential General Election

Dear Ms. Torrez:

Enclosed are the Certificate of Election Results, Official Results, and the Statement of Votes for the contest(s) in your jurisdiction.

Pursuant to Elections Code Section 15400, the Governing Board should accept the Statement of Votes and Certificate of Election Results, and declare the totals to be the final results of the election.

Please contact Election Division Coordinator Bren Lehr at 408-282-3041 should you have questions or need anything further.

Sincerely,

Bren Lehr
Election Division Coordinator, Candidate Services Division

Enclosures

CERTIFICATE OF ELECTION RESULTS

STATE OF CALIFORNIA)
) ss.
 COUNTY OF SANTA CLARA)

I, Shannon Bushey, Registrar of Voters of the County of Santa Clara, State of California, hereby declare:

1. A Presidential General Election was held in the County of Santa Clara, for the **City of Morgan Hill**, on November 3, 2020 for the purpose of electing **One (1) Mayor and Two (2) Council Member for Districts A and C** to the Governing Board.

2. The official canvass of the returns of this election was conducted by the Office of the Registrar of Voters in accordance with the appropriate provisions of the Elections Code of the State of California.

3. The Statement of Votes Cast, now on file in my office and attached hereto, shows the number of votes for each candidate for the Governing Board of the **City of Morgan Hill** and in each of the precincts and that the total shown for each candidate are true and correct.

WITNESS my hand and Official Seal this 3rd day of December 2020.



Shannon Bushey
 Shannon Bushey, Registrar of Voters

Statement of Votes Cast

General Election

Santa Clara

November 03, 2020

Official Final Statement of Vote

District	Registered Voters	Voters Cast	% Turnout
Countywide			
Electionwide			
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%
Electionwide - Total	1,019,309	863,964	84.76%
Cumulative			
Precinct	0	0	N/A
Vote by Mail	0	0	N/A
Cumulative - Total	0	0	N/A
Countywide - Total	1,019,309	863,964	84.76%
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%
Congressional District			
17th Congressional District			
Precinct	275,766	15,529	5.63%
Vote by Mail	275,766	218,633	79.28%
17th Congressional District - Total	275,766	234,162	84.91%
18th Congressional District			
Precinct	332,297	17,629	5.31%
Vote by Mail	332,297	274,597	82.64%
18th Congressional District - Total	332,297	292,226	87.94%
19th Congressional District			
Precinct	402,141	26,118	6.49%
Vote by Mail	402,141	304,394	75.69%
19th Congressional District - Total	402,141	330,512	82.19%
20th Congressional District			
Precinct	9,105	729	8.01%
Vote by Mail	9,105	6,335	69.58%
20th Congressional District - Total	9,105	7,064	77.58%
Cumulative			
Precinct	0	0	N/A
Vote by Mail	0	0	N/A
Cumulative - Total	0	0	N/A
Congressional District - Total	1,019,309	863,964	84.76%
Precinct	1,019,309	60,005	5.89%

Vote by Mail	1,019,309	803,959	78.87%
State Senator			
10th Senatorial District			
Precinct	166,669	10,002	6.00%
Vote by Mail	166,669	129,718	77.83%
10th Senatorial District - Total	166,669	139,720	83.83%
13th Senatorial District			
Precinct	189,361	9,736	5.14%
Vote by Mail	189,361	156,451	82.62%
13th Senatorial District - Total	189,361	166,187	87.76%
15th Senatorial District			
Precinct	533,759	31,402	5.88%
Vote by Mail	533,759	417,810	78.28%
15th Senatorial District - Total	533,759	449,212	84.16%
17th Senatorial District			
Precinct	129,520	8,865	6.84%
Vote by Mail	129,520	99,980	77.19%
17th Senatorial District - Total	129,520	108,845	84.04%
Cumulative			
Precinct	0	0	N/A
Vote by Mail	0	0	N/A
Cumulative - Total	0	0	N/A
State Senator - Total	1,019,309	863,964	84.76%
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%
Member of the State Assembly			
24th Assembly District			
Precinct	192,204	9,829	5.11%
Vote by Mail	192,204	158,866	82.65%
24th Assembly District - Total	192,204	168,695	87.77%
25th Assembly District			
Precinct	167,588	10,135	6.05%
Vote by Mail	167,588	129,854	77.48%
25th Assembly District - Total	167,588	139,989	83.53%
27th Assembly District			
Precinct	238,740	16,036	6.72%
Vote by Mail	238,740	173,374	72.62%
27th Assembly District - Total	238,740	189,410	79.34%
28th Assembly District			
Precinct	289,585	15,415	5.32%
Vote by Mail	289,585	238,091	82.22%
28th Assembly District - Total	289,585	253,506	87.54%
29th Assembly District			
Precinct	61,112	3,759	6.15%
Vote by Mail	61,112	48,919	80.05%
29th Assembly District - Total	61,112	52,678	86.20%

30th Assembly District			
Precinct	70,080	4,831	6.89%
Vote by Mail	70,080	54,855	78.27%
30th Assembly District - Total	70,080	59,686	85.17%
Cumulative			
Precinct	0	0	N/A
Vote by Mail	0	0	N/A
Cumulative - Total	0	0	N/A
Member of the State Assembly - Total	1,019,309	863,964	84.76%
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%
Board of Equalization (State)			
State Board Of Equalization #2			
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%
State Board Of Equalization #2 - Total	1,019,309	863,964	84.76%
Cumulative			
Precinct	0	0	N/A
Vote by Mail	0	0	N/A
Cumulative - Total	0	0	N/A
Board of Equalization (State) - Total	1,019,309	863,964	84.76%
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%
City			
City of Campbell			
Precinct	25,832	1,525	5.90%
Vote by Mail	25,832	21,082	81.61%
City of Campbell - Total	25,832	22,607	87.52%
City of Cupertino			
Precinct	33,233	1,397	4.20%
Vote by Mail	33,233	27,859	83.83%
City of Cupertino - Total	33,233	29,256	88.03%
City of Gilroy			
Precinct	30,693	2,210	7.20%
Vote by Mail	30,693	23,303	75.92%
City of Gilroy - Total	30,693	25,513	83.12%
City of Los Altos			
Precinct	22,101	844	3.82%
Vote by Mail	22,101	19,240	87.05%
City of Los Altos - Total	22,101	20,084	90.87%
City of Milpitas			
Precinct	36,665	2,355	6.42%
Vote by Mail	36,665	28,349	77.32%
City of Milpitas - Total	36,665	30,704	83.74%
City of Monte Sereno			
Precinct	2,735	91	3.33%
Vote by Mail	2,735	2,405	87.93%

City of Monte Sereno - Total	2,735	2,496	91.26%
City of Morgan Hill			
Precinct	28,009	1,809	6.46%
Vote by Mail	28,009	22,690	81.01%
City of Morgan Hill - Total	28,009	24,499	87.47%
City of Mountain View			
Precinct	40,380	2,147	5.32%
Vote by Mail	40,380	33,317	82.51%
City of Mountain View - Total	40,380	35,464	87.83%
City of Palo Alto			
Precinct	43,015	2,101	4.88%
Vote by Mail	43,015	36,150	84.04%
City of Palo Alto - Total	43,015	38,251	88.92%
City of San Jose			
Precinct	529,599	32,872	6.21%
Vote by Mail	529,599	406,329	76.72%
City of San Jose - Total	529,599	439,201	82.93%
City of Santa Clara			
Precinct	58,593	3,453	5.89%
Vote by Mail	58,593	46,033	78.56%
City of Santa Clara - Total	58,593	49,486	84.46%
City of Saratoga			
Precinct	22,885	1,051	4.59%
Vote by Mail	22,885	19,415	84.84%
City of Saratoga - Total	22,885	20,466	89.43%
City of Sunnyvale			
Precinct	69,204	3,784	5.47%
Vote by Mail	69,204	55,863	80.72%
City of Sunnyvale - Total	69,204	59,647	86.19%
Town of Los Altos Hills			
Precinct	6,528	351	5.38%
Vote by Mail	6,528	5,587	85.59%
Town of Los Altos Hills - Total	6,528	5,938	90.96%
Town of Los Gatos			
Precinct	22,607	1,019	4.51%
Vote by Mail	22,607	19,210	84.97%
Town of Los Gatos - Total	22,607	20,229	89.48%
Unincorporated			
Precinct	47,230	2,996	6.34%
Vote by Mail	47,230	37,127	78.61%
Unincorporated - Total	47,230	40,123	84.95%
Cumulative			
Precinct	0	0	N/A
Vote by Mail	0	0	N/A
Cumulative - Total	0	0	N/A
City - Total	1,019,309	863,964	84.76%
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%

City of Morgan Hill, Mayor (Vote for 1)

District	Times Cast	Registered Voters	District	RICH CONSTANTINE	Write-in	Total Votes	STEVE CHAPPELL Qualified Write In
Countywide			Countywide				
Electionwide			Electionwide				
Precinct	1,810	28,009	Precinct	1,095	85.55%	185	14.45%
Vote by Mail	22,606	28,009	Vote by Mail	15,658	90.41%	1,660	9.59%
Electionwide - Total	24,416	28,009	Electionwide - Total	16,753	90.08%	1,845	9.92%
Cumulative			Cumulative				
Precinct	0	0	Precinct	0	0	0	0
Vote by Mail	0	0	Vote by Mail	0	0	0	0
Cumulative - Total	0	0	Cumulative - Total	0	0	0	0
Countywide - Total	24,416	28,009	Countywide - Total	16,753	90.08%	1,845	9.92%
Congressional District			Congressional District				
19th Congressional District			19th Congressional District				
Precinct	1,810	28,009	Precinct	1,095	85.55%	185	14.45%
Vote by Mail	22,606	28,009	Vote by Mail	15,658	90.41%	1,660	9.59%
19th Congressional District - Total	24,416	28,009	19th Congressional District - Total	16,753	90.08%	1,845	9.92%
Cumulative			Cumulative				
Precinct	0	0	Precinct	0	0	0	0
Vote by Mail	0	0	Vote by Mail	0	0	0	0
Cumulative - Total	0	0	Cumulative - Total	0	0	0	0
Congressional District - Total	24,416	28,009	Congressional District - Total	16,753	90.08%	1,845	9.92%
State Senator			State Senator				
17th Senatorial District			17th Senatorial District				
Precinct	1,810	28,009	Precinct	1,095	85.55%	185	14.45%
Vote by Mail	22,606	28,009	Vote by Mail	15,658	90.41%	1,660	9.59%
17th Senatorial District - Total	24,416	28,009	17th Senatorial District - Total	16,753	90.08%	1,845	9.92%
Cumulative			Cumulative				
Precinct	0	0	Precinct	0	0	0	0
Vote by Mail	0	0	Vote by Mail	0	0	0	0
Cumulative - Total	0	0	Cumulative - Total	0	0	0	0
State Senator - Total	24,416	28,009	State Senator - Total	16,753	90.08%	1,845	9.92%
Member of the State Assembly			Member of the State Assembly				
30th Assembly District			30th Assembly District				
Precinct	1,810	28,009	Precinct	1,095	85.55%	185	14.45%
Vote by Mail	22,606	28,009	Vote by Mail	15,658	90.41%	1,660	9.59%
30th Assembly District - Total	24,416	28,009	30th Assembly District - Total	16,753	90.08%	1,845	9.92%
Cumulative			Cumulative				
Precinct	0	0	Precinct	0	0	0	0
Vote by Mail	0	0	Vote by Mail	0	0	0	0
Cumulative - Total	0	0	Cumulative - Total	0	0	0	0
Member of the State Assembly - Total	24,416	28,009	Member of the State Assembly - Total	16,753	90.08%	1,845	9.92%
Board of Equalization (State)			Board of Equalization (State)				
State Board Of Equalization #2			State Board Of Equalization #2				
Precinct	1,810	28,009	Precinct	1,095	85.55%	185	14.45%
Vote by Mail	22,606	28,009	Vote by Mail	15,658	90.41%	1,660	9.59%
State Board Of Equalization #2 - Total	24,416	28,009	State Board Of Equalization #2 - Total	16,753	90.08%	1,845	9.92%
Cumulative			Cumulative				
Precinct	0	0	Precinct	0	0	0	0
Vote by Mail	0	0	Vote by Mail	0	0	0	0
Cumulative - Total	0	0	Cumulative - Total	0	0	0	0
Board of Equalization (State) - Total	24,416	28,009	Board of Equalization (State) - Total	16,753	90.08%	1,845	9.92%
City			City				
City of Morgan Hill			City of Morgan Hill				
Precinct	1,810	28,009	Precinct	1,095	85.55%	185	14.45%
Vote by Mail	22,606	28,009	Vote by Mail	15,658	90.41%	1,660	9.59%
City of Morgan Hill - Total	24,416	28,009	City of Morgan Hill - Total	16,753	90.08%	1,845	9.92%
Cumulative			Cumulative				
Precinct	0	0	Precinct	0	0	0	0
Vote by Mail	0	0	Vote by Mail	0	0	0	0
Cumulative - Total	0	0	Cumulative - Total	0	0	0	0
City - Total	24,416	28,009	City - Total	16,753	90.08%	1,845	9.92%

City of Morgan Hill, Council Member, District A (Vote for 1)

	Times Cast	Registered Voters		GINO BORGIOI	LARRY CARR	JULIE D. RAIA	Write-in				
District			District								
Countywide			Countywide								
Electionwide			Electionwide								
Precinct	454	6,446	Precinct	179	45.78%	102	26.09%	110	28.13%	0	0.00%
Vote by Mail	5,141	6,446	Vote by Mail	1,903	41.41%	1,619	35.23%	1,074	23.37%	0	0.00%
Electionwide - Total	5,595	6,446	Electionwide - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Cumulative			Cumulative								
Precinct	0	0	Precinct	0		0		0		0	
Vote by Mail	0	0	Vote by Mail	0		0		0		0	
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0	
Countywide - Total	5,595	6,446	Countywide - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Congressional District			Congressional District								
19th Congressional District			19th Congressional District								
Precinct	454	6,446	Precinct	179	45.78%	102	26.09%	110	28.13%	0	0.00%
Vote by Mail	5,141	6,446	Vote by Mail	1,903	41.41%	1,619	35.23%	1,074	23.37%	0	0.00%
19th Congressional District - Total	5,595	6,446	19th Congressional District - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Cumulative			Cumulative								
Precinct	0	0	Precinct	0		0		0		0	
Vote by Mail	0	0	Vote by Mail	0		0		0		0	
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0	
Congressional District - Total	5,595	6,446	Congressional District - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
State Senator			State Senator								
17th Senatorial District			17th Senatorial District								
Precinct	454	6,446	Precinct	179	45.78%	102	26.09%	110	28.13%	0	0.00%
Vote by Mail	5,141	6,446	Vote by Mail	1,903	41.41%	1,619	35.23%	1,074	23.37%	0	0.00%
17th Senatorial District - Total	5,595	6,446	17th Senatorial District - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Cumulative			Cumulative								
Precinct	0	0	Precinct	0		0		0		0	
Vote by Mail	0	0	Vote by Mail	0		0		0		0	
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0	
State Senator - Total	5,595	6,446	State Senator - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Member of the State Assembly			Member of the State Assembly								
30th Assembly District			30th Assembly District								
Precinct	454	6,446	Precinct	179	45.78%	102	26.09%	110	28.13%	0	0.00%
Vote by Mail	5,141	6,446	Vote by Mail	1,903	41.41%	1,619	35.23%	1,074	23.37%	0	0.00%
30th Assembly District - Total	5,595	6,446	30th Assembly District - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Cumulative			Cumulative								
Precinct	0	0	Precinct	0		0		0		0	
Vote by Mail	0	0	Vote by Mail	0		0		0		0	
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0	
Member of the State Assembly - Total	5,595	6,446	Member of the State Assembly - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Board of Equalization (State)			Board of Equalization (State)								
State Board Of Equalization #2			State Board Of Equalization #2								
Precinct	454	6,446	Precinct	179	45.78%	102	26.09%	110	28.13%	0	0.00%
Vote by Mail	5,141	6,446	Vote by Mail	1,903	41.41%	1,619	35.23%	1,074	23.37%	0	0.00%
State Board Of Equalization #2 - Total	5,595	6,446	State Board Of Equalization #2 - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Cumulative			Cumulative								
Precinct	0	0	Precinct	0		0		0		0	
Vote by Mail	0	0	Vote by Mail	0		0		0		0	
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0	
Board of Equalization (State) - Total	5,595	6,446	Board of Equalization (State) - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
City			City								
City of Morgan Hill			City of Morgan Hill								
Precinct	454	6,446	Precinct	179	45.78%	102	26.09%	110	28.13%	0	0.00%

Attachment: City of Morgan Hill - Certificate of Election Results [Revision 2] (2943 : Certification of November 3, 2020 Election Results)

Packet Pg. 19

Attachment: City of Morgan Hill - Certificate of Election Results [Revision 2] (2943 : Certification of November 3, 2020 Election Results)

Vote by Mail	5,141	6,446	Vote by Mail	1,903	41.41%	1,619	35.23%	1,074	23.37%	0	0.00%	4,596
City of Morgan Hill - Total	5,595	6,446	City of Morgan Hill - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%	4,987
Cumulative			Cumulative									
Precinct	0	0	Precinct	0		0		0		0		
Vote by Mail	0	0	Vote by Mail	0		0		0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0		
City - Total	5,595	6,446	City - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%	4,987

City of Morgan Hill, Council Member, District C (Vote for 1)

District	Times Cast	Registered Voters	District	RENE ANGELO SPRING	JUAN MIGUEL MUNOZ-MORRIS	Write-in		
Countywide			Countywide					
Electionwide			Electionwide					
Precinct	446	6,431	Precinct	217	60.78%	140	39.22%	3
Vote by Mail	5,048	6,431	Vote by Mail	2,942	69.37%	1,299	30.63%	4,2
Electionwide - Total	5,494	6,431	Electionwide - Total	3,159	68.70%	1,439	31.30%	4,5
Cumulative			Cumulative					
Precinct	0	0	Precinct	0		0		
Vote by Mail	0	0	Vote by Mail	0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		
Countywide - Total	5,494	6,431	Countywide - Total	3,159	68.70%	1,439	31.30%	4,5
Congressional District			Congressional District					
19th Congressional District			19th Congressional District					
Precinct	446	6,431	Precinct	217	60.78%	140	39.22%	3
Vote by Mail	5,048	6,431	Vote by Mail	2,942	69.37%	1,299	30.63%	4,2
19th Congressional District - Total	5,494	6,431	19th Congressional District - Total	3,159	68.70%	1,439	31.30%	4,5
Cumulative			Cumulative					
Precinct	0	0	Precinct	0		0		
Vote by Mail	0	0	Vote by Mail	0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		
Congressional District - Total	5,494	6,431	Congressional District - Total	3,159	68.70%	1,439	31.30%	4,5
State Senator			State Senator					
17th Senatorial District			17th Senatorial District					
Precinct	446	6,431	Precinct	217	60.78%	140	39.22%	3
Vote by Mail	5,048	6,431	Vote by Mail	2,942	69.37%	1,299	30.63%	4,2
17th Senatorial District - Total	5,494	6,431	17th Senatorial District - Total	3,159	68.70%	1,439	31.30%	4,5
Cumulative			Cumulative					
Precinct	0	0	Precinct	0		0		
Vote by Mail	0	0	Vote by Mail	0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		
State Senator - Total	5,494	6,431	State Senator - Total	3,159	68.70%	1,439	31.30%	4,5
Member of the State Assembly			Member of the State Assembly					
30th Assembly District			30th Assembly District					
Precinct	446	6,431	Precinct	217	60.78%	140	39.22%	3
Vote by Mail	5,048	6,431	Vote by Mail	2,942	69.37%	1,299	30.63%	4,2
30th Assembly District - Total	5,494	6,431	30th Assembly District - Total	3,159	68.70%	1,439	31.30%	4,5
Cumulative			Cumulative					
Precinct	0	0	Precinct	0		0		
Vote by Mail	0	0	Vote by Mail	0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		
Member of the State Assembly - Total	5,494	6,431	Member of the State Assembly - Total	3,159	68.70%	1,439	31.30%	4,5
Board of Equalization (State)			Board of Equalization (State)					
State Board Of Equalization #2			State Board Of Equalization #2					
Precinct	446	6,431	Precinct	217	60.78%	140	39.22%	3
Vote by Mail	5,048	6,431	Vote by Mail	2,942	69.37%	1,299	30.63%	4,2
State Board Of Equalization #2 - Total	5,494	6,431	State Board Of Equalization #2 - Total	3,159	68.70%	1,439	31.30%	4,5
Cumulative			Cumulative					
Precinct	0	0	Precinct	0		0		
Vote by Mail	0	0	Vote by Mail	0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		
Board of Equalization (State) - Total	5,494	6,431	Board of Equalization (State) - Total	3,159	68.70%	1,439	31.30%	4,5
City			City					
City of Morgan Hill			City of Morgan Hill					
Precinct	446	6,431	Precinct	217	60.78%	140	39.22%	357
Vote by Mail	5,048	6,431	Vote by Mail	2,942	69.37%	1,299	30.63%	

City of Morgan Hill - Total	5,494	6,431	City of Morgan Hill - Total	3,159	68.70%	1,439	31.30%	0	0.00%	4,598
Cumulative			Cumulative							
Precinct	0	0	Precinct	0		0		0		
Vote by Mail	0	0	Vote by Mail	0		0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		0		
City - Total	5,494	6,431	City - Total	3,159	68.70%	1,439	31.30%	0	0.00%	4,598

ORDINANCE NO. 2258, NEW SERIES**AN ORDINANCE OF THE CITY OF MORGAN HILL
AMENDING CHAPTER 1.16 OF TITLE 1, OF THE
MORGAN HILL MUNICIPAL CODE REGARDING
ELECTIONS**

WHEREAS, the City of Morgan Hill supports the full participation of all residents in electing members of the City Council; and

WHEREAS, in an at-large election system, candidates for City Council may reside in any part of the City and each City Councilmember is elected by the voters of the entire City; and

WHEREAS, in a by-district election system, a candidate for City Council must reside in the district which he or she wishes to represent, and only the voters of that district are entitled to vote to decide who their representative will be; and

WHEREAS, on May 5, 2017, the City received a letter from attorney Morris J. Baller, asserting the City's at-large electoral system violated the California Voting Rights Act and threatening litigation if the City declined to adopt by-district elections; and

WHEREAS, the letter did not contain any credible evidence of a violation, but the cost of defending against a claim under the California Voting Rights Act is extremely high; and

WHEREAS, California Government Code Section 34871(c) authorizes the election of the legislative body "by districts in four, six, or eight districts, with an elective mayor . . ."; and

WHEREAS, Government Code 34886 authorizes the City Council to establish by-district elections for council members by ordinance under the process provided in California Elections Code section 10010; and

WHEREAS, at its regular meeting on June 7, 2017, the City Council adopted a resolution of intent to establish a by-district voting process pursuant to California Elections Code Section 10010; and

WHEREAS, pursuant to California Government Code Section 34886, it is declared the change in the method of electing members of the City Council of the City of Morgan Hill made by this ordinance is to implement the guarantees of Section 7 of Article I and of Section 2 of Article II of the California Constitution, as set forth in Section 14031 of the California Voting Rights Act, and

WHEREAS, under the provisions of California Elections Code Section 10010, a political subdivision that changes from an at-large method of election to a by-district method of election shall hold at least two public hearings over a period of no more than thirty days, at which the public is invited to provide input regarding the composition of the districts before drawing a draft map or maps of the proposed boundaries of the districts; and

WHEREAS, before any maps of the proposed boundaries of the districts were drawn, the City Council held public hearings on June 21, 2017 and June 28, 2017, at which time input from the public on the proposed district boundaries was invited and heard; and

WHEREAS, the City established a dedicated webpage containing notices and information on the district election mapping process, with information in multiple languages, and extensive outreach was made to the Morgan Hill community through e-mail and at community events regarding the change to district elections.

WHEREAS, on July 19, 2017, consistent with the provisions of California Elections Code Section 10010, the City published and made available for release, all of the draft maps under consideration along with the potential sequence of elections; and

WHEREAS, as required by California Elections Code Section 10010, the City held a public hearing on July 26, 2017, at which time input on the proposed maps and sequence was invited and heard; and

WHEREAS, on August 7, 2017, consistent with the provisions of California Elections Code Section 10010, the City published additional maps based on the testimony at the July 26, 2017 public hearing; and

WHEREAS, on August 23, 2017, as required by California Elections Code Section 10010, the City held an additional public hearing at which time input on the proposed maps and sequence was invited and heard and a final map and sequence was selected by the City Council.

WHEREAS, the purpose of this Ordinance is to enact, pursuant to California Government Code Section 34886, an ordinance providing for the election of the members of the City Council of the City of Morgan Hill on a by-district basis in four single-member districts, retaining a separately elected office of Mayor, as reflected in Exhibit A to this Ordinance and to make other conforming and technical changes to Morgan Hill Municipal Code Chapter 1.16.

NOW THEREFORE, IN CONSIDERATION OF THE FOREGOING, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 1.16 ("ELECTIONS") of Title 1 of the Morgan Hill Municipal Code is amended to read as follows:

1.16.010 - General municipal elections coincide with statewide general election.

The general municipal election of the city shall be held on the same day as the statewide general election on the first Tuesday after the first Monday in November of even-numbered years.

1.16.020 – Election of City Council Members.

- A. As established by Measures D and E, enacted by the voters on March 26, 1996, the Mayor shall be elected directly by the electors for a term of two-years.

- B. Beginning with the November 2018 general municipal election, a person elected as a member of the City Council other than the Mayor shall be a resident of his or her respective Council District as set forth in Section 1.16.030 (and as subsequently reapportioned as provided by applicable law.) Elections shall take place on a by-district basis as that term is defined in California Government Code Section 34871; meaning one member of the City Council shall be elected from each district, by the voters of that district alone, except for the Mayor, who shall be elected citywide. Each council member shall serve a four-year term until his or her successor has qualified, except for the Mayor, who shall serve a two-year term as authorized by Measure E, enacted by the voters on March 26, 1996.
- C. Except as provided in subsection C of Section 1.16.040, the council member elected to represent a district must reside in that district and be a registered voter in that district, and any candidate for City Council must live in, and be a registered voter in, the district in which he or she seeks election at the time nomination papers are issued, pursuant to California Government Code Section 34882 and California Elections Code Section 10227. Termination of residency in a district by a Council Member shall create an immediate vacancy for that council district unless a substitute residence within the district is established within 30 days after the termination of residency.

1.16.030 – Establishment of Council Districts

Boundaries for each of the four districts and their letter designations are as shown on the attached Exhibit A entitled “City of Morgan Hill District Boundary Map,” a copy of which shall be posted on the City’s website and on file in the City Clerk’s Office.

1.16.040 - Transition

- A. Except as provided in subsection C, Council Members shall be elected in Council Districts B and D at the general municipal election in November 2018, and at the general municipal election every four years thereafter. [Sequence subject to change depending on final map selection]
- B. Council Members shall be elected in Council Districts A and C at the general municipal election in November 2020, and at the general municipal election every four years thereafter. [Sequence subject to change depending on final map selection]
- C. Any member of the City Council in office at the time this Ordinance takes effect (or any person selected by appointment or election to fill a vacancy created by a Council member elected prior to the effective date of this Ordinance) shall continue in office until the expiration of the respective term to which he or she was elected and until his or her respective successors are qualified. At the end of the term of each council member, that member’s successor shall be elected on a by-district basis in the districts established in Section 1.16.030. A vacancy in a councilmember office elected by-district shall be filled by a person qualified to hold the office, who is a resident and registered voter in the district.

1.16.050 - Electronic filing of campaign statements.

- A. Any elected officer, candidate, committee, or other person required to file statements, reports or other documents described by Chapter 4 (Campaign Disclosure) of Title 9 (Political Reform)

of the California Government Code that has received contributions or made expenditures of two thousand dollars or more in a calendar year shall electronically file such statements using procedures established by the City Clerk.

B. Once an elected officer, candidate, committee, or other person files a statement, report, or other document electronically pursuant to Section A, all future statements, reports, or other documents on behalf of that filer shall be filed electronically.

C. In any instance in which an original statement, report, or other document must be filed with the California Secretary of State and a copy of that statement, report, or other document is required to be filed with the City Clerk, the filer may, but is not required to, file such copy electronically.

D. If the City Clerk's electronic filing system is not capable of accepting a particular type of statement, report, or other document, an elected officer, candidate, committee, or other person shall file that document with the City Clerk in an alternative format.

SECTION 2. Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 3. Effective Date and Publication. This ordinance shall take effect thirty (30) days after the date of its passage and adoption. The City Clerk is hereby directed to publish in full or summary this ordinance pursuant to §36933 of the Government Code in a newspaper of general circulation in the City of Morgan Hill.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE 23RD DAY OF AUGUST 2017, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 6TH DAY OF SEPTEMBER 2017, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	Larry Carr, Rich Constantine, Rene Spring, Caitlin Robinett Jachimowicz, Steve Tate
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None

APPROVED:



STEVE TATE, Mayor

DATE:

9/7/2017

ATTEST:



IRMA TORREZ, City Clerk

DATE:

9/11/2017

Effective Date: October 7, 2017

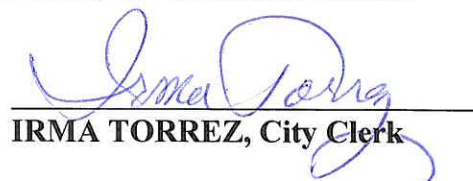
∞ CERTIFICATE OF THE CITY CLERK ∞

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2258, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 6th day of September 2017.

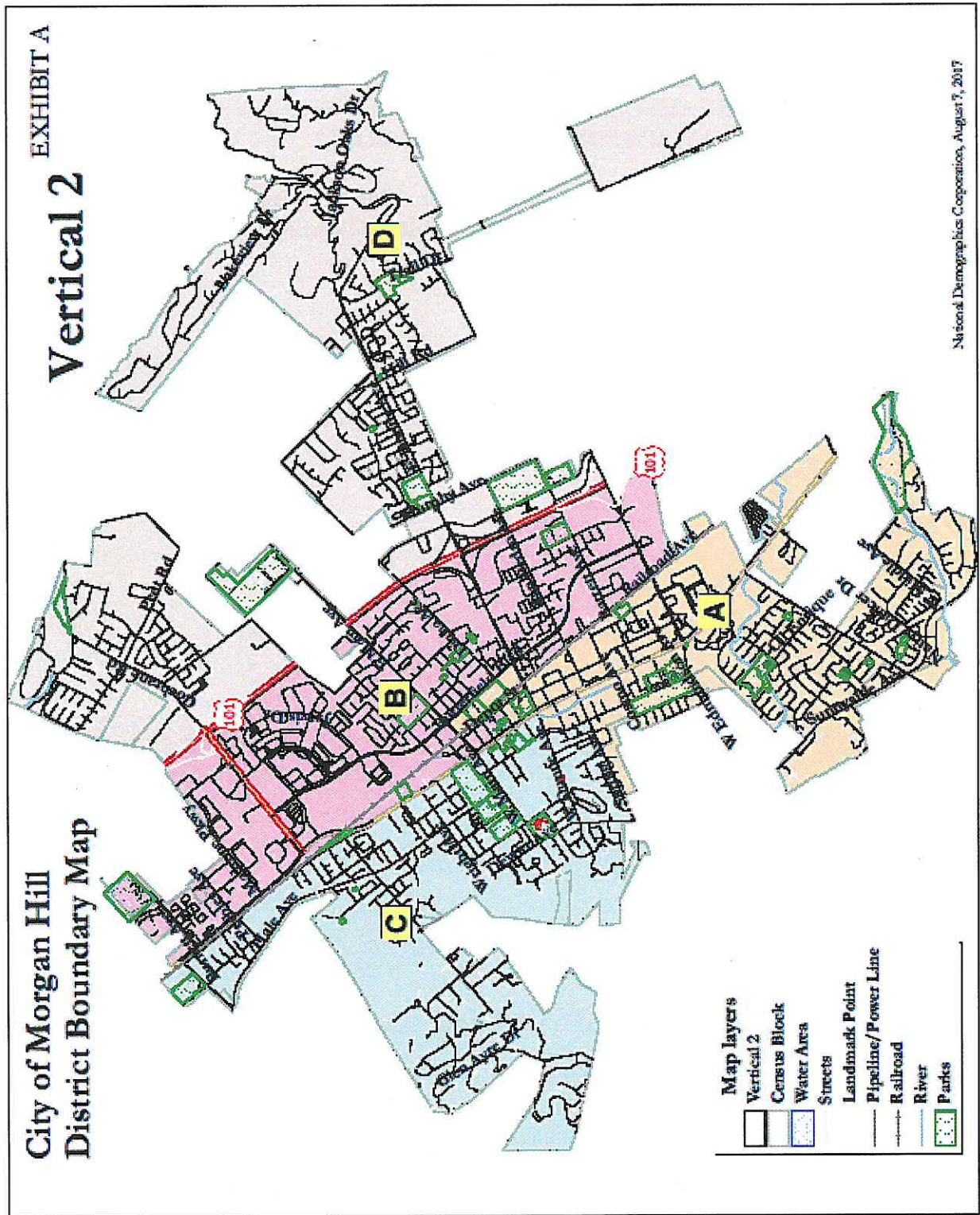
WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE:

9/11/2017



IRMA TORREZ, City Clerk



AMENDED RESOLUTION NO. 20-033

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL CALLING, AND GIVING NOTICE FOR THE HOLDING OF A CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a Consolidated General Municipal Election shall be held on Tuesday, November 3, 2020, for the election of Municipal Officers.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Morgan Hill, California, on Tuesday, November 3, 2020, a Consolidated General Municipal Election for the purpose of electing a Mayor for the full term of two-years, a Member of the City Council from District "A" for the full term of four-years, and a Member of the City Council from District "C" for the full term of four-years.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That the City Clerk is authorized, instructed, and directed to coordinate with the Registrar of Voters Office of the County of Santa Clara to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code § 10242, except as provided in § 14401 of the Elections Code of the State of California.

SECTION 5. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. That in the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the County of Santa Clara, Registrar of Voters Office, the City Council in accordance with Election Code § 15651(b), shall conduct a special runoff election to resolve the tie vote and such special runoff election is to be held on a Tuesday not less than 40 days nor more than 125 days after the administrative or judicial certification of the election which resulted in a tie vote.

SECTION 8. The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 19th day of August 2020 by the following vote:

AYES:	COUNCIL MEMBERS:	Larry Carr, Rene Spring, John McKay
NOES:	COUNCIL MEMBERS:	Yvonne Martinez Beltran
ABSTAIN:	COUNCIL MEMBERS:	Rich Constantine
ABSENT:	COUNCIL MEMBERS:	None

APPROVED:


YVONNE MARTINEZ BELTRAN, Mayor Pro Tem

ATTEST:


IRMA TORREZ, City Clerk

∞ **CERTIFICATION** ∞

I, Irma Torrez, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 20-033 adopted by the City Council at the meeting held on the 19th day of August 2020.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: 8/19/20


Irma Torrez, CITY CLERK

RESOLUTION NO. 20-034

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020 WITH THE PRESIDENTIAL STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE.

WHEREAS, the City Council of the City of Morgan Hill called a General Municipal Election to be held on Tuesday, November 3, 2020, for the purpose of the election of a Mayor, a Member of the City Council from District "A", a Member of the City Council from District "C", and a City Treasurer and;

WHEREAS, it is desirable that the General Municipal Election be consolidated with the statewide Presidential General Election to be held on the same date and that within the city the precincts, polling places and election officers of the two elections be the same, and that the Registrar of Voters Office of the County of Santa Clara canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of § 10403 of the Elections Code, the Board of Supervisors of the County of Santa Clara is hereby requested to consent and agree to the consolidation of a General Municipal Election with the statewide Presidential General Election on Tuesday, November 3, 2020, for the purpose of the election of a Mayor; a Member of the City Council from District A; a Member of the City Council from District C; and a City Treasurer.

SECTION 2. That the Board of Supervisors of the County of Santa Clara is requested to issue instructions to the Registrar of Voters Office to take any and all steps necessary for the holding of the consolidated election.

SECTION 3. That the Registrar of Voters of the County of Santa Clara is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide/general election.

SECTION 4. That the City of Morgan Hill recognizes that additional costs will be incurred by the County of Santa Clara by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 5. Candidates' Statements. Candidates shall not be permitted to submit materials other than the candidate's statement with the sample ballot and voter's pamphlet. The Candidates' statement shall be two hundred (200) words or less.

SECTION 6. Candidates' Statement Fee. Pursuant to City Council Resolution No. 16-005, adopted January 20, 2016, candidates will be required to pay half of the costs charged by the Santa Clara County Registrar of Voters Office to submit and publish a Candidate Statement at the time the candidate statement is filed with the City Clerk.

SECTION 7. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Registrar of Voters Office of the County of Santa Clara.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

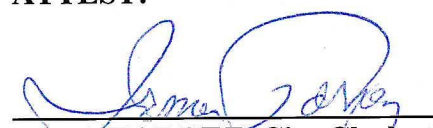
PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 3rd day of June 2020 by the following vote:

AYES:	COUNCIL MEMBERS:	Yvonne Martinez Beltran, Rene Spring, John McKay, Larry Carr, Rich Constantine
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None

APPROVED:


RICH CONSTANTINE, Mayor

ATTEST:


IRMA TORREZ, City Clerk

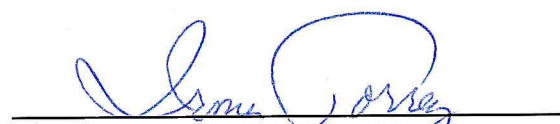
∞ CERTIFICATION ∞

I, Irma Torrez, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 20-034 adopted by the City Council at the meeting held on the 3rd day of June 2020.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE:

6/17/2021


Irma Torrez, CITY CLERK

RESOLUTION NO. 20-045**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL PROVIDING FOR THE APPOINTMENT TO THE OFFICE OF TREASURER THAT WAS TO BE ELECTED ON TUESDAY, NOVEMBER 3, 2020**

WHEREAS, pursuant to § 10229 of the Elections Code of the State of California, as of the close of the nomination period Wednesday, August 12, 2020, there are not more candidates than offices to be elected for the Treasurer seat and that § 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the person who has been nominated.
2. Appoint to the office any eligible voter if no one has been nominated.
3. Hold the election if either no one or only one person has been nominated.

WHEREAS, a notice was published on Friday, August 14, 2020 in a newspaper of general circulation pursuant to law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to § 10229 of the Elections Code of the State of California, the following action is being taken:

The following person is being appointed to the office to which she was nominated, and is considered to be the same as being elected, pursuant to § 10229(a)(3) of the Elections Code:

- Caitlin Robinett Jachimowicz appointed as Treasurer

SECTION 2. The election for the seat of Treasurer scheduled to be held on Tuesday, November 3, 2020 is canceled.

SECTION 3. The person appointed shall qualify and take office and serve exactly as if elected at a municipal election for the office.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 19th day of August 2020 by the following vote:

AYES:	COUNCIL MEMBERS:	Larry Carr, Rene Spring, John McKay
NOES:	COUNCIL MEMBERS:	Yvonne Martinez Beltran
ABSTAIN:	COUNCIL MEMBERS:	Rich Constantine
ABSENT:	COUNCIL MEMBERS:	None

APPROVED:


YVONNE MARTINEZ BELTRAN, Mayor Pro Tem

ATTEST:

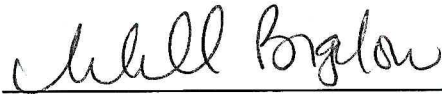

IRMA TORREZ, City Clerk

∞ CERTIFICATION ∞

I, **Irma Torrez, City Clerk of the City of Morgan Hill, California**, do hereby certify that the foregoing is a true and correct copy of Resolution No. 20-045 adopted by the City Council at the meeting held on the 19th day of August 2020.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: 8/19/20


Irma Torrez, CITY CLERK



CITY COUNCIL STAFF REPORT

MEETING DATE: December 9, 2020

PREPARED BY: Michelle Bigelow, Deputy City Clerk
APPROVED BY: City Manager

ACCEPT CERTIFIED STATEMENT OF ELECTION RESULTS AND ADOPT RESOLUTION CERTIFYING THE NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION

RECOMMENDATION(S)

Adopt resolution reciting the facts of the General Municipal Election of November 3, 2020 and declare the results of such other matters as provided by law.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Supporting Our Youth
Seniors
and Entire Community
Fostering a Positive Organizational Culture
Preserving and Cultivating Public Trust
Preserving Our Community History
Enhancing Diversity and Inclusiveness

REPORT NARRATIVE:

A General Municipal Election was held on Tuesday, November 3, 2020, for the purpose of electing a Mayor, a Council Member from District A, and a Council Member from District C. The Santa Clara County Registrar of Voters Office has concluded canvassing the election returns and has furnished the City Clerk with a Certified Statement of Election Results (Attachment 2). A resolution reciting the facts of the November 3, 2020 election has been prepared for Council adoption (Attachment 1).

COMMUNITY ENGAGEMENT: Involve

As a General Law City, Morgan Hill is governed by Government and Election Codes for the purpose of electing municipal officers (e.g., mayor, council members, and city treasurer) and ballot measures.

Adoption of the attached resolution which certifies the election results of the general municipal election held in Morgan Hill on November 3, 2020, memorializes how the registered voters in the City of Morgan Hill were involved in the democratic process of electing their municipal officers.

ALTERNATIVE ACTIONS:

There are no alternative actions to be taken as Article 4. Canvass of Ballots and Returns, Sections 10260 through 10266 of the California Elections Code outlines the actions to be taken/followed by the Governing Body.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

Municipal Elections are conducted every two years for the purpose of electing officers and presenting ballot measures to the electorate as required by law. The below listed Ordinance and Resolutions have been adopted by the City Council relating to the November 3, 2020 General Municipal Election:

- Ordinance No. 2258, New Series, adopted September 6, 2017, amending Chapter 1.16 of Title 1 of the Morgan Hill Municipal Code regarding Elections, specifically, District Elections. (Attachment 3)
- Resolution No. 20-033, adopted August 26, 2020, Calling and Giving Notice of the Holding of a Consolidated General Municipal Election to be held on Tuesday, November 3, 2020 (Attachment 4). The purpose of the General Municipal Election will be for the election of the following officers: A Mayor for a full two-year term; one (1) Member of the City Council from District A for a full four-year term; and one (1) Member of the City Council from District C for a full four-year term.
- Resolution No. 20-034, adopted June 3, 2020, Requesting the Board of Supervisors of the County of Santa Clara to consolidate a General Municipal Election with the Gubernatorial General Election, and the Services of the Registrar of Voters for services in the conduct of the election, including the provision of election supplies and voters' pamphlets. (Attachment 5)
- Resolution No. 20-045, adopted August 19, 2020, Appointing Caitlin Robinett Jachimowicz as the City Treasurer (Attachment 6)

FISCAL AND RESOURCE IMPACT:

The invoice for the General Municipal Election has not yet been received. \$158,632 has been budgeted under the Elections Budget (010.2420.42231) to cover the cost of contract services for consolidation of the election for the election of a Mayor, a Council Member from District A, and a Council Member from District C. Resources for the November 3, 2020 General Municipal Election were accommodated in the Elections Budget and the Council Services and Records Management Workplan.

CEQA (California Environmental Quality Act):

Not a project.

The certification of election results is not a project, as defined in Section 15378 of the State CEQA guidelines.

LINKS/ATTACHMENTS:

1. Resolution Certifying 11-3-20 General Municipal Election Results

2. City of Morgan Hill - Certificate of Election Results
3. Ordinance 2258 - Amending Chapter 1.16 of Title 1
4. Resolution 20-033 Calling for Nov 3, 2020 Election
5. Resolution 20-034 Consolidation of election with County of Santa Clara
6. Resolution 20-045 appointing the City Treasurer

RESOLUTION NO. 20-0XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL, CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION HELD ON TUESDAY, NOVEMBER 3, 2020 – DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a General Municipal Election was held and conducted in the City of Morgan Hill, California, on Tuesday, November 3, 2020, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, the Santa Clara County Registrar of Voters Office canvassed the returns of the election to this City Council, the results are received, attached, and made a part hereof as “Exhibit A”.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the whole number of votes cast in precincts in the City (including provisional ballots), except vote by mail voter ballots, was 1,809.

That the whole number of vote by mail voter ballots cast in the City was 22,690, making a total of 24,499 ballots cast in the City.

SECTION 2. That the names of persons voted for at the election for Mayor are as follows:

Richard Constantine

Steve Chappell

That the names of persons voted for at the election for Member of the City Council – District A are as follows:

Gino Borgioli

Julie Raia

Larry Carr

That the names of persons voted for at the election for Member of the City Council – District C are as follows:

Juan Miguel Munoz-Morris
Rene Spring

SECTION 3. That pursuant to California Elections Code Section 10229, the following person is being appointed to the office to which she was nominated and is considered to be the same as being elected:

Caitlin Robinett Jachimowicz

SECTION 4. That the number of votes given at each precinct and the number of votes given in the City to each of the persons above named for the respective offices for which the persons were candidates as listed in Exhibit “A” attached.

SECTION 5. The City Council does declare and determine that: Richard Constantine was elected as Mayor for the full term of two years; Gino Borgioli was elected as Member of the City Council – District A for the full term of four years; and Rene Spring was elected as Member of the City Council – District C for the full term of four years.

SECTION 6. The City Clerk shall enter on the records of the City Council of the City, a statement of the result of the election, showing: (1) The whole number of votes cast in the City; (2) The names of the persons voted for; (3) For what office each person was voted for.

SECTION 7. That the City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morgan Hill at a Special Meeting held on the 9th day of December 2020.

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

MICHELLE BIGELOW, City Clerk

∞ CERTIFICATION ∞

I, Michelle Bigelow, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 20-0XX adopted by the City Council at a special meeting held on December 9, 2020.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

MICHELLE BIGELOW, City Clerk

County of Santa Clara

Registrar of Voters

1555 Berger Drive, Bldg. 2
San Jose, CA 95112
Mailing Address: P.O. Box 611360, San Jose, CA 95161-1360
(408) 299-VOTE (8683) 866-430-VOTE (8683) FAX: (408) 998-7314
www.sccvote.org



December 3, 2020

Ms. Irma Torrez, City Clerk
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

RE: Certification of Election Results – November 3, 2020 Presidential General Election

Dear Ms. Torrez:

Enclosed are the Certificate of Election Results, Official Results, and the Statement of Votes for the contest(s) in your jurisdiction.

Pursuant to Elections Code Section 15400, the Governing Board should accept the Statement of Votes and Certificate of Election Results, and declare the totals to be the final results of the election.

Please contact Election Division Coordinator Bren Lehr at 408-282-3041 should you have questions or need anything further.

Sincerely,

Bren Lehr
Election Division Coordinator, Candidate Services Division

Enclosures

CERTIFICATE OF ELECTION RESULTS

STATE OF CALIFORNIA)
) ss.
 COUNTY OF SANTA CLARA)

I, Shannon Bushey, Registrar of Voters of the County of Santa Clara, State of California, hereby declare:

1. A Presidential General Election was held in the County of Santa Clara, for the **City of Morgan Hill**, on November 3, 2020 for the purpose of electing **One (1) Mayor and Two (2) Council Member for Districts A and C** to the Governing Board.

2. The official canvass of the returns of this election was conducted by the Office of the Registrar of Voters in accordance with the appropriate provisions of the Elections Code of the State of California.

3. The Statement of Votes Cast, now on file in my office and attached hereto, shows the number of votes for each candidate for the Governing Board of the **City of Morgan Hill** and in each of the precincts and that the total shown for each candidate are true and correct.

WITNESS my hand and Official Seal this 3rd day of December 2020.



Shannon Bushey
 Shannon Bushey, Registrar of Voters

Statement of Votes Cast

General Election

Santa Clara

November 03, 2020

Official Final Statement of Vote

District	Registered Voters	Voters Cast	% Turnout
Countywide			
Electionwide			
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%
Electionwide - Total	1,019,309	863,964	84.76%
Cumulative			
Precinct	0	0	N/A
Vote by Mail	0	0	N/A
Cumulative - Total	0	0	N/A
Countywide - Total	1,019,309	863,964	84.76%
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%
Congressional District			
17th Congressional District			
Precinct	275,766	15,529	5.63%
Vote by Mail	275,766	218,633	79.28%
17th Congressional District - Total	275,766	234,162	84.91%
18th Congressional District			
Precinct	332,297	17,629	5.31%
Vote by Mail	332,297	274,597	82.64%
18th Congressional District - Total	332,297	292,226	87.94%
19th Congressional District			
Precinct	402,141	26,118	6.49%
Vote by Mail	402,141	304,394	75.69%
19th Congressional District - Total	402,141	330,512	82.19%
20th Congressional District			
Precinct	9,105	729	8.01%
Vote by Mail	9,105	6,335	69.58%
20th Congressional District - Total	9,105	7,064	77.58%
Cumulative			
Precinct	0	0	N/A
Vote by Mail	0	0	N/A
Cumulative - Total	0	0	N/A
Congressional District - Total	1,019,309	863,964	84.76%
Precinct	1,019,309	60,005	5.89%

Vote by Mail	1,019,309	803,959	78.87%
State Senator			
10th Senatorial District			
Precinct	166,669	10,002	6.00%
Vote by Mail	166,669	129,718	77.83%
10th Senatorial District - Total	166,669	139,720	83.83%
13th Senatorial District			
Precinct	189,361	9,736	5.14%
Vote by Mail	189,361	156,451	82.62%
13th Senatorial District - Total	189,361	166,187	87.76%
15th Senatorial District			
Precinct	533,759	31,402	5.88%
Vote by Mail	533,759	417,810	78.28%
15th Senatorial District - Total	533,759	449,212	84.16%
17th Senatorial District			
Precinct	129,520	8,865	6.84%
Vote by Mail	129,520	99,980	77.19%
17th Senatorial District - Total	129,520	108,845	84.04%
Cumulative			
Precinct	0	0	N/A
Vote by Mail	0	0	N/A
Cumulative - Total	0	0	N/A
State Senator - Total	1,019,309	863,964	84.76%
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%
Member of the State Assembly			
24th Assembly District			
Precinct	192,204	9,829	5.11%
Vote by Mail	192,204	158,866	82.65%
24th Assembly District - Total	192,204	168,695	87.77%
25th Assembly District			
Precinct	167,588	10,135	6.05%
Vote by Mail	167,588	129,854	77.48%
25th Assembly District - Total	167,588	139,989	83.53%
27th Assembly District			
Precinct	238,740	16,036	6.72%
Vote by Mail	238,740	173,374	72.62%
27th Assembly District - Total	238,740	189,410	79.34%
28th Assembly District			
Precinct	289,585	15,415	5.32%
Vote by Mail	289,585	238,091	82.22%
28th Assembly District - Total	289,585	253,506	87.54%
29th Assembly District			
Precinct	61,112	3,759	6.15%
Vote by Mail	61,112	48,919	80.05%
29th Assembly District - Total	61,112	52,678	86.20%

30th Assembly District			
Precinct	70,080	4,831	6.89%
Vote by Mail	70,080	54,855	78.27%
30th Assembly District - Total	70,080	59,686	85.17%
Cumulative			
Precinct	0	0	N/A
Vote by Mail	0	0	N/A
Cumulative - Total	0	0	N/A
Member of the State Assembly - Total	1,019,309	863,964	84.76%
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%
Board of Equalization (State)			
State Board Of Equalization #2			
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%
State Board Of Equalization #2 - Total	1,019,309	863,964	84.76%
Cumulative			
Precinct	0	0	N/A
Vote by Mail	0	0	N/A
Cumulative - Total	0	0	N/A
Board of Equalization (State) - Total	1,019,309	863,964	84.76%
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%
City			
City of Campbell			
Precinct	25,832	1,525	5.90%
Vote by Mail	25,832	21,082	81.61%
City of Campbell - Total	25,832	22,607	87.52%
City of Cupertino			
Precinct	33,233	1,397	4.20%
Vote by Mail	33,233	27,859	83.83%
City of Cupertino - Total	33,233	29,256	88.03%
City of Gilroy			
Precinct	30,693	2,210	7.20%
Vote by Mail	30,693	23,303	75.92%
City of Gilroy - Total	30,693	25,513	83.12%
City of Los Altos			
Precinct	22,101	844	3.82%
Vote by Mail	22,101	19,240	87.05%
City of Los Altos - Total	22,101	20,084	90.87%
City of Milpitas			
Precinct	36,665	2,355	6.42%
Vote by Mail	36,665	28,349	77.32%
City of Milpitas - Total	36,665	30,704	83.74%
City of Monte Sereno			
Precinct	2,735	91	3.33%
Vote by Mail	2,735	2,405	87.93%

City of Monte Sereno - Total	2,735	2,496	91.26%
City of Morgan Hill			
Precinct	28,009	1,809	6.46%
Vote by Mail	28,009	22,690	81.01%
City of Morgan Hill - Total	28,009	24,499	87.47%
City of Mountain View			
Precinct	40,380	2,147	5.32%
Vote by Mail	40,380	33,317	82.51%
City of Mountain View - Total	40,380	35,464	87.83%
City of Palo Alto			
Precinct	43,015	2,101	4.88%
Vote by Mail	43,015	36,150	84.04%
City of Palo Alto - Total	43,015	38,251	88.92%
City of San Jose			
Precinct	529,599	32,872	6.21%
Vote by Mail	529,599	406,329	76.72%
City of San Jose - Total	529,599	439,201	82.93%
City of Santa Clara			
Precinct	58,593	3,453	5.89%
Vote by Mail	58,593	46,033	78.56%
City of Santa Clara - Total	58,593	49,486	84.46%
City of Saratoga			
Precinct	22,885	1,051	4.59%
Vote by Mail	22,885	19,415	84.84%
City of Saratoga - Total	22,885	20,466	89.43%
City of Sunnyvale			
Precinct	69,204	3,784	5.47%
Vote by Mail	69,204	55,863	80.72%
City of Sunnyvale - Total	69,204	59,647	86.19%
Town of Los Altos Hills			
Precinct	6,528	351	5.38%
Vote by Mail	6,528	5,587	85.59%
Town of Los Altos Hills - Total	6,528	5,938	90.96%
Town of Los Gatos			
Precinct	22,607	1,019	4.51%
Vote by Mail	22,607	19,210	84.97%
Town of Los Gatos - Total	22,607	20,229	89.48%
Unincorporated			
Precinct	47,230	2,996	6.34%
Vote by Mail	47,230	37,127	78.61%
Unincorporated - Total	47,230	40,123	84.95%
Cumulative			
Precinct	0	0	N/A
Vote by Mail	0	0	N/A
Cumulative - Total	0	0	N/A
City - Total	1,019,309	863,964	84.76%
Precinct	1,019,309	60,005	5.89%
Vote by Mail	1,019,309	803,959	78.87%

City of Morgan Hill, Mayor (Vote for 1)

District	Times Cast	Registered Voters	District	RICH CONSTANT INE	Write-in	Total Votes	STEVE CHAPPELL Qualified Write In
Countywide			Countywide				
Electionwide			Electionwide				
Precinct	1,810	28,009	Precinct	1,095	85.55%	185	14.45%
Vote by Mail	22,606	28,009	Vote by Mail	15,658	90.41%	1,660	9.59%
Electionwide - Total	24,416	28,009	Electionwide - Total	16,753	90.08%	1,845	9.92%
Cumulative			Cumulative				
Precinct	0	0	Precinct	0	0	0	0
Vote by Mail	0	0	Vote by Mail	0	0	0	0
Cumulative - Total	0	0	Cumulative - Total	0	0	0	0
Countywide - Total	24,416	28,009	Countywide - Total	16,753	90.08%	1,845	9.92%
Congressional District			Congressional District				
19th Congressional District			19th Congressional District				
Precinct	1,810	28,009	Precinct	1,095	85.55%	185	14.45%
Vote by Mail	22,606	28,009	Vote by Mail	15,658	90.41%	1,660	9.59%
19th Congressional District - Total	24,416	28,009	19th Congressional District - Total	16,753	90.08%	1,845	9.92%
Cumulative			Cumulative				
Precinct	0	0	Precinct	0	0	0	0
Vote by Mail	0	0	Vote by Mail	0	0	0	0
Cumulative - Total	0	0	Cumulative - Total	0	0	0	0
Congressional District - Total	24,416	28,009	Congressional District - Total	16,753	90.08%	1,845	9.92%
State Senator			State Senator				
17th Senatorial District			17th Senatorial District				
Precinct	1,810	28,009	Precinct	1,095	85.55%	185	14.45%
Vote by Mail	22,606	28,009	Vote by Mail	15,658	90.41%	1,660	9.59%
17th Senatorial District - Total	24,416	28,009	17th Senatorial District - Total	16,753	90.08%	1,845	9.92%
Cumulative			Cumulative				
Precinct	0	0	Precinct	0	0	0	0
Vote by Mail	0	0	Vote by Mail	0	0	0	0
Cumulative - Total	0	0	Cumulative - Total	0	0	0	0
State Senator - Total	24,416	28,009	State Senator - Total	16,753	90.08%	1,845	9.92%
Member of the State Assembly			Member of the State Assembly				
30th Assembly District			30th Assembly District				
Precinct	1,810	28,009	Precinct	1,095	85.55%	185	14.45%
Vote by Mail	22,606	28,009	Vote by Mail	15,658	90.41%	1,660	9.59%
30th Assembly District - Total	24,416	28,009	30th Assembly District - Total	16,753	90.08%	1,845	9.92%
Cumulative			Cumulative				
Precinct	0	0	Precinct	0	0	0	0
Vote by Mail	0	0	Vote by Mail	0	0	0	0
Cumulative - Total	0	0	Cumulative - Total	0	0	0	0
Member of the State Assembly - Total	24,416	28,009	Member of the State Assembly - Total	16,753	90.08%	1,845	9.92%
Board of Equalization (State)			Board of Equalization (State)				
State Board Of Equalization #2			State Board Of Equalization #2				
Precinct	1,810	28,009	Precinct	1,095	85.55%	185	14.45%
Vote by Mail	22,606	28,009	Vote by Mail	15,658	90.41%	1,660	9.59%
State Board Of Equalization #2 - Total	24,416	28,009	State Board Of Equalization #2 - Total	16,753	90.08%	1,845	9.92%
Cumulative			Cumulative				
Precinct	0	0	Precinct	0	0	0	0
Vote by Mail	0	0	Vote by Mail	0	0	0	0
Cumulative - Total	0	0	Cumulative - Total	0	0	0	0
Board of Equalization (State) - Total	24,416	28,009	Board of Equalization (State) - Total	16,753	90.08%	1,845	9.92%
City			City				
City of Morgan Hill			City of Morgan Hill				
Precinct	1,810	28,009	Precinct	1,095	85.55%	185	14.45%
Vote by Mail	22,606	28,009	Vote by Mail	15,658	90.41%	1,660	9.59%
City of Morgan Hill - Total	24,416	28,009	City of Morgan Hill - Total	16,753	90.08%	1,845	9.92%
Cumulative			Cumulative				
Precinct	0	0	Precinct	0	0	0	0
Vote by Mail	0	0	Vote by Mail	0	0	0	0
Cumulative - Total	0	0	Cumulative - Total	0	0	0	0
City - Total	24,416	28,009	City - Total	16,753	90.08%	1,845	9.92%

City of Morgan Hill, Council Member, District A (Vote for 1)

	Times Cast	Registered Voters		GINO BORGIOI	LARRY CARR	JULIE D. RAIA	Write-in				
District			District								
Countywide			Countywide								
Electionwide			Electionwide								
Precinct	454	6,446	Precinct	179	45.78%	102	26.09%	110	28.13%	0	0.00%
Vote by Mail	5,141	6,446	Vote by Mail	1,903	41.41%	1,619	35.23%	1,074	23.37%	0	0.00%
Electionwide - Total	5,595	6,446	Electionwide - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Cumulative			Cumulative								
Precinct	0	0	Precinct	0		0		0		0	
Vote by Mail	0	0	Vote by Mail	0		0		0		0	
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0	
Countywide - Total	5,595	6,446	Countywide - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Congressional District			Congressional District								
19th Congressional District			19th Congressional District								
Precinct	454	6,446	Precinct	179	45.78%	102	26.09%	110	28.13%	0	0.00%
Vote by Mail	5,141	6,446	Vote by Mail	1,903	41.41%	1,619	35.23%	1,074	23.37%	0	0.00%
19th Congressional District - Total	5,595	6,446	19th Congressional District - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Cumulative			Cumulative								
Precinct	0	0	Precinct	0		0		0		0	
Vote by Mail	0	0	Vote by Mail	0		0		0		0	
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0	
Congressional District - Total	5,595	6,446	Congressional District - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
State Senator			State Senator								
17th Senatorial District			17th Senatorial District								
Precinct	454	6,446	Precinct	179	45.78%	102	26.09%	110	28.13%	0	0.00%
Vote by Mail	5,141	6,446	Vote by Mail	1,903	41.41%	1,619	35.23%	1,074	23.37%	0	0.00%
17th Senatorial District - Total	5,595	6,446	17th Senatorial District - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Cumulative			Cumulative								
Precinct	0	0	Precinct	0		0		0		0	
Vote by Mail	0	0	Vote by Mail	0		0		0		0	
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0	
State Senator - Total	5,595	6,446	State Senator - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Member of the State Assembly			Member of the State Assembly								
30th Assembly District			30th Assembly District								
Precinct	454	6,446	Precinct	179	45.78%	102	26.09%	110	28.13%	0	0.00%
Vote by Mail	5,141	6,446	Vote by Mail	1,903	41.41%	1,619	35.23%	1,074	23.37%	0	0.00%
30th Assembly District - Total	5,595	6,446	30th Assembly District - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Cumulative			Cumulative								
Precinct	0	0	Precinct	0		0		0		0	
Vote by Mail	0	0	Vote by Mail	0		0		0		0	
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0	
Member of the State Assembly - Total	5,595	6,446	Member of the State Assembly - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Board of Equalization (State)			Board of Equalization (State)								
State Board Of Equalization #2			State Board Of Equalization #2								
Precinct	454	6,446	Precinct	179	45.78%	102	26.09%	110	28.13%	0	0.00%
Vote by Mail	5,141	6,446	Vote by Mail	1,903	41.41%	1,619	35.23%	1,074	23.37%	0	0.00%
State Board Of Equalization #2 - Total	5,595	6,446	State Board Of Equalization #2 - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
Cumulative			Cumulative								
Precinct	0	0	Precinct	0		0		0		0	
Vote by Mail	0	0	Vote by Mail	0		0		0		0	
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0	
Board of Equalization (State) - Total	5,595	6,446	Board of Equalization (State) - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%
City			City								
City of Morgan Hill			City of Morgan Hill								
Precinct	454	6,446	Precinct	179	45.78%	102	26.09%	110	28.13%	0	0.00%

Attachment: City of Morgan Hill - Certificate of Election Results [Revision 2] (2943 : Certification of November 3, 2020 Election Results)

Packet Pg. 19

Attachment: City of Morgan Hill - Certificate of Election Results [Revision 2] (2943 : Certification of November 3, 2020 Election Results)

Vote by Mail	5,141	6,446	Vote by Mail	1,903	41.41%	1,619	35.23%	1,074	23.37%	0	0.00%	4,596
City of Morgan Hill - Total	5,595	6,446	City of Morgan Hill - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%	4,987
Cumulative			Cumulative									
Precinct	0	0	Precinct	0		0		0		0		
Vote by Mail	0	0	Vote by Mail	0		0		0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0		
City - Total	5,595	6,446	City - Total	2,082	41.75%	1,721	34.51%	1,184	23.74%	0	0.00%	4,987

City of Morgan Hill, Council Member, District C (Vote for 1)

District	Times Cast	Registered Voters	District	RENE ANGELO SPRING	JUAN MIGUEL MUNOZ-MORRIS	Write-in		
Countywide			Countywide					
Electionwide			Electionwide					
Precinct	446	6,431	Precinct	217	60.78%	140	39.22%	3
Vote by Mail	5,048	6,431	Vote by Mail	2,942	69.37%	1,299	30.63%	4,2
Electionwide - Total	5,494	6,431	Electionwide - Total	3,159	68.70%	1,439	31.30%	4,5
Cumulative			Cumulative					
Precinct	0	0	Precinct	0		0		
Vote by Mail	0	0	Vote by Mail	0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		
Countywide - Total	5,494	6,431	Countywide - Total	3,159	68.70%	1,439	31.30%	4,5
Congressional District			Congressional District					
19th Congressional District			19th Congressional District					
Precinct	446	6,431	Precinct	217	60.78%	140	39.22%	3
Vote by Mail	5,048	6,431	Vote by Mail	2,942	69.37%	1,299	30.63%	4,2
19th Congressional District - Total	5,494	6,431	19th Congressional District - Total	3,159	68.70%	1,439	31.30%	4,5
Cumulative			Cumulative					
Precinct	0	0	Precinct	0		0		
Vote by Mail	0	0	Vote by Mail	0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		
Congressional District - Total	5,494	6,431	Congressional District - Total	3,159	68.70%	1,439	31.30%	4,5
State Senator			State Senator					
17th Senatorial District			17th Senatorial District					
Precinct	446	6,431	Precinct	217	60.78%	140	39.22%	3
Vote by Mail	5,048	6,431	Vote by Mail	2,942	69.37%	1,299	30.63%	4,2
17th Senatorial District - Total	5,494	6,431	17th Senatorial District - Total	3,159	68.70%	1,439	31.30%	4,5
Cumulative			Cumulative					
Precinct	0	0	Precinct	0		0		
Vote by Mail	0	0	Vote by Mail	0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		
State Senator - Total	5,494	6,431	State Senator - Total	3,159	68.70%	1,439	31.30%	4,5
Member of the State Assembly			Member of the State Assembly					
30th Assembly District			30th Assembly District					
Precinct	446	6,431	Precinct	217	60.78%	140	39.22%	3
Vote by Mail	5,048	6,431	Vote by Mail	2,942	69.37%	1,299	30.63%	4,2
30th Assembly District - Total	5,494	6,431	30th Assembly District - Total	3,159	68.70%	1,439	31.30%	4,5
Cumulative			Cumulative					
Precinct	0	0	Precinct	0		0		
Vote by Mail	0	0	Vote by Mail	0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		
Member of the State Assembly - Total	5,494	6,431	Member of the State Assembly - Total	3,159	68.70%	1,439	31.30%	4,5
Board of Equalization (State)			Board of Equalization (State)					
State Board Of Equalization #2			State Board Of Equalization #2					
Precinct	446	6,431	Precinct	217	60.78%	140	39.22%	3
Vote by Mail	5,048	6,431	Vote by Mail	2,942	69.37%	1,299	30.63%	4,2
State Board Of Equalization #2 - Total	5,494	6,431	State Board Of Equalization #2 - Total	3,159	68.70%	1,439	31.30%	4,5
Cumulative			Cumulative					
Precinct	0	0	Precinct	0		0		
Vote by Mail	0	0	Vote by Mail	0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		
Board of Equalization (State) - Total	5,494	6,431	Board of Equalization (State) - Total	3,159	68.70%	1,439	31.30%	4,5
City			City					
City of Morgan Hill			City of Morgan Hill					
Precinct	446	6,431	Precinct	217	60.78%	140	39.22%	357
Vote by Mail	5,048	6,431	Vote by Mail	2,942	69.37%	1,299	30.63%	

City of Morgan Hill - Total	5,494	6,431	City of Morgan Hill - Total	3,159	68.70%	1,439	31.30%	0	0.00%	4,598
Cumulative			Cumulative							
Precinct	0	0	Precinct	0		0		0		
Vote by Mail	0	0	Vote by Mail	0		0		0		
Cumulative - Total	0	0	Cumulative - Total	0		0		0		
City - Total	5,494	6,431	City - Total	3,159	68.70%	1,439	31.30%	0	0.00%	4,598

ORDINANCE NO. 2258, NEW SERIES**AN ORDINANCE OF THE CITY OF MORGAN HILL
AMENDING CHAPTER 1.16 OF TITLE 1, OF THE
MORGAN HILL MUNICIPAL CODE REGARDING
ELECTIONS**

WHEREAS, the City of Morgan Hill supports the full participation of all residents in electing members of the City Council; and

WHEREAS, in an at-large election system, candidates for City Council may reside in any part of the City and each City Councilmember is elected by the voters of the entire City; and

WHEREAS, in a by-district election system, a candidate for City Council must reside in the district which he or she wishes to represent, and only the voters of that district are entitled to vote to decide who their representative will be; and

WHEREAS, on May 5, 2017, the City received a letter from attorney Morris J. Baller, asserting the City's at-large electoral system violated the California Voting Rights Act and threatening litigation if the City declined to adopt by-district elections; and

WHEREAS, the letter did not contain any credible evidence of a violation, but the cost of defending against a claim under the California Voting Rights Act is extremely high; and

WHEREAS, California Government Code Section 34871(c) authorizes the election of the legislative body "by districts in four, six, or eight districts, with an elective mayor . . ."; and

WHEREAS, Government Code 34886 authorizes the City Council to establish by-district elections for council members by ordinance under the process provided in California Elections Code section 10010; and

WHEREAS, at its regular meeting on June 7, 2017, the City Council adopted a resolution of intent to establish a by-district voting process pursuant to California Elections Code Section 10010; and

WHEREAS, pursuant to California Government Code Section 34886, it is declared the change in the method of electing members of the City Council of the City of Morgan Hill made by this ordinance is to implement the guarantees of Section 7 of Article I and of Section 2 of Article II of the California Constitution, as set forth in Section 14031 of the California Voting Rights Act, and

WHEREAS, under the provisions of California Elections Code Section 10010, a political subdivision that changes from an at-large method of election to a by-district method of election shall hold at least two public hearings over a period of no more than thirty days, at which the public is invited to provide input regarding the composition of the districts before drawing a draft map or maps of the proposed boundaries of the districts; and

WHEREAS, before any maps of the proposed boundaries of the districts were drawn, the City Council held public hearings on June 21, 2017 and June 28, 2017, at which time input from the public on the proposed district boundaries was invited and heard; and

WHEREAS, the City established a dedicated webpage containing notices and information on the district election mapping process, with information in multiple languages, and extensive outreach was made to the Morgan Hill community through e-mail and at community events regarding the change to district elections.

WHEREAS, on July 19, 2017, consistent with the provisions of California Elections Code Section 10010, the City published and made available for release, all of the draft maps under consideration along with the potential sequence of elections; and

WHEREAS, as required by California Elections Code Section 10010, the City held a public hearing on July 26, 2017, at which time input on the proposed maps and sequence was invited and heard; and

WHEREAS, on August 7, 2017, consistent with the provisions of California Elections Code Section 10010, the City published additional maps based on the testimony at the July 26, 2017 public hearing; and

WHEREAS, on August 23, 2017, as required by California Elections Code Section 10010, the City held an additional public hearing at which time input on the proposed maps and sequence was invited and heard and a final map and sequence was selected by the City Council.

WHEREAS, the purpose of this Ordinance is to enact, pursuant to California Government Code Section 34886, an ordinance providing for the election of the members of the City Council of the City of Morgan Hill on a by-district basis in four single-member districts, retaining a separately elected office of Mayor, as reflected in Exhibit A to this Ordinance and to make other conforming and technical changes to Morgan Hill Municipal Code Chapter 1.16.

NOW THEREFORE, IN CONSIDERATION OF THE FOREGOING, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 1.16 ("ELECTIONS") of Title 1 of the Morgan Hill Municipal Code is amended to read as follows:

1.16.010 - General municipal elections coincide with statewide general election.

The general municipal election of the city shall be held on the same day as the statewide general election on the first Tuesday after the first Monday in November of even-numbered years.

1.16.020 – Election of City Council Members.

- A. As established by Measures D and E, enacted by the voters on March 26, 1996, the Mayor shall be elected directly by the electors for a term of two-years.

- B. Beginning with the November 2018 general municipal election, a person elected as a member of the City Council other than the Mayor shall be a resident of his or her respective Council District as set forth in Section 1.16.030 (and as subsequently reapportioned as provided by applicable law.) Elections shall take place on a by-district basis as that term is defined in California Government Code Section 34871; meaning one member of the City Council shall be elected from each district, by the voters of that district alone, except for the Mayor, who shall be elected citywide. Each council member shall serve a four-year term until his or her successor has qualified, except for the Mayor, who shall serve a two-year term as authorized by Measure E, enacted by the voters on March 26, 1996.
- C. Except as provided in subsection C of Section 1.16.040, the council member elected to represent a district must reside in that district and be a registered voter in that district, and any candidate for City Council must live in, and be a registered voter in, the district in which he or she seeks election at the time nomination papers are issued, pursuant to California Government Code Section 34882 and California Elections Code Section 10227. Termination of residency in a district by a Council Member shall create an immediate vacancy for that council district unless a substitute residence within the district is established within 30 days after the termination of residency.

1.16.030 – Establishment of Council Districts

Boundaries for each of the four districts and their letter designations are as shown on the attached Exhibit A entitled “City of Morgan Hill District Boundary Map,” a copy of which shall be posted on the City’s website and on file in the City Clerk’s Office.

1.16.040 - Transition

- A. Except as provided in subsection C, Council Members shall be elected in Council Districts B and D at the general municipal election in November 2018, and at the general municipal election every four years thereafter. [Sequence subject to change depending on final map selection]
- B. Council Members shall be elected in Council Districts A and C at the general municipal election in November 2020, and at the general municipal election every four years thereafter. [Sequence subject to change depending on final map selection]
- C. Any member of the City Council in office at the time this Ordinance takes effect (or any person selected by appointment or election to fill a vacancy created by a Council member elected prior to the effective date of this Ordinance) shall continue in office until the expiration of the respective term to which he or she was elected and until his or her respective successors are qualified. At the end of the term of each council member, that member’s successor shall be elected on a by-district basis in the districts established in Section 1.16.030. A vacancy in a councilmember office elected by-district shall be filled by a person qualified to hold the office, who is a resident and registered voter in the district.

1.16.050 - Electronic filing of campaign statements.

- A. Any elected officer, candidate, committee, or other person required to file statements, reports or other documents described by Chapter 4 (Campaign Disclosure) of Title 9 (Political Reform)

of the California Government Code that has received contributions or made expenditures of two thousand dollars or more in a calendar year shall electronically file such statements using procedures established by the City Clerk.

B. Once an elected officer, candidate, committee, or other person files a statement, report, or other document electronically pursuant to Section A, all future statements, reports, or other documents on behalf of that filer shall be filed electronically.

C. In any instance in which an original statement, report, or other document must be filed with the California Secretary of State and a copy of that statement, report, or other document is required to be filed with the City Clerk, the filer may, but is not required to, file such copy electronically.

D. If the City Clerk's electronic filing system is not capable of accepting a particular type of statement, report, or other document, an elected officer, candidate, committee, or other person shall file that document with the City Clerk in an alternative format.

SECTION 2. Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 3. Effective Date and Publication. This ordinance shall take effect thirty (30) days after the date of its passage and adoption. The City Clerk is hereby directed to publish in full or summary this ordinance pursuant to §36933 of the Government Code in a newspaper of general circulation in the City of Morgan Hill.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE 23RD DAY OF AUGUST 2017, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 6TH DAY OF SEPTEMBER 2017, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	Larry Carr, Rich Constantine, Rene Spring, Caitlin Robinett Jachimowicz, Steve Tate
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None

APPROVED:



STEVE TATE, Mayor

DATE:

9/7/2017

ATTEST:



IRMA TORREZ, City Clerk

DATE:

9/11/2017

Effective Date: October 7, 2017

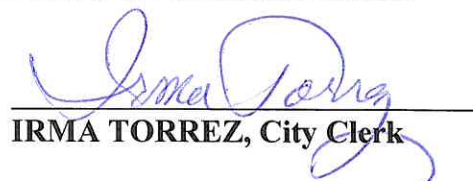
∞ CERTIFICATE OF THE CITY CLERK ∞

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2258, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 6th day of September 2017.

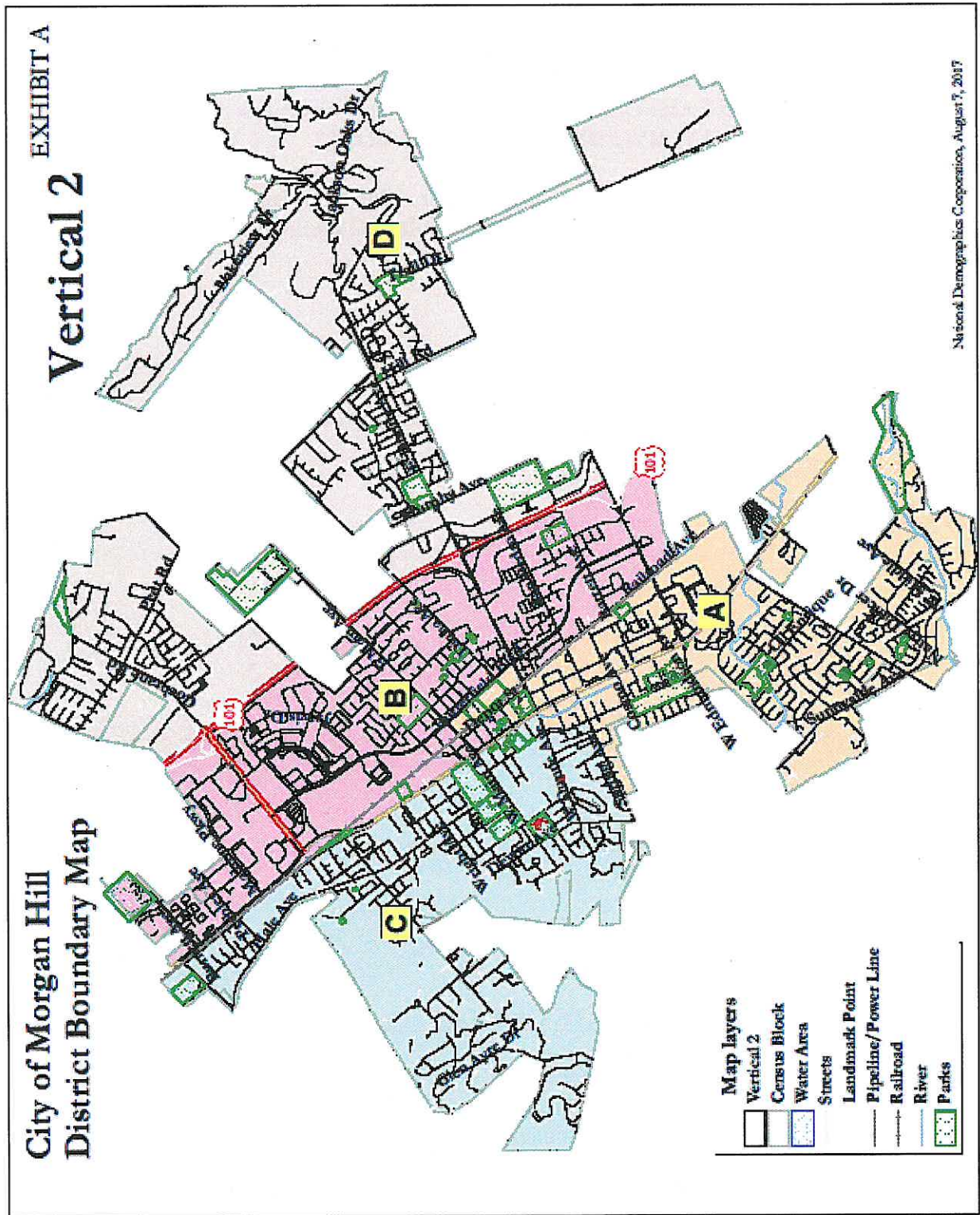
WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE:

9/11/2017



IRMA TORREZ, City Clerk



AMENDED RESOLUTION NO. 20-033

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL CALLING, AND GIVING NOTICE FOR THE HOLDING OF A CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a Consolidated General Municipal Election shall be held on Tuesday, November 3, 2020, for the election of Municipal Officers.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Morgan Hill, California, on Tuesday, November 3, 2020, a Consolidated General Municipal Election for the purpose of electing a Mayor for the full term of two-years, a Member of the City Council from District "A" for the full term of four-years, and a Member of the City Council from District "C" for the full term of four-years.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That the City Clerk is authorized, instructed, and directed to coordinate with the Registrar of Voters Office of the County of Santa Clara to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code § 10242, except as provided in § 14401 of the Elections Code of the State of California.

SECTION 5. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. That in the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the County of Santa Clara, Registrar of Voters Office, the City Council in accordance with Election Code § 15651(b), shall conduct a special runoff election to resolve the tie vote and such special runoff election is to be held on a Tuesday not less than 40 days nor more than 125 days after the administrative or judicial certification of the election which resulted in a tie vote.

SECTION 8. The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 19th day of August 2020 by the following vote:

AYES:	COUNCIL MEMBERS:	Larry Carr, Rene Spring, John McKay
NOES:	COUNCIL MEMBERS:	Yvonne Martinez Beltran
ABSTAIN:	COUNCIL MEMBERS:	Rich Constantine
ABSENT:	COUNCIL MEMBERS:	None

APPROVED:


YVONNE MARTINEZ BELTRAN, Mayor Pro Tem

ATTEST:


IRMA TORREZ, City Clerk

∞ **CERTIFICATION** ∞

I, Irma Torrez, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 20-033 adopted by the City Council at the meeting held on the 19th day of August 2020.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: 8/19/20


Irma Torrez, CITY CLERK

RESOLUTION NO. 20-034

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020 WITH THE PRESIDENTIAL STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE.

WHEREAS, the City Council of the City of Morgan Hill called a General Municipal Election to be held on Tuesday, November 3, 2020, for the purpose of the election of a Mayor, a Member of the City Council from District "A", a Member of the City Council from District "C", and a City Treasurer and;

WHEREAS, it is desirable that the General Municipal Election be consolidated with the statewide Presidential General Election to be held on the same date and that within the city the precincts, polling places and election officers of the two elections be the same, and that the Registrar of Voters Office of the County of Santa Clara canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of § 10403 of the Elections Code, the Board of Supervisors of the County of Santa Clara is hereby requested to consent and agree to the consolidation of a General Municipal Election with the statewide Presidential General Election on Tuesday, November 3, 2020, for the purpose of the election of a Mayor; a Member of the City Council from District A; a Member of the City Council from District C; and a City Treasurer.

SECTION 2. That the Board of Supervisors of the County of Santa Clara is requested to issue instructions to the Registrar of Voters Office to take any and all steps necessary for the holding of the consolidated election.

SECTION 3. That the Registrar of Voters of the County of Santa Clara is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide/general election.

SECTION 4. That the City of Morgan Hill recognizes that additional costs will be incurred by the County of Santa Clara by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 5. Candidates' Statements. Candidates shall not be permitted to submit materials other than the candidate's statement with the sample ballot and voter's pamphlet. The Candidates' statement shall be two hundred (200) words or less.

SECTION 6. Candidates' Statement Fee. Pursuant to City Council Resolution No. 16-005, adopted January 20, 2016, candidates will be required to pay half of the costs charged by the Santa Clara County Registrar of Voters Office to submit and publish a Candidate Statement at the time the candidate statement is filed with the City Clerk.

SECTION 7. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Registrar of Voters Office of the County of Santa Clara.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

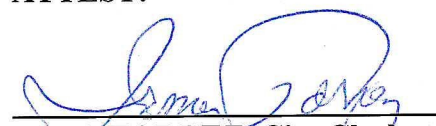
PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 3rd day of June 2020 by the following vote:

AYES:	COUNCIL MEMBERS:	Yvonne Martinez Beltran, Rene Spring, John McKay, Larry Carr, Rich Constantine
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None

APPROVED:


RICH CONSTANTINE, Mayor

ATTEST:


IRMA TORREZ, City Clerk

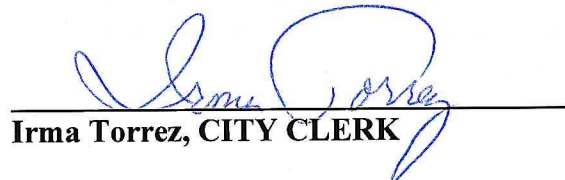
∞ CERTIFICATION ∞

I, Irma Torrez, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 20-034 adopted by the City Council at the meeting held on the 3rd day of June 2020.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE:

6/17/2021


Irma Torrez, CITY CLERK

RESOLUTION NO. 20-045

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL PROVIDING FOR THE APPOINTMENT TO THE OFFICE OF TREASURER THAT WAS TO BE ELECTED ON TUESDAY, NOVEMBER 3, 2020

WHEREAS, pursuant to § 10229 of the Elections Code of the State of California, as of the close of the nomination period Wednesday, August 12, 2020, there are not more candidates than offices to be elected for the Treasurer seat and that § 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the person who has been nominated.
2. Appoint to the office any eligible voter if no one has been nominated.
3. Hold the election if either no one or only one person has been nominated.

WHEREAS, a notice was published on Friday, August 14, 2020 in a newspaper of general circulation pursuant to law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to § 10229 of the Elections Code of the State of California, the following action is being taken:

The following person is being appointed to the office to which she was nominated, and is considered to be the same as being elected, pursuant to § 10229(a)(3) of the Elections Code:

- Caitlin Robinett Jachimowicz appointed as Treasurer

SECTION 2. The election for the seat of Treasurer scheduled to be held on Tuesday, November 3, 2020 is canceled.

SECTION 3. The person appointed shall qualify and take office and serve exactly as if elected at a municipal election for the office.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 19th day of August 2020 by the following vote:

AYES:	COUNCIL MEMBERS:	Larry Carr, Rene Spring, John McKay
NOES:	COUNCIL MEMBERS:	Yvonne Martinez Beltran
ABSTAIN:	COUNCIL MEMBERS:	Rich Constantine
ABSENT:	COUNCIL MEMBERS:	None

APPROVED:


YVONNE MARTINEZ BELTRAN, Mayor Pro Tem

ATTEST:

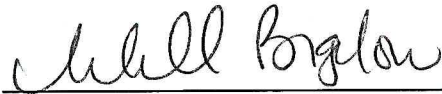

IRMA TORREZ, City Clerk

∞ CERTIFICATION ∞

I, **Irma Torrez, City Clerk of the City of Morgan Hill, California**, do hereby certify that the foregoing is a true and correct copy of Resolution No. 20-045 adopted by the City Council at the meeting held on the 19th day of August 2020.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: 8/19/20


Irma Torrez, CITY CLERK



GUGLIELMO

GUGLIELMO

Better's

Andy's

Pumpkin



Special Meeting Agenda
City Council

Rich Constantine - Mayor
Yvonne Martinez Beltran - Mayor Pro Tem
Larry Carr - Council Member
John McKay - Council Member
Rene Spring - Council Member

Wednesday, December 9, 2020 7:00 p.m.

Virtual Zoom Meeting

MEETING GUIDELINES

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways:

Members of the public may NOT physically attend meetings at the Morgan Hill City Council Chamber.

The City Council Meeting will be live-streamed on Channel 17 and on the City's website. Those members of the public wishing to participate remotely may do so via the electronic meeting at: <https://bit.ly/120920CityCouncilMtg> by calling in to: (669) 900-9128, then enter the meeting id: 815 9976 5665.

Public comment for City Council meetings will be accepted via email to ccpubliccomment@morganhill.ca.gov <<mailto:ccpubliccomment@morganhill.ca.gov>>. Members of the public participating in the electronic meeting wishing to speak may do so during public comment.

SPECIAL MEETING

A Special Meeting of the City Council is called at 7:00 pm for the purpose of conducting City business.

CALL TO ORDER

Mayor Constantine

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Bigelow

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2
Deputy City Clerk Michelle Bigelow

RECOGNITIONS

Council Member Larry Carr

City Clerk Irma Torrez

City Treasurer David Clink

CITY CLERK SWEARING IN

Swearing-in of appointed City Clerk Michelle Bigelow

PUBLIC COMMENT

Members of the public are entitled to address the City Council concerning any item within the Morgan Hill City Council's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda. (See additional noticing at the end of this agenda)

ADOPTION OF AGENDA

OTHER BUSINESS

1. **ACCEPT CERTIFIED STATEMENT OF ELECTION RESULTS AND ADOPT
RESOLUTION CERTIFYING THE NOVEMBER 3, 2020 GENERAL MUNICIPAL
ELECTION**

Recommendation:

Adopt resolution reciting the facts of the General Municipal Election of November 3, 2020 and declare the results of such other matters as provided by law.

Estimated Time: 10 Minutes

OATHS OF OFFICE

Mayor Elect, Richard Constantine
Council Member Elect District A, Gino Borgioli
Council Member Elect District C, Rene Spring
City Treasurer Elect, Caitlin Robinett Jachimowicz

ADJOURNMENT

NOTICE

Any documents produced by the City and distributed to the majority of the City Council less than 72 hours prior to an open meeting, will be made available for public inspection at the City Clerk's Counter at City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 and at the Morgan Hill Public Library located at 660 West Main Avenue, Morgan Hill, California, 95037 during normal business hours. (Pursuant to Government Code 54957.5)

PUBLIC COMMENT

Members of the Public are entitled to directly address the City Council concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to address the Council on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council Chambers and deliver it to the Minutes Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Council, but it is very helpful. When you are called, proceed to the podium and the Mayor will recognize you. If you wish to address the City Council on any other item of interest to the public, you may do so during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.

Please submit written correspondence to the Minutes Clerk, who will distribute correspondence to the City Council.

Persons interested in proposing an item for the City Council agenda should contact a member of the City Council who may plan an item on the agenda for a future City Council meeting. Should your comments require Council action, your request may be placed on the next appropriate agenda. Council discussion or action may not be taken until your item appears on an agenda. This procedure is in compliance with the California Public Meeting Law (Brown Act) Government Code §54950.

City Council Policies and Procedures (CP 03-01) outlines the procedure for the conduct of public hearings. Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the Public Hearing on these matters.

The time within which judicial review must be sought of the action by the City Council, which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

For a copy of City Council Policies and Procedures CP 97-01, please contact the City Clerk's office (408) 779-7259, (408) 779-3117 (fax) or by email cityclerk@morganhill.ca.gov.

AMERICANS WITH DISABILITIES ACT (ADA)

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (408)779-7259, (408)779-3117 (fax) or by email cityclerk@morganhill.ca.gov. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

SUSTAINABLE MORGAN HILL



VISION

To sustain a safe, inclusive, socially responsible, environmentally conscious, and economically sound community

Choose Morgan Hill

The City of Morgan Hill is the best community for people to live, work, visit, and operate their businesses.

City Council Ongoing Priorities

- Enhancing Public Safety
- Protecting the Environment and Preserving Open Space and Agricultural Land
- Maintaining Infrastructure
- Supporting our Youth, Seniors, and Entire Community
- Fostering a Positive Organizational Culture
- Preserving and Cultivating Public Trust
- Preserving our Community History
- Enhancing Diversity and Inclusiveness
- Advancing Regional Initiatives

2020-2021 Strategic Priorities

- **Fiscal Sustainability**
- Affordable Housing and Homelessness
- Community Engagement and Messaging
- Economic Development
- Transportation



These strategic priorities were established prior to the COVID-19 pandemic. In light of recent events, we recognize that all of these goals and priorities will be viewed through the lens of the global pandemic, and we will continue to have equity, public health, and financial responsibility in mind.






CITY OF MORGAN HILL

CERTIFICATE OF RECOGNITION
of the City of Morgan Hill Recognizing
IRMA TORREZ

WHEREAS, Irma has served as the City Clerk for the City of Morgan Hill for 24 years, and

WHEREAS, through her work as the City Clerk, Irma has served the community with respect, fairness, dedication, honesty, and integrity; and

WHEREAS, Irma has helped to shape the profession for future City Clerks through her service with the City of Morgan Hill's Association of California; and

WHEREAS, in addition to serving as the elected City Clerk for 24 years, Irma also served the community as an employee of the City of Morgan Hill for 25 years; and

WHEREAS, Irma's passion and support for the community have been invaluable and we thank her for her hard work and dedication to the community; and

NOW, THEREFORE BE IT RESOLVED that the Board of Directors, Mayor of the City of Morgan Hill, on behalf of the City Council and all residents of Morgan Hill, hereby recognize Irma Torrez for her years of dedication and service to the City of Morgan Hill.

In witness whereof, I have hereunto set my hand and cause the Seal of the City of Morgan Hill to be affixed this 9th day of December 2020.


Paul Constantino
Paul Constantino, Mayor

Irma Torrez
Morgan Hill City Clerk
December 4, 1998 - December 9, 2020





