

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE CALLING A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2026, FOR THE ELECTION OF COUNCILMEMBERS TO SEAT NUMBERS 1, 3, AND 5; REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION AND ELECTION SERVICES FROM THE SANTA CLARA COUNTY BOARD OF SUPERVISORS; AND PROVIDING REGULATIONS FOR CANDIDATES' STATEMENTS

WHEREAS, Article XIV, Section 1400, of the Charter of the City of Sunnyvale requires that a General Municipal Election to fill elective offices be held on the first Tuesday after the first Monday in November of each even-numbered year, commencing with the year 2016, and the same shall be known as the General Municipal Election; and

WHEREAS, pursuant to Section 1001 of the Elections Code of the State of California, there is an established General Statewide election to be held on Tuesday, November 3, 2026; and

WHEREAS, pursuant to Part 3 (commencing with Section 10400) of the Elections Code of the State of California, the City's General Municipal Election may be either completely or partially consolidated; and

WHEREAS, it is desirable to consolidate the General Municipal Election with the Statewide General Election to be held on the same date; to make the city precincts, polling places and election officers of the two elections the same; to have the Registrar of Voters of the County of Santa Clara canvass the returns of the General Municipal Election; and hold the election in all respects as if there were only one election; and

WHEREAS, Section 13307 of the Elections Code of the State of California ("Elections Code") provides that the City Council may adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate's statement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. Election Called for November 3, 2026, for City Council Districts 1, 3 and 5. Pursuant to Section 1400 of the Charter of the City of Sunnyvale, a General Municipal Election hereby is called to be held in and for the City of Sunnyvale on Tuesday, November 3, 2026, for the purpose of electing three Councilmembers as follows:

Office Title	District Number	Term Length	Number of Seats
Councilmember	1	4 years	1
Councilmember	3	4 years	1
Councilmember	5	4 years	1

Candidates for each district must meet the qualification requirements set forth in section 603 of the Sunnyvale Charter.

2. Request for Consolidation. Pursuant to the requirements of Part 3 (Consolidation of Elections; §§10400 et seq.) of Division 10 of the Elections Code, the City Council hereby requests the requests the Board of Supervisors of Santa Clara County to completely consolidate the election with the statewide election. The City Council further requests the Board of Supervisors of Santa Clara County to hold and conduct the election in the manner prescribed in Section 10418 of the Elections Code of the State of California, and to further provide that the Registrar of Voters canvass the returns of the municipal election. The County of Santa Clara is hereby authorized to certify the returns of the municipal election.

3. Request for Election Services by County Registrar of Voters. Pursuant to Section 10002 of the Elections Code of the State of California, the City of Sunnyvale requests the services of the Board of Supervisors of the County of Santa Clara and the Registrar of Voters of the County of Santa Clara to render such services to the City as requested by the City Clerk, and shall reimburse the county for the costs incurred by the County of Santa Clara Registrar of Voters in conducting the General Statewide election for the City. The City requests the County of Santa Clara Board of Supervisors to permit the County of Santa Clara Registrar of Voters to prepare the City election materials. The election services to be performed shall include the preparation, printing and mailing of official ballots and county voter information guides; the establishment of precincts, election ballots, return mail envelopes, ballot drop boxes, vote centers, election officers, and producing such publications as are required by law in connection therewith; the furnishing of ballots, envelopes, and other necessary supplies and materials for voting places; the canvassing of the returns of the election; the furnishing of the results of such canvassing to the City Clerk; and, the performance of other election services as may be requested by the City Clerk.

4. City Clerk to Coordinate with Registrar of Voters. The City Clerk is authorized, instructed, and directed to coordinate with the County of Santa Clara Registrar of Voters 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.

5. Reimbursement to County for Cost of Election Services. The City of Sunnyvale recognizes that additional costs will be incurred by the County by reason of this consolidation, and agrees to reimburse the County for the cost of services pursuant to California Elections Code Sections 10002 and 10520.

6. Resolution of Tie Votes. Pursuant to Section 15651 of the Elections Code of the State of California, the method of determining the winner or winners in the event of a tie vote (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 shall be resolved "by lot".

7. Requirements for Candidate Statements. Pursuant to Section 13307 of the Elections Code, each candidate for City of Sunnyvale elective office to be voted for at the General

Municipal Election on November 3, 2026, may prepare a candidate statement on an appropriate form provided by the City Clerk. The statement shall be limited to no more than 200 words. The statement shall be consistent with requirements of California law for such statements, including that it shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in the Office of the City Clerk at the time the candidate files their nomination papers. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period. Candidates shall not be permitted to submit materials other than the candidate's statement with the sample ballot and the voter's pamphlet.

8. Translation of Candidates' Statements. Pursuant to the Federal Voting Rights Act, candidates' statements will be translated into all languages required by the County of Santa Clara. County will print and mail separate sample ballots and candidates statements required languages to those voters who are on the county voter file as having requested a sample ballot in a particular language. The County will make the sample ballots and candidates statements in the required languages available at all polling places, on the County's website, and in the Election Official's office.

9. Costs for Candidates' Statements. Pursuant to Section 13307 of the Elections Code, the City Council hereby determines to levy against each candidate availing themselves of including a candidate statement in the voter pamphlet, the actual prorated costs of printing, handling, translating, and mailing the candidate's statements incurred by the City. The County's estimated cost for the candidate statement is \$3,350 for each District 1 candidate, \$3,300 for each District 3 candidate, and \$3,300 for each District 5 candidate. The candidate shall be required to pay for the cost in advance, at the time of filing nomination papers. The candidate shall be refunded any overage or billed for any additional costs within 30 days of the actual accounting of costs by the Santa Clara County Registrar of Voters. The costs to candidates described in this section are subject to the provisions of Chapter 2.28.030 of the Sunnyvale Municipal Code relating to in-lieu petitions for cost of candidate statements, which the City Clerk shall advise candidates of in writing with each set of nomination papers issued.

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

11. 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.

12. This Resolution shall apply only to the election to be held on Tuesday, November 3, 2026.

13. The City Clerk is hereby directed to file an original copy of this Resolution with the Santa Clara County Board of Supervisors and a certified copy of this Resolution with the County Registrar of Voters of the County of Santa Clara.

Adopted by the City Council at a regular meeting held on \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  
RECUSAL:

ATTEST:

APPROVED:

\_\_\_\_\_  
DAVID CARNAHAN  
City Clerk  
(SEAL)

\_\_\_\_\_  
LARRY KLEIN  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
REBECCA L. MOON  
City Attorney