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CITY COUNCIL STAFF REPORT

Date: June 2, 2026

Subject

A resolution calling for a consolidated General Municipal Election on November 3, 2026, to fill three City Council seats and request election services from the Santa Clara County Registrar of Voters.

Recommended Action

Adopt Resolution No. 26-XXX calling for a consolidated General Municipal Election on November 3, 2026, to fill three City Council seats and request performance of services from the Registrar of Voters of the County of Santa Clara.

Background

Cupertino Municipal Code Section 2.04.005 sets Cupertino elections to take place on the first Tuesday after the first Monday in November of even-numbered years to coincide with the statewide general elections. A general statewide election has been established for Tuesday, November 3, 2026 (Elections Code (EC) § 1001). The City Council may call the municipal election to be held on Tuesday, November 3, 2026, and request the Board of Supervisors of the County of Santa Clara to consolidate the election with the General Statewide election (EC § 10400). The Board of Supervisors and the Registrar of Voters may provide election services in conducting the General Statewide election for the city (EC § 10002). A municipal election is necessary to fill three at-large City Council seats (Elections Code § 10597-10508). Councilmember and current Vice Mayor Liang-Fang Chao is not eligible to seek reelection in 2026 due to City Council term limits. Councilmember J.R. Fruen and Councilmember Sheila Mohan are each eligible to run for one additional full term of four years.

The Draft Resolution (Attachment A) approves calling and giving notice to hold a general municipal election in the City of Cupertino on November 3, 2026 for the election of three City Council members and requests the Board of Supervisors to consolidate with the General Statewide election and render specified services to the City related to the conduct of the General Municipal Election, establishes guidelines and costs associated with candidate statements, and provides the process to resolve a tie vote. The deadline to submit the City's resolution specifying the date of election, permitting consolidation, and requesting Registrar of Voters' services to govern the election is July 1.

Election services from the Santa Clara County Registrar of Voters includes the appointment of election officers, designation of voting precincts, printing and mailing of ballots, operation of voting centers, counting of ballots, canvassing of the vote, providing for the process in the event of a tie vote at the election, and other proceedings required in connection with the election.

Each qualified candidate has an option to include a Candidate Statement in the Sample Ballot and Voter Information Guide. The proposed resolution sets the maximum allowance of 200 words for the Candidate's Statement of Qualifications and the candidate's responsibility of payment for the cost to prepare and print the statement in advance. The estimated cost this year is \$3,392.00 (Attachment C). The Elections Code provides the City Council with the option to increase on the words allowed for candidate statements from a maximum of 200 to 400 words (EC §13307(a)). Staff is not recommending this option given that the word limit has traditionally been 200 words in Cupertino and because an increase would increase the costs for filing statements at the maximum word count.

The County has requested that each jurisdiction confirm the method to be used in the event of a tied vote. In the event of a tie where two or more persons receive an equal and the highest number of votes for an office, the Draft Resolution adopts the provision of determining the winner or winners to be resolved by lot (EC § 15651(a)). Due to the cost of conducting a special runoff election, many jurisdictions use the lot method to resolve tie votes, which is the method staff is recommending.

Reasons for Recommendation and Available Options

The nomination period for the 2026 General Municipal Election runs from Monday, July 13, 2026, through Friday, August 7, 2026, at 5:00 p.m. If an incumbent fails to file a Declaration of Candidacy before 5:00 p.m. on Friday, August 7, 2026, the period for candidates to file for office, other than incumbents, is extended to Wednesday, August 12, 2026, at 5:00 p.m. (Attachment B – 2026 Election Calendar). Based on the findings outlined above, staff recommend adopting the Draft Resolution calling for a consolidated General Municipal Election on November 3, 2026, to fill three City Council seats and request performance of services from the Registrar of Voters of the County of Santa Clara. If not adopted, the City may not meet the July 1 deadline to request election services and consolidate the election with the County through the ROV.

Sustainability Impact

No sustainability impact.

Fiscal Impact

If the City Council adopts the Draft Resolution, the estimated cost of the 2026 Cupertino General Municipal Election for three City Council seats is \$149,118 (Attachment C). These election costs are currently estimates. The County Board of Supervisors is scheduled to formally approve the official 2026–27 fee schedules at their June 2, 2026, meeting. Should the finalized fees differ significantly from these projections, staff will return to Council during a quarterly budget update to provide additional information and request a budget amendment if necessary.

City Work Program (CWP) Item/Description

None

Council Goal:

Public Engagement and Transparency

California Environmental Quality Act

No California Environmental Quality Act impact.

Prepared by: Lauren Sapudar, City Clerk

Reviewed by: Kirsten Squarcia, Deputy City Manager

Approved for Submission by: Tina Kapoor, City Manager

Attachments:

A – Draft Resolution

B – 2026 Election Calendar

C – Election Cost Estimate