

RESOLUTION NO. 73084

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ORDERING, ON ITS OWN MOTION, THE SUBMISSION TO THE ELECTORS OF THE CITY OF SAN JOSE, AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON JUNE 6, 2006, A MEASURE ENTITLED "FIRE STATION CONSTRUCTION – SILVER CREEK PARK"

WHEREAS, the Council of the City of San José has previously called and ordered a General Municipal Election to be held on June 6, 2006 by the adoption of Resolution No. 73051 for the purpose of electing a Mayor and one person each from Council Districts 1, 3, 5, 7, and 9 for terms commencing January 1, 2007 and ending December 31, 2011; and

WHEREAS, under Charter Section 1700, the public parks of the City are inalienable unless otherwise authorized by the affirmative votes of the majority of the electors voting on such a proposition in each case; and

WHEREAS, it is the desire of the Council to submit to the electors of the City of San José, at the General Municipal Election, on its own motion, the proposed measure which is set forth in this Resolution; and

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

SECTION 1. Pursuant to the provisions of Section 10403 of the Elections Code of the State of California, the Council of the City of San José, on its own motion, does hereby order and direct that the following measures be submitted to the electors of the City of San José, for their approval or rejection, at the General Municipal Election to be held in Santa Clara County on June 6, 2006; and the Council hereby requests the Board of Supervisors of Santa Clara County, California, to place the measure in Section 2, below, on the ballot at the consolidated Election.

SECTION 2. The following measure shall be placed on the ballot for the June 6, 2006 election in the following form:

FIRE STATION CONSTRUCTION – SILVER CREEK PARK

To improve fire suppression, emergency medical services and increase essential emergency facilities available for disaster response within the Evergreen and East Hills area, shall the City be authorized to construct a two-company fire station on one acre in Silver Creek Park?

YES	
NO	

SECTION 3. Pursuant to Section 13116 of the Elections Code of the State of California, the City Clerk of the City of San Jose and the Registrar of Voters of Santa Clara County are hereby authorized to mutually agree to use a letter designation for the City ballot measures set forth above that will not conflict with other measures on the ballot or confuse the voters.

SECTION 4. The City Council hereby directs the City Clerk to transmit a copy of any measure qualifying for placement on the ballot to the City Attorney for preparation of an impartial analysis, said analysis to be followed by a statement regarding the availability of copies of the proposed measures in the Office of the City Clerk.

SECTION 5. The City Clerk shall comply with provisions of the City Charter, ordinances and policies with regard to the conduct of the Election, and to the extent they do not conflict, state and federal law.

ADOPTED this 28th day of February, 2006 by the following vote:

AYES: CAMPOS, CHAVEZ, CHIRCO, CORTESE, LeZOTTE,
NGUYEN, PYLE, WILLIAMS, YEAGER; GONZALES

NOES: NONE

ABSENT: REED

DISQUALIFIED: NONE

RON GONZALES
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk