

RESOLUTION NO. 74266

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE CALLING AND GIVING NOTICE OF A REGULAR MUNICIPAL ELECTION TO BE HELD IN THE CITY OF SAN JOSE ON JUNE 3, 2008 FOR THE PURPOSE OF ELECTING ONE PERSON EACH FROM COUNCIL DISTRICTS TWO, FOUR, SIX, EIGHT AND TEN TO THE COUNCIL OF THE CITY OF SAN JOSE FOR FULL FOUR-YEAR TERMS; REQUESTING THE CONSOLIDATION OF SAID ELECTION WITH THE STATE DIRECT PRIMARY ELECTION TO BE HELD IN SANTA CLARA COUNTY ON JUNE 3, 2008 REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA TO CANVASS THE RETURNS OF SAID ELECTION AND TO PERMIT THE COUNTY REGISTRAR OF VOTERS TO RENDER CERTAIN SERVICES TO THE CITY OF SAN JOSE RELATING TO THE CONDUCT OF SAID ELECTION AND A RUNOFF MUNICIPAL ELECTION IF NECESSARY AND DIRECTING THAT CERTAIN OTHER ACTIONS BE TAKEN WITH REGARD TO THE ELECTION.

WHEREAS, the Charter of the City of San José and the San José Municipal Code requires that a Regular Municipal Election be held in said City on the same date that the State of California holds its Direct Primary Election.

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

SECTION 1. A Regular Municipal Election is hereby called and ordered to be held in the City of San José on Tuesday, June 3, 2008, for the following purpose:

- (a) To elect one person each from Council Districts 2,4,6,8 and 10 to the Council of the City of San José for a term commencing January 1, 2009, and ending December 31, 2012.

SECTION 2. The above-mentioned offices shall be placed on the ballots used in the above-specified election in the following form:

CITY OF SAN JOSE

MEMBER, CITY COUNCIL, DISTRICT 2	VOTE FOR ONE
MEMBER, CITY COUNCIL, DISTRICT 4	VOTE FOR ONE
MEMBER, CITY COUNCIL, DISTRICT 6	VOTE FOR ONE
MEMBER, CITY COUNCIL, DISTRICT 8	VOTE FOR ONE
MEMBER, CITY COUNCIL, DISTRICT 10	VOTE FOR ONE

SECTION 3. Should no person be declared elected to the offices listed in Section 2, above, because of a failure to receive a majority of the votes cast for such offices, a Runoff Municipal Election to fill the vacancy or vacancies will be conducted on November 4, 2008.

SECTION 4. In accordance with the provisions of California Elections Code § 10403, the Council of the City of San José (the "City Council") does hereby request the Board of Supervisors of the County of Santa Clara, California to consolidate said Regular Municipal Election with the State Direct Primary Election which is to be held in Santa Clara County on Tuesday, June 3, 2008 and further to consolidate a Runoff Municipal Election with the General Election on November 4, 2008 if necessary.

The election precincts, polling places, voting booths, voting systems and election officers for the above-mentioned Regular Municipal Election shall be the same as provided for the above- mentioned State Direct Primary Election in the City of San José.

The Board of Supervisors of Santa Clara County, California is hereby authorized to canvass the returns of said Regular Municipal Election in accordance with Section 10411 of the Elections Code of the State of California.

SECTION 5. Pursuant to the provisions of California Elections Code § 10002, the City Council hereby requests the Board of Supervisors of the County of Santa

Clara, California to permit the County Clerk of said County of Santa Clara, California to render to the City of San José such services as the City Clerk of the City of San José may request, relating to the conduct of the above-mentioned election with respect to the following matters, to wit:

Publications including the Notice of Election;
Coordination of election precincts, polling places, voting booths,
voting systems and election officers;
Checking of nomination petitions;
Printing and mailing of voter pamphlets;
Preparation of tabulation of result of votes cast.

The City Clerk is hereby directed to reimburse the County of Santa Clara in full for any of the above-mentioned services which may be performed by the Registrar of Voters, upon presentation of a bill to the City, with monies heretofore appropriated to the City Clerk for election purposes.

SECTION 6. Pursuant to Elections Code § 13307, the City Council hereby determines to retain the limit of 200 words for each candidate's statement.

SECTION 7. The City Clerk shall comply with provisions of Federal, State, and Local law with regard to the conduct of the election.

ADOPTED this 4th day of March, 2008, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT,
CORTESE, LICCARDO, NGUYEN, OLIVERIO,
PYLE, WILLIAMS, REED

NOES: NONE

ABSENT: NONE

DISQUALIFIED: NONE

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk