

RESOLUTION NO. 75254

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE CALLING AND GIVING NOTICE OF A REGULAR PRIMARY MUNICIPAL ELECTION TO BE HELD IN THE CITY OF SAN JOSE ON JUNE 8, 2010, AND, IF NECESSARY, A REGULAR RUN-OFF MUNICIPAL ELECTION ON NOVEMBER 2, 2010, FOR THE PURPOSE OF ELECTING ONE PERSON TO THE OFFICE OF MAYOR, ONE PERSON EACH FROM COUNCIL DISTRICTS ONE, THREE, FIVE, SEVEN AND NINE TO THE COUNCIL OF THE CITY OF SAN JOSE FOR FULL FOUR-YEAR TERMS; REQUESTING THE CONSOLIDATION OF THE PRIMARY ELECTION WITH THE STATEWIDE DIRECT PRIMARY ELECTION TO BE HELD IN SANTA CLARA COUNTY ON JUNE 8, 2010 AND THE RUN-OFF ELECTION WITH THE GENERAL ELECTION TO BE HELD IN SANTA CLARA COUNTY ON NOVEMBER 2, 2010; REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA TO CANVASS THE RETURNS OF SAID ELECTIONS AND TO PERMIT THE COUNTY REGISTRAR OF VOTERS TO RENDER CERTAIN SERVICES TO THE CITY OF SAN JOSE RELATING TO THE CONDUCT OF SAID ELECTIONS; 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 require that a Regular Primary Municipal Election be held in the City on the same date that the State of California holds its Direct Primary Election and that a Regular Run-off Municipal Election be held in the City on the same date that the State of California holds its General Election.

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

SECTION 1. A Regular Primary Municipal Election is hereby called and ordered to be held in the City of San José on Tuesday, June 8, 2010, for the following purpose:

To elect one person to the Office of Mayor and one person each from Council Districts 1, 3, 5, 7 and 9 to the Council of the City of San José for a term commencing January 1, 2011, and ending December 31, 2014.

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

MAYOR	VOTE FOR ONE
MEMBER, CITY COUNCIL, DISTRICT 1	VOTE FOR ONE
MEMBER, CITY COUNCIL, DISTRICT 3	VOTE FOR ONE
MEMBER, CITY COUNCIL, DISTRICT 5	VOTE FOR ONE
MEMBER, CITY COUNCIL, DISTRICT 7	VOTE FOR ONE
MEMBER, CITY COUNCIL, DISTRICT 9	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 Regular Run-off Municipal Election to fill the vacancy or vacancies will be conducted on November 2, 2010.

SECTION 4. In accordance with the provisions of California Elections Code Sections 10400, 10402 and 10403, the Council of the City of San José (the "City Council") hereby requests the Board of Supervisors of the County of Santa Clara, California to consolidate the Regular Primary Municipal Election with the Statewide Direct Primary Election which is to be held in Santa Clara County on Tuesday, June 8, 2010 and, further, to consolidate a Regular Run-off Municipal Election with the General Election on November 2, 2010, if necessary.

The election precincts, polling places, voting booths, voting systems and election officers for the City's Regular Primary Municipal Election shall be the same as provided

for the Statewide Direct Primary Election in the City of San José; the election precincts, polling places, voting booths, voting systems and election officers for the City's Regular Run-off Municipal Election, if necessary, shall be the same as provided for the General Election in the City of San José.

The Board of Supervisors of Santa Clara County, California is hereby authorized to canvass the returns of the Regular Primary Municipal Election and the Regular Run-off 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 Section 10002, the City Council hereby requests the Board of Supervisors of the County of Santa Clara, California to permit the Registrar of Voters of the 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 elections with respect to the following matters: coordination of election precincts, polling places, voting booths, voting systems and election officers; checking of nomination petitions; printing and mailing of voter pamphlets; and preparation of tabulation of result of votes cast.

The City Clerk is 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 Section 13307, the City Council hereby determines to retain the limit of 200 words for each candidate's statement.

SECTION 7. The City Clerk is directed to comply with provisions of federal, State and local law with regard to the conduct of the election.

ADOPTED this 26th day of January, 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE,
REED.
NOES: NONE.
ABSENT: NONE.
DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk