



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** TONI J. TABER, CMC

**SUBJECT: DECLARATION AND  
RECORDING A STATEMENT  
OF THE RESULTS OF THE  
NOVEMBER, 8 2022 GENERAL  
MUNICIPAL ELECTION AND  
SPECIAL MUNICIPAL ELECTION**

**DATE:** December 9, 2022

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## **RECOMMENDATION**

Adopt a resolution declaring and recording a statement of the results of the November 8, 2022 General Municipal Election and Special Municipal Election per Elections Code Sections 10263, 10264, and 15400.

## **OUTCOME**

The resolution will declare the results of the election, as certified by the Santa Clara County Registrar of Voters, and record a statement of:

- That Measure I, the City of San José's Charter Amendment passed by majority vote; and
- That the following candidates received a majority of all votes cast for such office:
  - Office of Councilmember—District 3: Omar Torres
  - Office of Councilmember—District 5: Peter Ortiz
  - Office of Councilmember—District 7: Bien Doan
  - Office of the Mayor: Matt Mahan

## **BACKGROUND**

The City Council adopted Resolution No. 80349 on January 25, 2022 calling for a Primary Municipal Election on June 7, 2022 and a Run-Off Election, if necessary, on November 8, 2022 to elect for the Office of the Mayor and one person each from Office of Councilmember for Council Districts 1, 3, 5, 7, and 9. The Resolution also requested that the County of Santa Clara Board of Supervisors consolidate the City's elections with the Statewide Primary and Statewide General Elections.

In addition, on June 14, 2022, the City Council adopted Resolution No. 80573, calling for a Special Municipal Election to be held on November 8, 2022 to place a measure on the ballot to amend a ballot measure proposal to amend the San José City Charter to add the City's ethics and elections commission (Board of Fair Campaign and Political Practices) to the Charter; (2) remove requirements that members of the Planning, Civil Service and Salary Setting Commissions be electors and/or citizens; (3) remove gender-specific language; and (4) require the City Council to adopt equity values, standards and assessments in making certain decisions.

All Municipal Elections were consolidated with the County of Santa Clara and held in accordance with established procedures governing the conduct of elections. Under the Elections Code, the County Registrar of Voters has thirty days to certify the results of an election. The City Clerk's Office received the official certification of results on December 8, 2022.

### **ANALYSIS**

Of the 524,451 voters registered as of October 24, 2022, a total of 250,482 ballots were cast in the City of San Jose. The results as of December 2, 2022 are as follows:

#### **Measure I – Charter Amendments:**

	<b>Total Votes</b>	<b>Percentage of Votes</b>
<b>Yes</b>	<b>136,248</b>	<b>58.03</b>
No	98,684	41.97

#### **Mayor:**

	<b>Total Votes</b>	<b>Percentage of Votes</b>
<b>Matt Mahan</b>	<b>128,260</b>	<b>51.21</b>
Cindy Chavez	122,222	48.79

#### **District 3:**

	<b>Total Votes</b>	<b>Percentage of Votes</b>
<b>Omar Torres</b>	<b>11,645</b>	<b>65.62</b>
Irene Smith	6,100	34.38

#### **District 5:**

	<b>Total Votes</b>	<b>Percentage of Votes</b>
<b>Peter Ortiz</b>	<b>9,060</b>	<b>54.81</b>
Nora Campos	7,470	45.19

**District 7:**

	<b>Total Votes</b>	<b>Percentage of Votes</b>
<b>Bien Doan</b>	<b>9,157</b>	<b>53.79</b>
Maya Esparza	7,868	46.21

**EVALUATION AND FOLLOW-UP**

A supplemental memorandum with the final certified results will be released after the City of San Jose receives the certification from the County of Santa Clara Registrar of Voters. Approval of this item will declare and record a statement of the election results from the November 8, 2022 General Municipal Election and Special Municipal Election as required under the California Elections Code.

**PUBLIC OUTREACH**

This action does not meet the criteria for public outreach; however, the Office of the City Clerk will post the item on the City's website for the December 13, 2022 City Council agenda. Registered voters in the City of San José received all appropriate ballot materials for the election.

**COORDINATION**

Preparation of this report has been coordinated with the City Attorney's Office and the Santa Clara County Registrar of Voters.

**COMMISSION RECOMMENDATION/INPUT**

No Commission input was solicited as this is a routine item required under the California Elections Code.

**CEQA**

Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment.



TONI J. TABER, CMC  
City Clerk

For questions, please contact Toni J. Taber, City Clerk, at (408) 535-1260.