



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: TONI J. TABER, MMC

**SUBJECT: DECLARATION AND
RECORDING A STATEMENT
OF THE RESULTS OF THE
APRIL 8, 2025 SPECIAL PRIMARY MUNICIPAL ELECTION**

DATE: April 18, 2025

RECOMMENDATION

- a. Adopt a resolution declaring and recording a statement of the results of the April 8, 2025 Special Primary Municipal Election per Elections Code Sections 10263, 10264, and 15400.
- b. Should the official results reflect a tie, the City Council shall direct the City Clerk to write the names of the candidates in a tie on identical slips of paper, placed into identical envelopes to maintain impartiality, and placed into a container, and further direct the City Clerk to then draw a name at random. The name selected will proceed to the run-off election in accordance with the City Charter.

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:

- The candidates who will proceed to the Run-off Election on June 24, 2025 having received the greatest number of votes in the Primary Election but not a majority of all votes cast for such office, are:
 - Office of Councilmember—District 3: Gabby Chavez-Lopez and either Matthew Quevedo or Anthony Tordillos pending official results
- Should the official results reflect a tie, the City Council shall determine a method of decision by lot, and select the winner accordingly, during an open meeting and under the Council's direction, in accordance with the City Charter.

BACKGROUND

The City Council adopted Resolution No. 2024-407 on December 3, 2024 calling for a Special Primary Municipal Election to be held on April 8, 2025 and a Run-Off Election, if necessary, on June 24, 2025 to elect one person to fill the unexpired term for District 3.

HONORABLE MAYOR AND CITY COUNCIL

April 18, 2025

Subject: Declaration and Recording a Statement of the Results of the April 8, 2025 Special Primary Municipal Election

Page 2

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 will receive the official certification of results on April 28, 2025. Due to the close timeline between the primary and the runoff, the City must certify the results on April 29, 2025. **The City Clerk will release a supplemental memorandum on April 28, 2025 with the official results.**

ANALYSIS

Of the **47,307** voters registered for this election, a total of **9,101** ballots were cast in the City of San José for a turnout of 19.24%. The results as of April 16, 2025 are as follows:

District 3:

NAME	TOTAL VOTES	PERCENTAGE
Gabby Chavez-Lopez	2,710	29.99%
Anthony Tordillos	2,005	22.19%
Matthew Quevedo	2,000	22.13%
Irene Smith	1,442	15.96%
Adam Duran	690	7.64%
Tyrone Wade	137	1.52%
Philip Dolan	53	0.59%

Due to the close vote between Anthony Tordillos and Matthew Quevedo, the election will get an automatic recount under Santa Clara County election rules, which calls for an automatic recount when the margin of victory is less than 25 total votes. The Santa Clara Registrar of Voters will conduct a one day machine recount on April 24, 2025 and will still certify the official final results on April 28, 2025. Should the official results reflect a tie for the second-highest number of votes, the City Council shall determine a method of decision by lot, and select the winner accordingly, during an open meeting and under the Council's direction, in accordance with the City Charter.

To select a tie-breaker in a fair and transparent manner, one commonly accepted method in California is to conduct a random drawing—such as pulling a name from a hat. This process would be done during the Council meeting in the presence of the City Council and public to ensure transparency and trust in the outcome. Each name involved in the tie will be written clearly on identical slips of paper, inserted into the same style envelopes to maintain impartiality, and placed into a container. The City Clerk would then draw one envelope at random. The name selected will proceed to the run-off election. This method has been used in Montebello, Solvang and Richmond in 2022, Sunnyvale in 2023 and Blue Lake in 2024. In 2024, the City of Galt

HONORABLE MAYOR AND CITY COUNCIL

April 18, 2025

Subject: Declaration and Recording a Statement of the Results of the April 8, 2025 Special Primary Municipal Election

Page 3

resolved a tie by drawing straws. In 2020, Maricopa resolved a tie by coin toss. In other states, ties have been resolved by high card draw such as in the Nevada Democratic Caucus in 2016, and Bradenton Beach, Florida in 2015.

EVALUATION AND FOLLOW-UP

Approval of this item will declare and record a statement of the election results from the April 8, 2025 Special Primary 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 April 29, 2025 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.

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.

A handwritten signature in dark ink, appearing to read "Toni J. Taber", with a stylized flourish at the end.

TONI J. TABER, MMC
City Clerk

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