



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: TONI J. TABER, CMC
CITY CLERK

**SUBJECT: DECLARATION AND
RECORDING A STATEMENT
OF THE RESULTS OF THE
NOVEMBER 6, 2018 RUN-OFF MUNICIPAL ELECTION
AND SPECIAL MUNICIPAL ELECTION**

DATE: November 28, 2018

RECOMMENDATION

Adopt a resolution declaring and recording a statement of the results of the November 6, 2018 Run-off 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:

- The election of Maya Esparza to the Office of Councilmember – District 7, and Pam Foley to the Office of Councilmember – District 9;
- That Measure S, the City of San José’s Construction Contract Procurement Modernization measure, passed by majority vote; and
- That Measure T, the City of San José’s Disaster Preparedness, Public Safety, and Infrastructure Bond, passed by a 2/3 vote; and
- That Measure U, the City of San José’s 2018 Charter Amendments (Council Salary/Competing Measures), passed by majority vote; and
- That Measure V, Affordable Housing Bond, did not pass.

BACKGROUND

The City Council adopted Resolution No. 78476 on January 9, 2018 calling for a Regular Municipal Election on June 5, 2018 and a Run-Off Election, if necessary, on November 6, 2018 to elect one person each for the Office of Mayor and Council Districts 1, 3, 5, 7, and 9 to the Council for full four-year terms. Resolution No. 78476 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 August 7, 2018, the City Council adopted Resolution No. 78734, calling for a Special Municipal Election to be held on November 6, 2018 to place a measure on the ballot to amend Section 1217 of Article XII of the San José City Charter to modify construction contract procurement and the bidding process.

On August 10, 2018, the Council adopted Resolution 78739 calling for a Special Municipal Election to be held on November 6, 2018 to place a measure on the ballot calling for the issuance of General Obligation Bonds for the acquisition, construction and completion of certain municipal improvements. This Measure required a 2/3 vote to pass.

Additionally, on August 10, 2018, the City Council adopted Resolution No. 78740 calling for a Special Municipal Election to be held on November 6, 2018 to place a measure on the ballot to amend Section 407 of Article IV, Section 1001.1 of Article X, and Section 1603 of Article XVI of the San José City Charter relating to Mayor and City Councilmember salaries and aligning the Charter with State law regarding competing measures in municipal elections.

Finally, on August 10, 2018, the Council adopted Resolution 78741 calling for a Special Municipal Election to be held on November 6, 2018 to place a measure on the ballot calling for the issuance of General Obligation Bonds for the acquisition, construction and completion of affordable housing in the City of San José. This Measure required a 2/3 vote to pass.

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 election was conducted on November 6, 2018 so the results should be certified by December 6, 2018. As of the posting of this memorandum, the City Clerk has not received the official Certificate of Election Results, Official Results, and Statement of Votes for all the contests held in the City of San José. Once the Clerk's office receives the Certificate of Election Results, a supplemental memorandum will be submitted and a complete Statement of Votes and Official Final Results will be retained on file in the Office of the City Clerk.

ANALYSIS

According to the County Registrar of Voters website, 99% of all ballots submitted for the November 6, 2018 have been counted as of November 28, 2018. The preliminary results are as follows:

Measure S – Construction Contract Procurement Modernization:

	Total Votes	Percentage of Votes
Yes	217,913	79.49
No	56,221	20.51

Measure T – Disaster Preparedness, Public Safety, and Infrastructure Bond (2/3 required):

	Total Votes	Percentage of Votes
Yes	196,575	70.93
No	80,559	29.07

Measure U – 2018 Charter Amendments (Council Salary) :

	Total Votes	Percentage of Votes
Yes	231,724	85.94
No	37,918	14.06

Measure – V Affordable Housing Bond (2/3 required):

	Total Votes	Percentage of Votes
Yes	177,012	63.98
No	37,918	36.02

District 7:

	Total Votes	Percentage of Votes
Maya Esparza	11,137	54.14
Tam Nguyen	9,434	45.86

District 9:

	Total Votes	Percentage of Votes
Pam Foley	15,916	50.82
Kalen Gallagher	15,405	49.18

EVALUATION AND FOLLOW-UP

Approval of this item will declare and record a statement of the election results from the November 6, 2018 Run-off 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 11, 2018 City Council agenda. Registered voters in the City of San José received all appropriate ballot materials for the election.

HONORABLE MAYOR AND CITY COUNCIL

November 28, 2018

Subject: Certification of Election Results for November 6, 2018

Page 4

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.

A handwritten signature in purple ink, appearing to read "Toni J. Taber", is written over a light yellow rectangular background.

TONI J. TABER, CMC
City Clerk

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