

## **RESOLUTION NO. 2010-413**

Adopted by the Sacramento City Council

July 20, 2010

### **CALLING AND GIVING NOTICE OF A GENERAL ELECTION FOR THE OFFICE OF MEMBER OF THE CITY COUNCIL IN DISTRICTS 5 AND 7 TO BE INCLUDED WITH THE CONSOLIDATED GENERAL MUNICIPAL ELECTION OF NOVEMBER 2, 2010 AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO CHARTER CITIES**

#### **BACKGROUND**

- A. A primary municipal election was held and conducted in the City of Sacramento, California on Tuesday, June 8, 2010, as required by law.
- B. The election results as contained in the Registrar of Voters Certificate of Fact for the office of Member of the City Council in District 5 and 7 reflect that one candidate did not receive a majority of votes cast.
- C. City Charter Section 152 provides that if one candidate does not receive a majority of votes cast in the primary election the voters shall, at the general election, select among the top two candidates chosen at the primary election.
- D. On July 20, 2010, the City Council accepted the Certificate of Fact and declared the need for a general election to select among the top two chosen candidates in the primary in Districts 5 and 7.
- E. As provided in the California Elections Code, elections must be formally called and noticed by resolution.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. That pursuant to the requirements of the laws of the State of California relating to charter cities, there is called and ordered to be held in the City of Sacramento, California, on Tuesday, November 2, 2010, a general election for the purpose of electing a Member of the City Council in Districts 5 and 7 for the full term of four years.
- Section 2. The two candidates receiving the most votes among all candidates for the office of Member of the City Council at the June primary election are in District 5 Jay Schenirer and Patrick Kennedy; and in District 7 Ryan Chin and Darrell R. Fong.

- Section 3. That the ballots to be used at the election shall be in form and content as required by law.
- Section 4. That the polls for the election shall be open at 7:00 a.m. on the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.
- Section 5. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.
- Section 6. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.
- Section 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

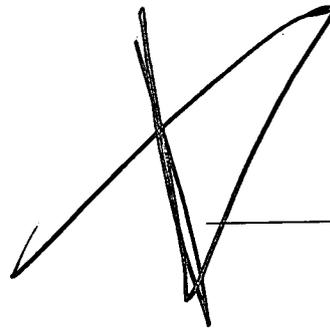
Adopted by the City of Sacramento City Council on July 20, 2010 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



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Mayor Kevin Johnson

Attest:

  
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Shirley Concolino, City Clerk