

# County of Santa Clara Registrar of Voters



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Reviewed by: Kathy Maniaci  
Principal Executive Advisor to the  
County Executive

DATE: January 13, 2009

TO: Board of Supervisors

FROM: 

Jesse Durazo  
Registrar of Voters

SUBJECT: Services of the Registrar of Voters for March 3, 2009 Special Election.

## **RECOMMENDED ACTION**

Adopt Resolution authorizing performance of services by the Registrar of Voters for an election to be held on March 3, 2009 for the City of San Jose. (Roll Call Vote)

## **FISCAL IMPLICATIONS**

There is no impact on the General Fund associated with this action, since adoption of the Resolution provides that the County will be reimbursed in full for services rendered to the city.

## **REASONS FOR RECOMMENDATION**

On November 24, 2008, the Registrar of Voters ("ROV") received a Resolution from the City of San Jose (Attachment A), requesting the County conduct a Recall Election in District 7 on March 3, 2009. This request is in compliance with California Elections Code Section 10002, as described under "Background" and requires approval by the County Board of Supervisors for the county elections official to perform services.

## **BACKGROUND**

California Elections Code Section 10002 provides that the governing body of any city or district may, by resolution, request the Board of Supervisors of the County to permit the county elections official to render specified services relating to the conduct of an election. Subject to approval by the Board of Supervisors, these services shall be performed by the county elections official. In addition, this code section provides that, upon approval of such requests, the county elections official shall be reimbursed for all costs incurred in performing the services.

### **CONSEQUENCES OF NEGATIVE ACTION**

The ROV would not be able to perform election services to the City of San Jose.

### **STEPS FOLLOWING APPROVAL**

The Clerk of the Board will notify Kathy Viana of the Registrar of Voters' Office of the Board's approval.

### **ATTACHMENTS**

- Resolution by Santa Clara County Board of Supervisors
- Attachment A - City of San Jose Resolution No. 74658