

RESOLUTION NO. 2325

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, SETTING ELECTION DATES; ESTABLISHING VOTING DISTRICTS; AND ESTABLISHING THE METHOD OF VOTING AND THE METHOD OF COUNTING THE BALLOTS FOR THE 2008 PRIMARY AND GENERAL ELECTIONS.

WHEREAS, it is provided by law for the holding of a Primary Election on March 11, 2008, and a General Election on May 20, 2008; and

WHEREAS, the Mayor and Common Council desire to call a Primary Election and a General Election on such dates,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:

Section 1. Designation of Primary Election Date and Purpose.

That a Primary Election shall be held on March 11, 2008, to elect a Mayor and three Council Members and to vote upon other legally qualified ballot measures. Any candidate receiving a majority of all the votes cast at the Primary Election will be declared elected without running at the General Election.

Section 2. Designation of General Election Date and Purpose.

That a General Election shall be held on May 20, 2008, if needed, for the purpose of electing a Mayor and three Council Members or such of them who did not receive a majority of all the votes cast at the Primary Election and to vote upon other legally qualified ballot measures.

Section 3. Voting Districts.

That Payson's Voter Precincts (as depicted by the Gila County Record's 'Town of Payson Voter Precinct Map,' copy available for review in the Town Clerk's Office) are grouped and the following Voting Districts are designated:

District No. 1 - Payson Precinct Numbers 1 and 3;

District No. 2 - Payson Precinct Numbers 2 and 6, and that portion of the Star Valley Precinct which lies within the Town boundaries;

District No. 3 - Payson Precinct Numbers 7 and 8; and

District No. 4 - Payson Precinct Numbers 4 and 5.

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Section 4. Election Materials.

All election materials, including, but not limited to, the Public Notice and Ballot shall be both in English and Spanish. Although the Tonto-Apache Tribe has advised it is unnecessary to translate election materials into the Apache language, provisions have been made for an Apache language translator should the need arise

Section 5. Voting Method; Ballots.

Voting shall be by mail ballot. The ballots will be counted by the Optical Scan System. The Town Clerk is hereby authorized and directed to cause the printing, counting, and recordation of the ballots.

Section 6. Other Actions.

That the Town of Payson be and is hereby authorized to take and perform such other and further actions as are necessary or appropriate to carrying out the purpose and intent of this Resolution Number 2325.

Section 7. Severability

If any section, subsection, sentence, clause, phrase or portion of Resolution Number 2325 is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of Resolution Number 2325. The Town Council of the Town of Payson declares that it would have adopted Resolution Number 2325 and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses, phrases, or portions may be declared invalid or unconstitutional.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, this _____ day of _____, 2007, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

F. Robert Edwards, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I. Streichman, Town Attorney