

RESOLUTION NO. 2519

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 2010 PRIMARY AND GENERAL ELECTIONS.

WHEREAS, it is provided by law for the holding of a Primary Election on March 9, 2010, and a General Election on May 18, 2010; and

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

WHEREAS, the Mayor and Common Council also desires to submit to the voters any other legally qualified ballot issues on such elections, including but not limited to submitting the Home Rule Option (Alternative Expenditure Limitation),

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 9, 2010, to elect a Mayor and three Council Members and to vote upon other legally qualified ballot measures, including but not necessarily limited to the Home Rule Option (Alternative Expenditure Limitation). 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 18, 2010, 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 in the Gila County Records' '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.

Section 7. Severability

If any section, subsection, sentence, clause, phrase or portion of this Resolution 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 this Resolution. The Town Council of the Town of Payson declares that it would have adopted this Resolution 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 October, 2009, by the following vote:

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSTENTIONS \_\_\_\_\_ ABSENT \_\_\_\_\_

\_\_\_\_\_  
Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Silvia Smith, Town Clerk

\_\_\_\_\_  
Samuel I. Streichman, Town Attorney