

(O-95-45 REV. 1)

ORDINANCE NUMBER O- 18109 (NEW SERIES)

ADOPTED ON NOV 28 1994

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 7, DIVISION 31, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 27.3101, 27.3102, 27.3103, 27.3104, 27.3105, 27.3106 AND 27.3107; BY ADDING A NEW SECTION 27.3108; AND BY RENUMBERING AND AMENDING THE FORMER SECTION 27.3108 TO SECTION 27.3109, RELATING TO PROCEDURES FOR FILLING VACANCIES.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter II, Article 31, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 27.3101, 27.3102, 27.3103, 27.3104, 27.3105, 27.3106 and 27.3107 to read as follows:

SEC. 27.3101 Purpose and Intent

The Charter of The City of San Diego requires the City Council to fill a vacancy in the elective offices of the Mayor and the City Attorney within thirty (30) days by appointment and failing to do so within that time, the Council shall immediately cause an election to be held to fill such vacancy. The Charter provides that if a vacancy occurs in the office of a Council District and there is one (1) year or less remaining in the term, the Council shall appoint a person to fill the vacant seat. If the Council vacancy occurs with more than one (1) year remaining in the term, the Council shall call a special election to fill such

vacancy. The purpose and intent of this Division is to establish an orderly procedure for the Council to follow in making any appointment and for all persons interested in being appointed to the vacant office to follow in presenting their applications for consideration by the Council and at the same time to allow for public participation in the selection process.

When a Council vacancy occurs with more than one (1) year remaining in the term, the Council shall fill such vacancy in accordance with the provisions set forth in Charter Section 12(h), and in Municipal Code sections 27.2001 through 27.3211 as applicable.

**SEC. 27.3102 Special Meeting to Consider the
Alternative of Appointment or Election**

As soon as it is known that there will be a vacancy in the office of the Mayor or City Attorney of The City of San Diego by reason of a resignation or that there exists a vacancy in such elective office by reason of a death or other unexpected circumstance, the presiding officer of the Council shall immediately call a special meeting of the Council to consider the question of whether the vacancy shall be filled by an appointment or an election. In the case of a vacancy in the office of a Council District where there will be less than one (1) year remaining in the term, the presiding officer of the Council shall call a special meeting for the public hearing required by

Section 27.3105. In the instance of resignation, a notification containing the effective date of resignation shall be received in the office of the City Clerk for a vacancy to occur. Unless otherwise specified, a resignation is effective when received. If a position is to be filled by appointment, the procedures provided for in this Division shall be followed.

SEC. 27.3103 Notice to be Published by Clerk

(a) If a vacancy exists by reason of death or other unexpected circumstance, the City Clerk shall publish within five (5) calendar days of the occurrence of the vacancy the following notice in a paper of general circulation within the City of San Diego:

A vacancy exists in the office of (Mayor), (Councilmember, 1st through 8th District), or (City Attorney). Interested applicants may obtain information and forms at the office of the City Clerk, City Administration Building, 202 C Street, San Diego, California. To be considered, applications shall be returned to the office of the City Clerk by close of business, 5:00 p.m. on (insert date fourteen (14) calendar days after occurrence of vacancy).

(b) If a vacancy will exist by reason of a resignation to take effect at some future time, or by reason of an expected resignation at some future time, the City Clerk shall publish within a reasonable time the following notice:

A vacancy will exist in the office of (Mayor), (Councilmember, 1st through 8th District), or (City Attorney) on (date vacancy expected to occur).

Interested applicants may obtain information and forms at the office of the City Clerk, City Administration Building, 202 C Street, San Diego, California. To be considered, applications shall be returned to the office of the City Clerk by close of business, 5:00 p.m. on (insert date of the day before vacancy occurs if at least a fourteen (14) calendar day interval exists between publication and date of vacancy; if not, insert date fourteen (14) calendar days after date of publication or fourteen (14) calendar days after occurrence of vacancy, whichever first occurs).

SEC. 27.3104 Application Forms and Requirements

(a) Applicants for appointment to elective office shall file with the City Clerk on or before the date for return of applications as published by the City Clerk under Section 27.3103, the following:

(1) Background information certified by the applicant that it is true and correct under penalty of perjury pursuant to Section 2015.5 of the Code of Civil Procedure disclosing the following:

(A) Name.

(B) Address.

(C) Length of residence at above address and address for past five (5) years if other than above.

(D) Date of birth.

(E) Marital status.

(F) Social Security Number.

(G) Business or occupation engaged in during the past five (5) years together with address of and dates of service with each such business or occupation.

(H) Branch, dates and rank at discharge of military service.

(I) Education from high school to highest level attained together with the name of each educational institution attended and degree or diploma received.

(J) Statement of Economic Interests Form 721.

(2) A statement under penalty of perjury from a medical doctor licensed to practice medicine in the State of California describing in general terms the physical and mental health of the applicant and certifying that the applicant is physically and mentally capable of performing the duties of the office applicant is seeking.

(3) A statement of qualifications not longer than one hundred (100) words expressing in the applicant's own words the reasons why the applicant believes he or she is qualified for the office. Except for the 100 word limit set by San Diego Municipal Code section 27.3104(a)(3), this statement shall conform to

the requirements set forth in Section 27.2204, as it pertains to the contents of the statement.

(4) A petition with the signatures of fifty (50) registered voters in form and content similar to that required by Section 27.2104 of this Code.

(5) A statement under penalty of perjury that the applicant complies with the requirements of Section 27.2023 and has been a resident and elector of the City in the case of the Mayor or City Attorney, or of the district in the case of Councilmembers other than the Mayor, for at least thirty (30) calendar days prior to the date of making application for appointment.

(b) The City Clerk shall furnish each applicant with a copy of this Division and shall advise each applicant of the dates set by the Council for public hearings on the applications.

(c) The City Clerk shall cause a police and credit check to be conducted on each applicant. Each applicant shall be informed by the City Clerk that a police and credit check will be made on the applicant and that the Council will be informed of the results thereof.

SEC. 27.3105 Public Hearings

Before any appointment to fill a vacancy in an elective office may be made, the Council shall hold at least one (1) public hearing for the purpose of considering the applications for appointment. The

hearing shall be held a reasonable time after the period for filing applications has ended as provided in Section 27.3103. A second public hearing may be held if there are additional questions or if additional time for discussion is needed by the Council prior to making the appointment. In the instance of a vacancy in the office of the Mayor or City Attorney, the date of the public hearing shall be established and set by the Council in the special meeting required to be held by Section 27.3102. In the case of a vacancy in the office of a Council District where there will be less than one (1) year remaining in the term, the presiding officer of the Council shall call this hearing.

SEC. 27.3106 Public Hearing and Appointment

(a) At the public hearing required by Section 27.3105, each applicant shall be allowed three (3) minutes to make a presentation to the Council in support of the applicant's candidacy for appointment. At the discretion of the presiding officer, Council members may ask brief questions for clarification concerning either the presentation or matters contained in the application filed with the City Clerk. Applicants shall also be expected to answer questions concerning their candidacy. Such questions may concern but need not be limited to the candidate's background, philosophy of government, reasons for seeking appointment, and opinions on relevant municipal issues.

(b) At the conclusion of the public hearing the Council may then, or at a later meeting, adopt a resolution appointing a person to fill the vacancy.

SEC. 27.3107 Optional Second Public Hearing and Appointment

(a) If, during the public hearing required by Section 27.3105, the Council determines that there are too many candidates to consider in a single public hearing, the procedures outlined in Section 27.3107 may be used.

(b) Before the conclusion of the first public hearing, the Council shall select at least four (4) but no more than six (6) applicants to appear at the second public hearing. After the selection is made, the presiding officer shall announce the names of the applicants invited to appear at the second public hearing and set the date and time of such hearing.

(c) At the second public hearing, applicants shall be expected to answer questions concerning their candidacy. Such questions may concern but need not be limited to the candidate's background, philosophy of government, reasons for seeking appointment, and opinions on relevant municipal issues.

(d) At the conclusion of the second public hearing the Council may then, or at a later meeting, adopt a resolution appointing a person to fill the vacancy.

Section 2. That Chapter II, Article 31, of the San Diego Municipal Code be and the same is hereby amended by adding a new Section 27.3108 to read as follows:

Sec. 27.3108 Election of Appointed Councilmember Prohibited

Any person appointed by the Council to fill a vacant Council District seat shall not be eligible to run for that office for the next succeeding term.

Section 3. That Chapter II, Article 31, of the San Diego Municipal Code be and the same is hereby amended by renumbering and amending the former Section 27.3108 to Section 27.3109 to read as follows:

SEC. 27.3109 Ballot Designation of Persons Appointed to Fill Vacancies in the Office of the Mayor or the City Attorney

Anything to the contrary in Section 27.2201 notwithstanding, a person appointed to fill a vacancy in the office of the Mayor or the City Attorney, and seeking to be elected to that office at the next election and desiring to indicate his or her appointed incumbency or the title of the appointed office shall be designated on the ballot at that election only in such a manner as to indicate that the person occupies such office by virtue of appointment rather than election. Without limitation and purely as examples, acceptable forms of designation are: "Appointed Incumbent," "Appointed Mayor," "Appointed City Attorney." The maximum number of words that may be used

as a ballot designation as provided by Section 27.2201
is "four."

Section 4. This ordinance shall take effect and be in force
on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By *Cristie C McGuire*
Cristie C. McGuire
Deputy City Attorney

CCM:pev:jrl
10/24/94
11/15/94 REV. 1
Or.Dept:Clerk
SO-95-45
Form=o.code

OLD LANGUAGE: ~~STRUCK-OUT~~
NEW LANGUAGE: REDLINED

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 7, DIVISION 31, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 27.3101, 27.3102, 27.3103, 27.3104, 27.3105, 27.3106 AND 27.3107; BY ADDING A NEW SECTION 27.3108; AND BY RENUMBERING AND AMENDING THE FORMER SECTION 27.3108 TO SECTION 27.3109, RELATING TO PROCEDURES FOR FILLING VACANCIES.

SEC. 27.3101 Purpose and Intent

The Charter of The City of San Diego requires the City Council to fill a vacancy in the elective offices of the Mayor, ~~other members of the Council~~ and the City Attorney within thirty (30) days by appointment and failing to do so within that time, the Council ~~is required to~~ shall immediately cause an election to be held to fill such vacancy. The Charter provides that if a vacancy occurs in the office of a Council District and there is one (1) year or less remaining in the term, the Council shall appoint a person to fill the vacant seat. If the Council vacancy occurs with more than one (1) year remaining in the term, the Council shall call a special election to fill such vacancy. The purpose and intent of this ~~d~~-Division is to establish an orderly procedure for the Council to follow in making any appointment and for all persons interested in being appointed to the vacant office to follow in presenting their applications for consideration by the Council and at the same time to allow for public participation in the selection process.

When a Council vacancy occurs with more than one (1) year remaining in the term, the Council shall fill such vacancy in

accordance with the provisions set forth in Charter Section 12(h), and in Municipal Code sections 27.2001 through 27.3211 as applicable.

SEC. 27.3102 Special Meeting to Consider the Alternative of Appointment or Election

As soon as it is known that there will be a vacancy in an ~~elective office~~ the office of the Mayor or City Attorney of The City of San Diego by reason of a resignation or that there exists a vacancy in such elective office by reason of a death or other unexpected circumstance, the presiding officer of the Council shall immediately call a special meeting of the Council to consider the question of whether the vacancy shall be filled by an appointment or an election. In the case of a vacancy in the office of a Council District where there will be less than one (1) year remaining in the term, the presiding officer of the Council shall call a special meeting for the public hearing required by Section 27.3105. In the instance of resignation, a notification containing the effective date of resignation ~~must~~ shall be received in the office of the City Clerk for a vacancy to occur. Unless otherwise specified, a resignation is effective when received. If ~~the determination is made to fill the a~~ position is to be filled by appointment, the procedures provided for in this ~~a~~ Division shall be followed.

SEC. 27.3103 Notice to be Published by Clerk

~~a.~~ (a) If a vacancy exists by reason of death or other unexpected circumstance, the City Clerk shall publish within five (5) calendar days of the occurrence of the vacancy the following

notice in a paper of general circulation within the City of San Diego:

A vacancy exists in the office of (Mayor), (~~Councilman~~, ~~Councilmember~~, 1st through 8th District), or (City Attorney). Interested applicants may obtain information and forms at the office of the City Clerk, City Administration Building, 202 C Street, San Diego, California. To be considered, applications ~~must~~ ~~shall~~ be returned to the office of the City Clerk by close of business, 5:00 p.m. on (insert date fourteen (14) ~~calendar~~ days after occurrence of vacancy).

~~b.~~ (b) If a vacancy will exist by reason of a resignation to take effect at some future time, or by reason of an expected resignation at some future time, the City Clerk shall publish within a reasonable time the following notice:

A vacancy will exist in the office of (Mayor), (~~Councilman~~, ~~Councilmember~~, 1st through 8th District), or (City Attorney) on (date vacancy expected to occur). Interested applicants may obtain information and forms at the office of the City Clerk, City Administration Building, 202 C Street, San Diego, California. To be considered, applications ~~must~~ ~~shall~~ be returned to the office of the City Clerk by close of business, 5:00 p.m. on (insert date of the day before vacancy occurs if at least a fourteen (14) ~~calendar~~ day interval exists between publication and date of vacancy; if not, insert date fourteen (14) ~~calendar~~ days after date of publication or fourteen (14) ~~calendar~~ days after occurrence of vacancy, whichever first occurs).

SEC. 27.3104 Application Forms and Requirements

~~a.~~ ~~(a)~~ Applicants for appointment to elective office shall file with the City Clerk on or before the date for return of applications as published by the City Clerk under Section 27.3103, the following:

~~1.~~ ~~(1)~~ Background information certified by the applicant that it is true and correct under penalty of perjury pursuant to Section 2015.5 of the Code of Civil Procedure disclosing the following:

~~(a)~~ ~~A~~ Name.

~~(b)~~ ~~B~~ Address.

~~(c)~~ ~~C~~ Length of residence at above address and address for past five (5) years ~~if~~ other than above.

~~(d)~~ ~~D~~ Date of birth.

~~(e)~~ ~~E~~ Marital status.

~~(f)~~ ~~F~~ Social Security Number.

~~(g)~~ ~~G~~ Business or occupation engaged in during the past five (5) years together with address of and dates of service with each such business or occupation.

~~(h)~~ ~~H~~ Branch, dates and rank at discharge of military service.

~~(i)~~ ~~I~~ Education from high school to highest level attained together with the name of each educational institution attended and degree or diploma received.

~~(j)~~ ~~J~~ Statement of Economic Interests Form 721.

~~2.~~ ~~(2)~~ A statement under penalty of perjury from a medical doctor licensed to practice medicine in the State of California describing in general terms the physical and mental

health of the applicant and certifying that the applicant is physically and mentally capable of performing the duties of the office applicant is seeking.

3.—(3) A statement of qualifications not longer than one hundred (100) words expressing in the applicant's own words the reasons why the applicant believes he or she is qualified for the office. Except for the 100 word limit set by San Diego Municipal Code section 27.3104(a)(3), this statement shall conform to the requirements set forth in Section 27.2204, as it pertains to the contents of the statement.

4.—(4) A petition with the signatures of fifty (50) registered voters in form and content similar to that required by Section 27.2104 of this Code.

5.—(5) A statement under penalty of perjury that the applicant complies with the requirements of Section 27.2023 and has been a resident and elector of the City in the case of the Mayor or City Attorney, or of the district in the case of e Councilmembers other than the Mayor, for at least thirty (30) calendar days prior to the date of making application for appointment.

b.—(b) The City Clerk shall furnish each applicant with a copy of this ordinance-Division and shall advise each applicant of the dates set by the Council for public hearings on the applications.

e. The City Clerk shall further furnish all applicants with financial disclosure forms and each applicant who shall subsequently be invited to answer questions of the Council at the second public hearing shall complete and file such forms with the

~~City Clerk at the close of business (5:00 o'clock p.m.) on the day following adjournment of the first public hearing.~~

(c) The City Clerk shall cause a police and credit check to be conducted on each applicant. Each such applicant shall be informed by the City Clerk that a police and credit check shall will be made on the applicant and that the Council will be informed on of the results thereof.

SEC. 27.3105 ~~Two~~ Public Hearings

Before any appointment to fill a vacancy in an elective office shall may be made, the Council shall hold ~~two (2)~~ at least one (1) public hearing s for the purpose of considering the applications for appointment. The ~~first public hearing~~ shall be held ~~no sooner than the day~~ a reasonable time after the period for filing applications has ended as provided in Section 27.3103~~7~~ and the. A second public hearing shall may be held ~~no sooner than five (5) days and no later than seven (7) days after the first public hearing.~~ If there are additional questions or if additional time for discussion is needed by the Council prior to making the appointment. In the instance of a vacancy in the office of the Mayor or City Attorney, the date thereof of the public hearing shall be established and set by the Council in the special meeting required to be held by Section 27.3102. In the case of a vacancy in the office of a Council District where there will be less than one (1) year remaining in the term, the presiding officer of the Council shall call this hearing.

SEC. 27.3106 ~~First~~ Public Hearing and Appointment

a. (a) At the ~~first~~ public hearing required by Section 27.3105, each applicant shall be allowed three (3) minutes to

make a presentation to the Council in support of the applicant's candidacy for appointment. At the discretion of the presiding officer, Council members may ask brief questions for clarification concerning either the presentation or matters contained in the application filed with the City Clerk.

Applicants shall also be expected to answer questions concerning their candidacy. Such questions may concern but need not be limited to the candidate's background, philosophy of government, reasons for seeking appointment, and opinions on relevant municipal issues.

~~b. Before the conclusion of the first public hearing the Council shall select at least four (4) but no more than six (6) applicants to appear at the second public hearing. After the selection is made the presiding officer shall announce the names of the applicants invited to appear at the second public hearing and advise those selected that each will be required to file financial disclosure statements with the City Clerk by close of business (5:00 o'clock p.m.) on the following day or the next business day if the following days are holidays.~~

(b) At the conclusion of the public hearing the Council may then, or at a later meeting, adopt a resolution appointing a person to fill the vacancy.

SEC. 27.3107 Optional Second Public Hearing and Appointment

~~a. (a) If, during the public hearing required by Section 27.3105, the Council determines that there are too many candidates to consider in a single public hearing, the procedures outlined in Section 27.3107 may be used.~~

(b) Before the conclusion of the first public hearing, the Council shall select at least four (4) but no more than six (6) applicants to appear at the second public hearing. After the selection is made, the presiding officer shall announce the names of the applicants invited to appear at the second public hearing and set the date and time of such hearing.

(c) At the second public hearing, ~~required by Section 27.3105,~~ applicants shall be expected to answer questions concerning their candidacy. Such questions may concern but need not be limited to the candidate's background, philosophy of government, reasons for seeking appointment, and opinions on relevant municipal issues. ~~The presiding officer shall allow, through appropriate parliamentary procedures and within appropriate time limits, an appropriate number of questions to be asked of any applicant by those members of the public in attendance at the second public meeting.~~

~~b.~~ (d) At the conclusion of the second public hearing the Council may then, or at a later meeting, adopt a resolution appointing ~~the~~ a person to fill the vacancy.

Sec. 27.3108 Election of Appointed Councilmember Prohibited

Any person appointed by the Council to fill a vacant Council District seat shall not be eligible to run for that office for the next succeeding term.

SEC. 27.3108-27.3109 Ballot Designation of Persons Appointed to Fill Vacancies in the Office of the Mayor or the City Attorney

Anything to the contrary in Section 27.2201 notwithstanding, a person appointed to fill a vacancy in ~~an elective office of The City of San Diego~~ the office of the Mayor or the City Attorney,

and seeking to be elected to that office at the next election and desiring to indicate his or her appointed incumbency or the title of the appointed office shall be designated on the ballot at that election only in such a manner as to indicate that the person occupies such office by virtue of appointment rather than election. Without limitation and purely as examples, acceptable forms of designation are: "Appointed Incumbent," ~~"Appointed Council Member,"~~ "Appointed Mayor," "Appointed City Attorney." The ~~limitation on the maximum~~ number of words that may be used as a ballot designation as provided by Section 27.2201 ~~shall remain at is~~ "four."

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94 NOV 22 PM 3: 18
CITY CLERKS OFFICE
SAN DIEGO, CA

Passed and adopted by the Council of The City of San Diego on NOV 28 1994
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Harry Mathis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christine Kehoe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barbara Warden	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By Branda B. Barnes, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on NOV 14 1994, and on NOV 28 1994

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By Branda B. Barnes, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-18109</u>	<u>NOV 28 1994</u>
Adopted	

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CITY CLERK'S OFFICE
SAN DIEGO, CA

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CERTIFICATE OF PUBLICATION

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SAN DIEGO, CALIF.

CA

OFFICE OF THE CITY CLERK
202 C ST.
2ND FLOOR
CITY ADMIN. BLDG.
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER II...

ORDINANCE NUMBER 0-18109 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 7, DIVISION 31, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 27.3101, 27.3102, 27.3103, 27.3104, 27.3105, 27.3106 AND 27.3107; BY ADDING A NEW SECTION 27.3108; AND BY RENUMBERING AND AMENDING THE FORMER SECTION 27.3108 TO 27.3109, RELATING TO PROCEDURES FOR FILLING VACANCIES.

On June 7, 1994, City of San Diego voters approved Proposition "B," a City Charter amendment which changed the procedures for filling vacancies in Council District offices.

This ordinance amends Chapter II, Article 7, Division 31 of the San Diego Municipal Code to conform it to the requirements of San Diego City Charter section 12(h) as amended by Proposition "B".

Specifically the proposed amendments include:

1. An Amendment to Section 27.3101 to make a distinction between appointments to the offices of the Mayor and City Attorney and those to a Council District seat.

2. An amendment to Section 27.3102 to specify that in the case of a vacancy in a Council District seat, the presiding officer of the Council shall call a special meeting for the public hearing required by Section 27.3105. It eliminates the requirement that there be a special meeting to consider the alternative of appointment or election when the appointment is for a Council District seat.

3. An amendment to Section 27.3104 includes a requirement that applicants provide their Social Security Number and file the Form 721 Statement of Economic Interests at the same time all other documents are filed with the City Clerk. The credit check is not a new requirement but is in the existing language of Section 27.3104. The Social Security Number, however, is required in order to complete the credit check required in this section. Section 27.3104 is further amended to add clarifying language about the statement of qualifications and incorporates the requirements of Section 27.2204 of the Code by reference.

4. An amendment to Section 27.3105 provides that a second public hearing is optional. This section further provides that the public hearing shall be held no sooner than the fifth (5th) working day after the period for filing applications with the Clerk.

5. An amendment to Section 27.3106 provides a process for a single public hearing and appointment.

6. An amendment to Section 27.3107 provides a process for an optional second public hearing and appointment.

7. An amendment to Section 27.3108 states that a person appointed to fill a Council District seat is not eligible to run for that office for the next succeeding term.

8. An amendment to Section 27.3109 is a renumbering of previous Section 27.3108. This section applies only to appointments to the office of the Mayor and the City Attorney.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

INTRODUCED ON NOVEMBER 14, 1994. Passed and adopted by the Council of the City of San Diego on NOVEMBER 28, 1994.

AUTHENTICATED BY:

SUSAN GOLDING
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA

(SEAL)

By MAYDELL L. PONTECORVO, Deputy

Pub. Dec. 12

306300

I, Corey Donahue, am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER 0-18109

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

DEC. 12

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 12TH day of DEC., 19 94.

Corey Donahue

(Signature)

5 1/2 " x 2 " = 156.16