

ORDINANCE NUMBER O- 19368 (New Series)

ADOPTED ON MAY 02 2005

AN ORDINANCE CALLING A SPECIAL MUNICIPAL
ELECTION IN THE CITY OF SAN DIEGO ON JULY 26, 2005,
TO FILL MAYORAL VACANCY

WHEREAS, Section 24 of the Charter of the City of San Diego provides that in the event of a vacancy occurring in the office of the Mayor, existing by reason of any cause, the Council shall have authority to fill such vacancy, provided, however, that if the Council shall fail to fill such vacancy by appointment within thirty days after the vacancy, the Council must immediately cause an election to be held to fill such vacancy; and

WHEREAS, San Diego Municipal Code section 27.0705(a) provides that as soon as it is known that there will be a vacancy in the office of the Mayor, the presiding officer of the City Council shall, at the next regularly scheduled City Council meeting, or at a special meeting called for that purpose, consider the question of whether the vacancy shall be filled by appointment or special election; and

WHEREAS, on April 27, 2005, Mayor Dick Murphy submitted a letter of resignation effective July 15, 2005, and it is known that a vacancy will occur in the office of the Mayor; and

WHEREAS, the City Council has considered whether to fill the vacancy by appointment or special election; NOW, THEREFORE,

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

Section 1. It is hereby ordered that a Special Municipal Election will be held in the City of San Diego on July 26, 2005, for the purpose of electing candidates for the office of Mayor to fill out the remainder of the unexpired four-year term of office.

Section 2. For the purpose of said election, the election precincts shall be precincts established by the Board of Supervisors for the County of San Diego; provided, however, that certain precincts shall be consolidated in the manner indicated on the list of consolidated precincts on file in the Office of the City Clerk.

Section 3. The Registrar of Voters of the County of San Diego is hereby authorized to canvass returns of this Special Municipal Election. The Registrar of Voters shall communicate the results of the canvass to the San Diego City Clerk, who shall in turn certify the results to the Council of the City of San Diego. The City Council shall then declare the results of the Special Municipal Election by resolution.

Section 4. The polls for this Special Municipal Election shall be open from 7:00 a.m. (local time) on July 26, 2005, and remain open continuously until 8:00 p.m. (local time) on the same day. The polls shall close at 8:00 p.m., except as provided in California Elections Code section 14401.

Section 5. The City Clerk is hereby directed to cause this ordinance to be published once in the official newspaper of the City of San Diego. No other notice of the election need be given.

Section 6. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 7. Pursuant to Section 17 of the Charter of the City of San Diego, this ordinance relating to elections shall take effect on May 2, 2005, which is the day of its introduction and passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By *Catherine M. Bradley*
Catherine M. Bradley
Deputy City Attorney

CMB:jab
04/28/2005
5/05/2005REV.
Or.Dept: Clerk
O-2005-127