

ORDINANCE NUMBER O- 19404 (New Series)

ADOPTED ON AUG 01 2005

AN ORDINANCE CALLING A MUNICIPAL SPECIAL ELECTION IN THE CITY OF SAN DIEGO, ON TUESDAY NOVEMBER 8, 2005, TO FILL VACANCIES IN COUNCIL DISTRICTS 2 AND 8; AND CONSOLIDATING THE ELECTION WITH THE CALIFORNIA STATE SPECIAL ELECTION TO BE HELD ON THE SAME DATE

WHEREAS, Councilmembers Michael Zucchet and Ralph Inzunza, holding the office of Council Member for Districts 2 and 8, respectively, resigned from their offices effective July 25, 2005; and

WHEREAS, Section 12 of the Charter of the City of San Diego provides that if a vacancy occurs in the office of a Council District for any reason other than a successful recall election and the vacancy occurs with more than one year remaining in the term, the City Council shall call a special election to be held within ninety days of the vacancy, unless there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy, in which case the City Council may consolidate the special election with that regular election; and

WHEREAS, the Governor of California has called a special statewide election for November 8, 2005; and

WHEREAS, the City Council has ordered that the special run-off election to fill the mayoral vacancy on November 8, 2005, be consolidated with the special statewide election on that same date; and

WHEREAS, the City Council has determined that the municipal special election to fill the vacancies in Council Districts 2 and 8 also should be consolidated with the statewide special election to be held on November 8, 2005; NOW, THEREFORE,

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

Section 1. It is hereby ordered that a Municipal Special Election will be held in the City of San Diego on Tuesday, November 8, 2005, for the purpose of electing candidates for Council Member for District 2 and District 8, to serve for the length of time remaining in the term of these offices.

Section 2. The Municipal Special Election called for November 8, 2005, in the City of San Diego is hereby ordered consolidated with the California State Special Election to be held on the same date. Within the City of San Diego precincts, polling places, and officers of the election for the Municipal Special Election shall be the same as those provided for the California State Special Election.

Section 3. For the purpose of said election, the election precincts shall be precincts established by the Board of Supervisors for the County of San Diego.

Section 4. The Registrar of Voters of the County of San Diego is hereby authorized to canvass returns of this Municipal Special 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 elections by resolution.

Section 5. The polls for this Municipal Special Election shall be open from 7:00 a.m. (local time) on November 8, 2005, and shall remain open continuously until 8:00 p.m. (local

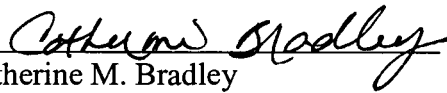
time) on the same day. The polls shall close at 8:00 p.m., except as provided in California Elections Code section 14401.

Section 6. 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 elections need be given.

Section 7. 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 8. Pursuant to Section 17 of the Charter of the City of San Diego, this ordinance relating to elections shall take effect on the day of its introduction and passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Catherine M. Bradley  
Deputy City Attorney

CMB:jab  
07/28/2005  
Or.Dept: Clerk  
O-2006-21