

RESOLUTION NUMBER R- 300732

ADOPTED ON AUG 01 2005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN DIEGO SELECTING A MAYOR PRO TEM

WHEREAS, Mayor Dick Murphy resigned his position as Mayor effective July 15, 2005;
and

WHEREAS, Deputy Mayor Michael Zucchet resigned his position as City Council
Member effective July 25, 2005; and

WHEREAS, at the regular meeting of the City Council on July 25, 2005, the City
Council selected Council Member Toni Atkins to serve as Deputy Mayor for the remainder of
the current term for the Deputy Mayor; and

WHEREAS, it is necessary and appropriate for the City Council to select from among its
members a person who will be prepared to perform the necessary duties of the Mayor during the
period of Mayoral vacancy in the event that Deputy Mayor Atkins is absent or unable to perform
such duties; and

WHEREAS, both the San Diego Charter and San Diego Municipal Code are silent with
regard to the selection of a person to assume Mayoral responsibilities in situations where the
Mayor is absent and the Deputy Mayor is absent or unable to perform those necessary functions;
and

WHEREAS, the Permanent Rules of the City Council, codified at San Diego Municipal Code section 22.0101, provides at Rule 2 that in all cases not provided by such Rules or by statute or other ordinance or resolution, the authority shall be Robert's Rules of Order Newly Revised; and

WHEREAS, Robert's Rules of Order Newly Revised (Tenth Edition) provides that in instances where a chairperson and vice-chairperson are both unable to perform their duties for a particular length of time, the body may elect a chairperson pro tem; and

WHEREAS, it is the City Council's desire to elect a Mayor Pro Tem during the period of the Mayoral vacancy to assume all of the duties of the Mayor in the event that the Deputy Mayor is absent or is otherwise unable to fulfill such duties; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Council hereby creates a temporary office of Mayor Pro Tem.

BE IT FURTHER RESOLVED, that in the event that the Deputy Mayor is absent or otherwise unable to fulfill the duties of the Mayor during the Mayoral vacancy, the Mayor Pro Tem shall perform all of the duties of the Mayor as prescribed by the City Charter or by ordinance.

BE IT FURTHER RESOLVED, that the person elected to assume the office of Mayor Pro Tem shall remain in such office for so long as there exists a vacancy in the office of Mayor, or until removed at the pleasure of the City Council.

BE IT FURTHER RESOLVED, that upon the filling of the Mayoral vacancy, this Resolution shall cease to have any legal effect, and any person elected to serve as Mayor Pro Tem shall cease to possess any authority granted under this Resolution.

BE IT FURTHER RESOLVED, that Jim Madaffer is hereby elected to
the position of Mayor Pro Tem.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

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

CMB:jab
07/27/2005
Or.Dept:Council
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