

RESOLUTION NUMBER R- 308858

DATE OF FINAL PASSAGE APR 07 2014

A RESOLUTION OF THE COUNCIL OF THE CITY
OF SAN DIEGO CONFIRMING AN APPOINTMENT
TO THE OFFICE OF COUNCILMEMBER FOR
COUNCIL DISTRICT 2

WHEREAS, the Office of Councilmember for Council District 2 has been vacant since March 3, 2014, when former Councilmember Kevin Faulconer resigned the Council seat to be sworn in as Mayor of the City of San Diego; and

WHEREAS, the vacancy in the District 2 Council seat triggered a process under San Diego Charter sections 12 and 14, and San Diego Municipal Code sections 27.0701 to 27.0709, and 27.0801 to 27.0809, in which the Council has thirty business days from the date of vacancy to fill the seat by appointment; and

WHEREAS, those seeking appointment to the District 2 Council seat were required to reside and be registered to vote within the geographic boundaries of the Council district as it was configured in 2010, when Councilmember Faulconer was elected to his current term; and

WHEREAS, the person appointed by the Council to fill the District 2 Council seat shall serve as that District's Councilmember for the remainder of the unexpired term, and thus until the current term ends in December 2014; and

WHEREAS, the person appointed by the Council to fill the District 2 Council seat is prohibited from seeking election to the Council office for the next succeeding term; and

WHEREAS, the City Council reviewed application materials for those candidates whose applications met legal requirements, and held a public hearing on April 7, 2014 to determine which applicant would be appointed to the seat; and

WHEREAS, the Council voted at the public hearing to appoint Ed Harris to fill the vacancy in the Office of Councilmember for Council District 2, to serve for the remainder of the current term, which expires in December 2014; and

WHEREAS, the Council's appointment of one of its members is required by Charter section 12(h)(1)(A), is a matter of the election and qualification of its members reserved to the Council by Charter section 14, and is not subject to veto as a matter "exclusively within the purview of the Council," under Charter section 280(a)(1); NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council, in compliance with San Diego Charter section 12, hereby appoints Ed Harris to fill the vacancy in the Office of Councilmember for Council District 2, to serve in that office for the remainder of the current term and until a new Councilmember takes office in December 2014.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Sharon B. Spivak
Deputy City Attorney

SBS:jdf
03/25/14
04/08/14 REV.
Or.Dept:City Clerk
Doc. No.763069

Passed by the Council of The City of San Diego on APR 07 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 2 (Vacant)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 07 2014

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Mary Zimmaya*, Deputy

Office of the City Clerk, San Diego, California

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