



---

## OFFICE OF THE CITY CLERK

---

# REPORT

---

### REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

DATE: November 14, 2000

REPORT NO.: 00-09

SUBJECT: Calling Special Election to Fill Vacancy in Council District 8  
Council Docket December 4, 2000

#### ISSUE

Shall the Council call a special election to be held on Tuesday, February 27, 2001 for the purpose of filling a vacancy in the Office of Councilmember for Council District 8?

#### BACKGROUND

On November 7, 2000, District 8 Councilmember Juan Vargas was elected to the State Assembly.

On November 14, 2000, Councilmember Vargas submitted to the City Clerk his resignation from the City Council, effective December 4, 2000 (attached).

Since there is over one year remaining in the term of office, City Charter Section 12 requires the Council to call a special election to be held in the district within ninety days of the date of the vacancy. If one candidate receives the majority of votes cast for all candidates in the special election, that candidate shall be deemed to be elected to the vacant office. If no candidate receives the majority of votes cast in the special election, a special run-off election must be held within forty-nine days of the first special election. The candidate elected at either the special election or at the special run-off election shall be declared elected for the unexpired term, and shall assume office at the time the City Council adopts the resolution declaring the results of the election.

#### RECOMMENDATION

The ordinance and resolution drafted and which will be presented to you with this report on December 4, 2000, call for the special election to be held in Council District 8 on Tuesday, February 27, 2001. This is the earliest practical date available for the special election and is within the ninety day limit established by the Charter. If a

A-18908

R-294354

special run-off election is required, it would be held on April 17, 2001. The following schedule would apply:

		<u>Days Prior to Election</u>
Date of Vacancy	Monday, December 4	85
Council Calls Special Election	Monday, December 4	85
Nomination Period Opens	Friday, December 15	74*
Nomination Period Closes	Friday, December 29	60*
Election Day	Tuesday, February 27	0
Certification of Results and Assuming Office (If a candidate has received a majority vote)	Monday, March 12	+13
Special Run-Off Election (If needed)	Tuesday, April 17	+49
Certification of Results and Assuming Office (If the run-off election is held)	Monday, April 30	+62

(\*The Municipal Code establishes a 14-day nomination period for special elections to open on the 74<sup>th</sup> day before the election and close on the 60<sup>th</sup> day).

Should you have any questions about this matter, please contact Deputy Director Joyce Lane at 533-4024.

Sincerely,



Charles G. Abdelnour  
City Clerk

Attachment

cc: City Attorney  
City Manager

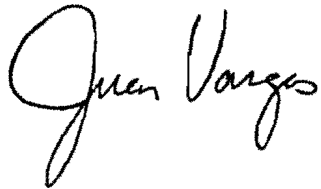
OFFICE OF COUNCILMEMBER JUAN VARGAS

City of San Diego

MEMORANDUM

RECEIVED  
CITY CLERK'S OFFICE  
00 NOV 14 AM 10:49  
SAN DIEGO, CALIF.

DATE: November 14, 2000  
TO: Charles Abdelnour, City Clerk  
FROM: Council Member Juan Vargas  
SUBJECT: Notice of Resignation



---

On November 7, 2000, I was elected to represent the State of California's 79<sup>th</sup> Assembly District. Therefore, I would like this memorandum to serve as notification to you and other appropriate City officials that I am resigning as San Diego City Councilmember of the Eighth District effective December 4, 2000 at 12:00 p.m. I respectfully request that the Mayor and Council take immediate action to fill this council seat as soon as possible for the benefit of the constituents of District Eight.

While my tenure on the council comes to an end, I look forward to continuing to serve the public in the California Legislature. Thank you for your attention to this important matter.

cc: Honorable Mayor and Councilmembers