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## OFFICE OF THE CITY CLERK

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# REPORT

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**TO THE HONORABLE MAYOR AND CITY COUNCIL**

DATE: July 29, 2005

REPORT NO.: 05-08

SUBJECT: Calling a Special Election to Fill the Vacancies in Council Districts 2 and 8

### ISSUE

Shall the Council call a special election to be held on Tuesday, November 8, 2005 for the purpose of filling vacancies in the Office of Councilmember for Council Districts 2 and 8?

### BACKGROUND

Councilmembers Michael Zucchet and Ralph Inzunza filed letters of resignation with the City Clerk's Office effective July 25, 2005. Since there is over one year remaining in their term of office, City Charter Section 12 requires the Council to call a special election to fill the vacancies. According to Charter Section 12, the elections shall be held within 90 days of the vacancy, unless there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy. In this instance, there is a special statewide election scheduled to be held on November 8, 2005. The Mayoral run-off has been consolidated with the statewide election to be held on that date.

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 in accordance with Charter Section 12. 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 August 1, 2005, call for the special elections to be held in Council Districts 2 and 8 on Tuesday, November 8, 2005.

Special Election Council Districts 2 & 8  
July 29, 2005  
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The following schedule would apply:

		Days Prior to Election
Council calls Special Election	Monday, August 1, 2005	99
Nomination Period Opens	Tuesday, August 2, 2005	98
Nomination Period Closes	Friday, August 12, 2005	88
Election Day	Tuesday, November 8, 2005	0
Certification of Results and Assuming Office (If a candidate has received a majority vote)	Monday, December 5, 2005	(+27)

The estimated cost for these elections, if consolidated with the election on November 8, 2005, is \$100,000 for Council District 2 and \$50,000 for Council District 8. I hope this information is helpful. Should you have any questions, please feel free to contact me.

Report By:

  
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Joyce Lane  
Assistant City Clerk

  
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Liz Maland  
City Clerk

cc: City Attorney  
City Manager