



**OFFICE OF THE CITY CLERK**

**REPORT**

**TO:** Honorable Mayor and City Council                      **DATE:** November 17, 1992

**FROM:** Charles G. Abdelnour, City Clerk

**SUBJECT:** Calling Special Election to Fill Council Vacancy  
Item-S400, Council Docket of November 23, 1992

**ISSUE**

Shall the Council call a Special Election to be held on **Tuesday, February 16, 1993** for the purpose of filling a vacancy in the Office of Councilmember for Council District 8?

**BACKGROUND**

On November 3, 1992, District 8 Councilmember Bob Filner was elected to the U.S. House of Representatives.

On November 13, 1992, Councilmember Filner submitted to the City Clerk his resignation from the City Council, effective January 3, 1993 (attached).

Pursuant to City Charter Section 12, the Council is required to call a Special Election to be held in the District within ninety (90) days of the date of vacancy. The candidate receiving the greatest number of votes at the Special Election shall be deemed elected, and shall serve only until the next regular municipal elections -- in this case the municipal primaries and, if necessary, run-off elections for Districts 1,3,5 and 7 on September 21 and November 2, 1993, respectively -- at which time a person shall be elected in District 8 to serve the remainder of the unexpired term. That term will end following the next regular election for District 8 in September/November of 1995.

**OPTIONS**

The ordinance and resolution drafted and presented to you today calls for the Special Election to be held in District 8 on Tuesday, February 16, 1993. This represents the earliest practical date available for the Special Election. It is well within the ninety (90) days limit established by the Charter, and minimizes, as much as possible, the time between the incumbent leaving office and the swearing-in of his successor. The following schedule would apply:

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		<u>Days Prior to Election</u>
Council Calls Special Election	Monday, November 23	
Nomination Period Opens	Friday, December 11	-67*
Nomination Period Closes	Monday, December 28	-50*
(Date of Vacancy	Sunday, January 3	-44)
Close of Registration; Absentee Voting Begins	Tuesday, January 19	-28
Election Day	Tuesday, February 16	0
Certification of Results and Assuming Office	Monday, March 1	+13

(\*The Municipal Code establishes a 14-day nomination period for special elections to open on the 67th day before the election and close on the 53rd day. Because the closing date here falls on Christmas Day, the period would be extended to the following Monday, December 28th.)

It should be noted, however, that the Council is not compelled to call the Special Election on the earliest practical date; the Council has the discretion to call the election on any later date up to and including April 4, 1993, the 90th day after the January 3rd date of vacancy. Tuesday dates during this period are:

February 23  
March 2  
March 9  
March 16  
March 23  
March 30

If any of these later dates are chosen, the election schedule depicted above would, of course, be shifted accordingly.

I hope this information is of some assistance in your deliberations on this matter. If you have further questions, please contact Mikel Haas at x34030.

Sincerely,



Charles G. Abdelnour  
City Clerk

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SAN DIEGO, CALIF.

OFFICE OF COUNCILMEMBER BOB FILNER

City of San Diego

MEMORANDUM

DATE: November 13, 1992

TO: Honorable Mayor and City Council  
City Clerk  
City Attorney

FROM: Councilmember Bob Filner *Bob*

SUBJECT: RESIGNATION FROM COUNCIL

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As you know, I was elected on November 3, 1992 to the U.S. House of Representatives, 50th Congressional District. My term of office begins on January 3, 1993.

I, therefore, resign from the San Diego City Council effective January 3, 1993.

I am submitting this letter now in the hopes that a special election to fill the vacancy will be held as soon as possible and the period in which District 8 has no representative on the City Council will be minimized. Several current staff members will continue to serve the constituent needs of District 8 until a new Councilmember is elected.

I feel privileged to have been able to serve the people of District 8 and the City of San Diego for the last five years-- and to work with all of you on the Council.

I am now looking forward to the challenges of serving the people of the 50th Congressional District.