

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA DECLARING THE VACANCY OF THE  
OFFICE OF DISTRICT 3 CITY COUNCILMEMBER AND  
DECLARING ITS INTENTION TO APPOINT A PERSON TO  
FILL THE VACANT SEAT

WHEREAS, under the provisions of Chula Vista Charter Section 303(A), a vacancy occurs when a current office holder resigns from office, and the City Council shall declare by resolution the existence of any vacancy as soon as practicable; and

WHEREAS, District 3 City Councilmember Steve Padilla submitted a letter of resignation effective December 6, 2022, attached hereto as Exhibit 1, due to his recent election to the California State Senate; and

WHEREAS, the current District 3 City Councilmember term expires in December 2024, leaving more than one year but less than 25 months remaining in the term; and

WHEREAS, pursuant to Charter Section 303(C)(3), when a vacancy occurs with more than one year but less than twenty-five months remaining in term, the City Council may either appoint a person to fill the vacant seat or call a special election; and

WHEREAS, the City Council desires to appoint a person to fill the vacant seat; and

WHEREAS, although a new Redistricting Plan was approved in 2021, the boundaries for City Council District 3 adopted as part of the Districting Plan in 2015 will be applicable to fill this unscheduled vacancy as Charter Section 903(A)(2) states that a new Redistricting Plan with adjusted district boundaries is used commencing with the next scheduled primary municipal election (March 2024 for District 3); and

WHEREAS, under the provisions of Charter Section 303(C)(3), if the City Council is unable to make an appointment within 45 days of declaring the vacancy, the Council's power to appoint is terminated, and the Council shall call a special election pursuant to Charter Section 303(C)(3).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it does hereby declare the vacancy of the Office of District 3 City Councilmember and declare its intention to appoint a person to fill the Office of District 3 City Councilmember vacancy.

Presented by

Approved as to form by

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Kerry K. Bigelow, MMC  
City Clerk

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Glen R. Googins  
City Attorney