

ATTACHMENT 1

THE CHARTER
of the
CITY OF CHULA VISTA

Recommended by Charter Committee 1949. Approved by a special election, November 8, 1949, with a vote of 2068 YES to 1101 NO, presented to the House by Assemblyman Ralph R. Cloyd and to the Senate by Senator Fred H. Kraft. Ratified by the Legislature of the State of California on December 15, 1949.

WE, THE PEOPLE OF THE CITY OF CHULA VISTA, STATE OF CALIFORNIA, DO ORDAIN AND ESTABLISH THIS CHARTER AS THE ORGANIC LAW OF SAID CITY UNDER THE CONSTITUTION OF SAID STATE.

Latest amendments were approved by the electorate on June 5, 2012.

ARTICLE III. CITY COUNCIL.

Sec. 300. Members, Eligibility and Terms.

A. There shall be a City Council of five members, consisting of four Councilmembers and a Mayor, elected from the City at large at the times and in the manner provided in this Charter.

B. No person shall be eligible to hold office as members of the City Council unless they are residents of the City of Chula Vista, and at the time of their election or appointment, qualified electors of the City or of territory annexed thereto.

C. The term of each member of the City Council shall be for a nominal term of four years and shall commence on the first Tuesday of December of the year of the election, and shall continue until a successor qualifies. The term for the Mayoral seat and Council seats numbered one (1) and two (2) shall be deemed to commence on every fourth anniversary of the first Tuesday of December of 1990 and the term for Council seats numbered three (3) and four (4) shall be deemed to commence on every fourth anniversary of the first Tuesday of December 1988.

D. No person shall be eligible for nomination and election to the office of City Councilmember or Mayor for more than two (2) consecutive terms, and no person who has held a Council office for a period of two (2) consecutive terms or the office of Mayor for two (2) consecutive terms, may again seek nomination and election to said offices of Council or Mayor respectively until a period of one (1) year from the termination of the second term for Councilmember or Mayor has elapsed; provided, however, that any person who is appointed by the Council to fill the office of Council or Mayor may not seek nomination and election to said offices of Council or Mayor until a period of one year from the termination of the appointed term has elapsed. Said appointee shall be eligible to seek nomination and election for two (2) full terms thereafter. Any person elected in a special election for the balance of a regular term of Mayor and/or Council for a period of two (2) years or less may seek nomination and election for two (2) full terms thereafter.

E. Each Council seat shall be numbered one (1) through four (4) respectively. Persons seeking election to the City Council shall at the time of filing nomination papers, select one of said seats as the Council position for which they seek election.

F. Persons running for a Council office shall designate one of the two numbered Council seats as memorialized by resolution of the Chula Vista City Council on file in the office of the City Clerk. Should a vacancy occur at any time in a Council seat or seats, if said vacancy is to be filled by a special election as provided in Section 303 of the Charter, candidates for said vacancy shall similarly designate the appropriate numbered seat on their nominating paper.

Section 300 (continued)

G. Any person to be elected at a general municipal election for any numbered Council seat one through four or the office of Mayor for which nomination papers have been filed shall be deemed elected upon receipt of a majority of the votes cast for the particular seat or the office of Mayor at the election. If no candidate at such general municipal election receives a majority of the votes cast, there shall be a special runoff election, to be held on the same date as the statewide election date in November immediately following the general municipal election (if no statewide election is conducted, then on the first Tuesday after the first Monday of November of each even-numbered year), between the two candidates receiving the highest and second highest number of votes in the general municipal election for said seat or the office of Mayor, in order to determine the winner. By way of clarification, ties among the candidates receiving the two highest number of votes at the general municipal election shall be resolved by a special run-off election.

H. Any person to be elected at a special municipal election called to fill a vacancy pursuant to the provision of Section 303 for any numbered Council seat one through four or the office of Mayor, for which nomination papers have been filed, shall be deemed elected upon receipt of a majority of the votes cast for the particular seat or the office of Mayor at the election. If no candidate at such special election receives a majority of the votes cast, there shall be a special run-off election to be held on a date set by Council as soon after such special election as practical between the two candidates receiving the highest and second highest number of votes in such special election for said seat or the office of Mayor in order to determine the winner who shall be seated upon certification of the results of the election. By way of clarification, ties among candidates receiving the two highest number of votes at such special election shall be resolved by a special run-off election.

I. If one of the two eligible candidates dies on or before the ninetieth day prior to the special run-off election, his or her name shall not be placed on the ballot. The candidate receiving the third highest number of votes in the general municipal election for said seat or the office of Mayor shall be offered by the City Clerk, the opportunity to be placed on the ballot in lieu of the deceased. The City Clerk shall make the offer in writing immediately upon notification of the death. The candidate shall accept or reject in writing to the Clerk within five calendar days of receipt of the City Clerk's offer. If accepted, the special run-off election between the remaining candidate and the candidate receiving the third highest number shall be held. If rejected, there shall be no run-off election, and the remaining candidate shall be deemed elected as of the date of such death.

J. Any person to be elected at a special run-off election required under the provision of this section, shall be deemed elected upon receipt of the highest number of votes for the particular seat or the office of Mayor and shall be seated upon certification of the results of the election. Ties at such special run-off election shall be resolved by lot.