

RESOLUTION NO. 11321

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CALLING FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2021, FOR THE ELECTION OF ONE MEMBER OF THE CITY COUNCIL TO FILL A VACANCY IN DISTRICT 3 AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.

WHEREAS, a vacancy in the office of Member of the City Council, District 3, was created with the resignation of Councilmember Michael Alvarez effective March 8, 2021; and

WHEREAS, the term of office in which the vacancy occurs ends November 2024; and

WHEREAS, under the provisions of the laws relating to vacancies in General Law Cities in the State of California, if a Councilmember is not appointed to fill the vacancy, the City Council shall call a Special Election which shall be held at the next regularly scheduled election date which is on November 2, 2021.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORANGE DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Orange, on Tuesday, November 2, 2021, a Special Municipal Election for the purpose of electing one Member of the City Council, District 3, to fill the vacancy created by the resignation of Michael Alvarez for the remainder of the term of office expiring in November 2024.

SECTION 2. That the ballots to be used at the election shall be in a form and content as required by law.

SECTION 3. That the City Clerk is authorized, instructed and directed to coordinate with the County of Orange Registrar of Voters to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia necessary to properly and lawfully conduct the election.

SECTION 4. Vote Centers for the election shall be open at seven o'clock a.m. the day of the election and shall remain open continuously from that time until eight o'clock p.m. the same day when the Vote Centers shall be closed, pursuant to Election Code Section 4005(a)(3)(A), except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 5. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. That in the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the Registrar of Voters, the City Council, in accordance with Elections Code Section 15651 (b), shall conduct a special runoff election to resolve the tie vote and such special runoff election is to be held on a Tuesday not less than 40 days nor more than 125 days after the administrative or judicial certification of the election which resulted in a tie vote.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

ADOPTED this ____ day of _____, 2021.

Mark A. Murphy, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the ____ day of _____, 2021 by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Pamela Coleman, City Clerk, City of Orange