

TO: James L. App, City Manager

FROM: Meg Williamson, Assistant City Manager

SUBJECT: City Council Vacancy

DATE: December 2, 2014

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NEEDS: For the City Council to consider filling a vacant City Council seat.

FACTS:

1. Upon certification of the November 2014 general election results, the Paso Robles City Council will have one vacant seat.
2. Councilman Steve Martin ran unopposed for Mayor and will assume the full four (4) year term of the Mayoral seat. Consequently, he vacates his existing City Council seat "mid-term" (with 2 years remaining open on the 4 year term).
3. The vacancy may be filled by appointment or special election, or by appointment until a special election can be held.
4. The California Government Code requires that the City Council fill a Council vacancy by appointment or call a special election within 60 days of its occurrence.
5. The successor serves until the expiration of the predecessor's term; in this case, two years.
6. In order to hold the office of Councilmember, a person must be at least 18 years of age, a resident and a registered voter of the City.

ANALYSIS &  
CONCLUSION:

By majority vote, the City Council may appoint a new Councilmember for the remainder of the vacant seat term, or they may call for a special election. There are no special requirements of the appointee to hold office except those cited for any person seeking to hold similar elected office.

Should the Council choose to appoint a new Councilmember, they can do so at the December 2, 2014 meeting after making nominations. Alternatively, the Council could direct a process for identifying interested persons, deferring an appointment to a later Council meeting date (but not later than 60 days from December 2, 2014).

Should the council consider calling a special election, the earliest regularly established election date for a special election would be June 2, 2015. It is anticipated that this would be a stand-alone (not consolidated) election, whereby

the City would bear its full cost. The cost of a special election is estimated at approximately \$95,000.

The City Council may appoint or make the decision to call a special election immediately, or consider options for a period of up to 60 days following the date of election certification.

POLICY

REFERENCE: Government Code Section 36512 and 36502.

FISCAL

IMPACT: No costs are identified for a City Council appointment to the vacant term. If a Special Election is called for 2015, the cost is estimated at approximately \$95,000.

OPTIONS:

- a) For City Council to determine a selection process, and
  - 1) If a Special Election is the chosen methodology, to direct staff to engage election assistance to schedule and administer the election; or
  - 2) If Appointment is the chosen methodology, to:
    - i) Select an appointee and administer the Oath of Office; or
    - ii) Prescribe a process and schedule for selection of an appointee,
- b) Amend, modify, or reject the above option.