



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 9, 2010

TO: Mayor and Councilmembers

FROM: City Clerk's Office, Administrative Services Department

SUBJECT: Council Vacancy Appointment Process

RECOMMENDATION:

That Council approve the proposed process to fill the vacancy on the City Council resulting from the election of Councilmember Das Williams to the State Legislature.

DISCUSSION:

On November 2, 2010, Councilmember Das Williams was elected to the 35th State Assembly District. As a result, we're anticipating his resignation from the City Council effective midnight, Sunday, December 5, 2010, contingent on his being sworn into the State Legislature on December 6, 2010.

City Charter Section 503 states:

"...A vacancy on the City Council, or in the Office of Mayor, from whatever cause arising other than expiration of term or the election of a member of the City Council to the Office of Mayor, shall be filled by appointment by the City Council within thirty (30) days of the occurrence of such vacancy..."

To be eligible for appointment an applicant must meet the following criteria:

Section 501. Eligibility.

No person shall be eligible to hold office as Mayor or as a member of the City Council unless he is and shall have been a resident and qualified elector of the City for at least thirty (30) days next preceding the date of his election or appointment. The City Council shall judge the qualifications of its members as set forth by this Charter. (Approved by election held March 6, 1979.)

In order to meet the time parameters included in the City Charter, staff recommends that the City Council begin to take applications for this position and hold interviews on December 7, 2010, appoint by resolution an applicant on December 14, 2010, and administer the oath on the same date or at a time convenient to the new appointee. The person appointed would serve the remainder of Councilmember Williams' term through January 10, 2012. This schedule takes into consideration that most City offices will be closed from December 20, through December 31, 2010, due to the citywide furlough and holiday schedule, and that the City Council will not be meeting during this time.

PROPOSED PROCESS

- Announce the vacancy on November 9, 2010
- Invite eligible persons to complete and submit a basic application for appointment (attached) which would include a certification of eligibility and a resume or statement of qualifications
- Receive applications for appointment in the City Clerk's Office by close of business, Monday, November 29, 2010
- Provide applications of qualified applicants to the City Council as a part of the December 7, 2010 City Council Meeting Agenda
- Hold candidate interviews on Tuesday, December 7, 2010.
 - The order of interviews will be based on a random drawing conducted by the City Clerk
 - Each applicant interviewed will be given up to five minutes to summarize why they believe they should be appointed
 - Council may then ask the applicant questions
 - After questions, the applicant will be allowed a one-minute summation
- Receive public comment on this item at the conclusion of the interviews
- Appoint by resolution an applicant to replace Councilmember Williams on Tuesday, December 14, 2010
 - It is suggested that Council use the nomination process used to select members to Board and Commissions to make an appointment - with the appointment determined based on the affirmative vote of a Council majority
- Give Oath of Office on the date of the appointment decision is made or at a time convenient to the appointee, who would fill the remainder of the term through January 10, 2012

ATTACHMENT: Application for Appointment

PREPARED BY: Cynthia M. Rodriguez, City Clerk Services Manager

SUBMITTED BY: Marcelo A. López, Assistant City Administrator/Administrative Services Director

APPROVED BY: City Administrator's Office



SANTA BARBARA CITY COUNCIL APPLICATION FOR APPOINTMENT

Position: City Councilmember

Date: _____

Name: _____

Residence Address: _____

1. Include a statement as to why you are interested in this position and why you believe the City Council should appoint you. Please limit your response to no more than two typewritten pages.
2. Attach a copy of your resume or statement of qualifications. Please limit your resume or statement to no more than one typewritten page.
3. Section 501 of the City Charter stipulates the following eligibility criteria for appointment:

Section 501 Eligibility

No person shall be eligible to hold office as Mayor or as a member of the City Council unless he is and shall have been a resident and qualified elector of the City for at least thirty (30) days next preceding the date of his election or appointment. The City Council shall judge the qualifications of its members as set forth by this Charter. (Approved by election held March 6, 1979.)

4. The Political Reform Act of 1974 stipulates that the appointed Councilmember is required to file a Statement of Economic Interest.

I have read and hereby certify that I meet the eligibility criteria for appointment stipulated under the above City Charter Section 501 and will comply with all reporting requirements.

Signature

Date

ELIGIBLE CANDIDATES WILL BE INVITED FOR AN ORAL INTERVIEW BY THE CITY COUNCIL BEGINNING AT 6:00 PM, ON TUESDAY, DECEMBER 7, 2010.