



**AGENDA MEMORANDUM**  
for the City Council Meeting of May 16, 2017

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**DATE:** May 8, 2017

**TO:** Mayor and Council

**FROM:** Rebecca L. Huerta, City Secretary  
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<b>Discussion &amp; Consideration of Process to Fill a Vacancy in the Office of Council Member</b>
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**CAPTION:**

Discussion and consideration of the process to fill a vacancy in the office of council member.

**PURPOSE:**

The purpose of this item is to discuss the process to fill a vacancy in the office of council member.

**BACKGROUND AND FINDINGS:**

Article II, Section 13 of the City Charter provides that, in the event a vacancy exists in the office of council member, "the remaining members of the council by majority vote shall forthwith fill such vacancy by appointment of a new council member having the qualifications for such vacancy or vacancies as established by law, and the appointed council member shall hold office until the next regular city election and until his or her successor has been elected and qualified..."

The qualifications for the position of city council member are:

1. Must be a citizen of the United States;
2. Must be 18 years of age or older on commencement of the term to be filled;
3. Must not have been determined mentally incompetent by a final judgment of a court;
4. Must not have been finally convicted of a felony for which he/she has not been pardoned or otherwise released from the resulting disabilities;
5. Must have resided continuously in this state for the twelve (12) months and in the city for the six (6) months preceding the date of the deadline for filing for office; and
6. Must not owe delinquent taxes to the city.

**OTHER CONSIDERATIONS:**

Historically, an application process has been used to fill the vacancy. In 2016, the process included submission of an application packet consisting of the following items:

1. Application for Appointment to the City Council;
2. Report of Financial Information Form; and
3. Questionnaire.

These documents were reviewed by the City Council in executive session, the Council determined the finalists and conducted public interviews, and then made decisions in open session. Typically, the process has been completed in a three- to four-week period.

**DEPARTMENTAL CLEARANCES:**

Legal Department

**RECOMMENDATION:**

- 1) Appointment of an individual; or
- 2) Approval of a process to fill the vacant city council position, including a timeline setting the application deadline, a date to interview candidates and a date on which the final selection and appointment is made.

**LIST OF SUPPORTING DOCUMENTS:**

Sample Application Packet  
PowerPoint