

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: SUE GALLAGHER, CITY ATTORNEY
STEPHANIE WILLIAMS, CITY CLERK
SUBJECT: INTERVIEW AND APPOINTMENT PROCEDURES FOR CITY
COUNCIL VACANCY

AGENDA ACTION: MOTION / RESOLUTION

RECOMMENDATION

It is recommended by the City Attorney and the City Clerk that the Council, by motion, approve procedures for interview and selection of applicants for appointment to the City Council to temporarily fill the District 3 vacancy on the City Council.

EXECUTIVE SUMMARY

On December 14, 2021, Council Member Jack Tibbetts announced his resignation from the Council, effective December 21, 2021. His resignation creates a vacancy on the Council representing District 3.

Section 31 of the Santa Rosa City Charter provides that such vacancy shall be filled either (a) by appointment by the Council within 60 days of the vacancy, or (b) by the calling of a special election.

On December 21, 2020, City Council determined to proceed with an appointment process to temporarily fill the District 3 vacancy until a permanent replacement is elected by the District 3 voters in the November 8, 2022 election.

BACKGROUND

On December 14, 2021, Council Member Jack Tibbetts announced his resignation from the Council, effective December 21, 2021. His resignation creates a vacancy on the Council representing District 3.

Section 31 of the City Charter provides that such vacancy may be filled either (a) by appointment by the Council within 60 days of the vacancy, or (b) by special election. If filled by Council appointment, the appointee shall hold office until a successor is elected

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for the unexpired term at the next municipal election. The next municipal election will be held on November 8, 2022 and the election to permanently fill the vacancy representing District 3 will appear on the ballot in that election. The certification of the election and presentation are expected to occur in early to mid-December 2022.

On December 21, 2020, the City Council, at a special meeting, determined to temporarily fill the vacancy by an appointment process and approved the following steps as required by Council Policy. No. 000-23 – Procedure for Filling Council Vacancies:

1. Time Schedule: By motion, Council approved a schedule for the appointment, including (a) an application period opening January 5, 2022, at noon and closing January 19, 2022, at 5:00 p.m.; (b) an interview question submittal period opening January 5, 2022, at noon and closing January 19, 2022, at 5:00 p.m.; and (c) interviews to be conducted on February 8, 2022.
2. Applications: By motion, Council approved the application form as submitted.
3. Interviews Process: By motion, Council approved the interview process for interviews scheduled on February 8, 2022.

PRIOR CITY COUNCIL REVIEW

On July 19, 1988, the City Council, by Resolution No. 19000, adopted Council Policy No. 000-23, establishing procedures for filling council vacancies.

On July 10, 2007, the City Council, by Resolution No. 26891, amended Policy No. 000-23.

On January 15, 2013, the City Council, by Resolution No. 28224, amended Policy No. 000-23.

On December 21, 2021, the City Council, by motion as outlined above, determined to fill the vacancy by an appointment process; and approved the necessary steps to establish the interview process.

ANALYSIS

As moved by the City Council, the application period opened January 5, 2022, at noon and closed on January 19, 2022, at 5:00 p.m. The application packet required the following documents be filed with the City Clerk:

1. Application - including a statement of background, a statement of qualifications and a statement of why the application wishes to be appointed. In addition, the form asked nine additional questions, questions that mirror those asked in

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- connection with prior Council vacancies.
2. Nomination Paper - signed by at least 20 registered City voters.
 3. Statement of Economic Interests (Form 700)

The period for the public to submit interview questions for Council consideration opened on January 5, 2022, at noon and closed on January 19, 2022, at 5:00 p.m. No questions were submitted.

Six application packets were issued, and six completed applications were submitted by the deadline. Following verification by the County Registrar of Voter's Office for voter registration of the applicants and those who signed the Nomination Papers submitted, the six qualified applicants are now presented for the City Council's consideration.

Per Council Policy No. 000-23, Council members may each ask questions during the interview. Each interview will be limited to a maximum of 25 minutes and include the following components:

1. Applicant Opening Statement (3-minutes)
2. Council Member Questions to Applicant (3-minutes per council member)
3. Applicant Closing Statement (1-minute)

The order of the interviews is as follows:

25 min interview 4:15 pm		Applicant Name
1	4:15	David "Alex" Shantz
2	4:45	Dianna MacDonald
3	5:15	James DeVore
4	5:45	Melanie Nacouzi
5	6:15	Christopher Miller
6	6:45	Michael Stanford

At the conclusion of all interviews, and in accordance with Council Policy No. 000-23, Council will vote through a process of elimination to fill the Council vacancy. Each Council member will vote for three applicants in the first round of voting. Applicants who receive one or fewer votes will be eliminated.

After the first round, two additional rounds of voting will occur. Each Council member will cast one fewer vote each round, until, in the third and final round, each Council member will vote for just one applicant. The applicant receiving four or more votes in that final round will be appointed, by resolution, to fill the Council vacancy representing

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District 3.

FISCAL IMPACT

Advertisement of the City Council vacancy had estimated costs of approximately \$1,500.

ENVIRONMENTAL IMPACT

Not applicable.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

The City Council vacancy was advertised through the following:

- The City's website
- The City Connection Newsletter
- Facebook
- NextDoor
- Twitter
- Print advertisements in the Press Democrat
- Press Release

ATTACHMENTS

- Attachment 1 – Council Policy 000-23
- Attachment 2 – Applications
- Resolution

CONTACT

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