




Agenda Item No: 7.a
Meeting Date: December 7, 2020

SAN RAFAEL CITY COUNCIL AGENDA REPORT	
Department: City Clerk	
Prepared by: Lindsay Lara, City Clerk	City Manager Approval: 

TOPIC: CITY COUNCIL VACANCY

SUBJECT: RECOMMENDATION TO CALL FOR APPLICATIONS TO FILL A VACANCY ON THE CITY COUNCIL

RECOMMENDATION:

Call for applications to fill a vacancy on the City Council to December 2022.

BACKGROUND:

City Councilmember Kate Colin, who was elected at-large in November 2017 to a term of office that was set to expire December 2022, was elected to the Office of San Rafael Mayor at the November 3, 2020 general municipal election. Her election as Mayor of San Rafael will create a vacancy on the City Council, and per Article VI, Section 6 of the Charter of the City of San Rafael, the City Council shall fill the vacancy within 60 days by appointment, and if it fails to do so it shall immediately call for a special election to do so. Per the Charter, since this vacancy has occurred in the third year of the five-year term, the appointment or election term would be for the remainder of the unexpired term to December 2022.

On [January 16, 2018](#), the City Council met concerning whether the City should change to a district-based election system, the City Council voted unanimously on January 16, 2018 to adopt Resolution No. 14453, expressing the City Council’s intention to transition to district-based elections for the City’s four City Council seats, starting with the election of November 3, 2020. On [April 16, 2018](#), the City Council adopted Ordinance No. 1956 which, among other actions, established four single-member City Council Districts and determined that Councilmembers from Council Districts 3/East and 2/West would be elected beginning at the General Municipal Election in November 2022, and every four years thereafter.

While Councilmember Kate Colin resides in Council District 2/West, the vacancy created by her election as Mayor is not required to be filled by a resident of that District. Since Councilmember Colin was elected at-large in 2017, her entire term is at large, therefore anyone who lives in the City of San Rafael is eligible to apply to fill her vacant seat for the remainder of that term.

_____ **FOR CITY CLERK ONLY** _____

Council Meeting: _____

Disposition: _____

However, any candidate running for this seat in the next General Municipal Election in November 2022 will only qualify to run if they reside in District 2/West at that time.

ANALYSIS:

The Council has broad authority to appoint an individual to fill the vacancy after deliberation and a majority vote of the Council, or they may call a special election to fill the vacancy on the City Council. Staff recommends the City Council call for applications and make an appointment to the City Council given that an at-large special election will cost the City approximately \$238,000 - \$340,000, due to the election being at-large, and due to the election not being consolidated with other cities, districts or the State of California, to share the costs of the election.

The last two times the Council was faced with making this type of appointment were in January 2013 and December 2014, and both times, the Council interviewed all applicants at a special meeting. In preparing for this vacancy, staff took the opportunity to enhance the application from our last City Council vacancy in 2014 (attached) to better assist the City Council in making a determination regarding who should be appointed to fill the vacancy on the City Council. In addition to the application, candidates will be asked to provide a resume.

The following is a proposed timeline that could be followed for this process:

Action	Date
Application deadline	5pm on December 29, 2020
Interviews held and appointment made	Week of January 25
Appointment Deadline	February 5, 2020

FISCAL IMPACT:

There is no fiscal impact associated with the recommended action of this agenda item. However, if the City Council was to not approve staff's recommendation, and opt to direct staff to return with a resolution calling a special election, the fiscal impact would be estimated between \$7.00 - \$10.00 per registered voter, and there is a total of about 34,000 voters, resulting in costs totaling between \$238,000 - \$340,000, according to the Registrar of Voters Office. The costs have not been appropriated in the budget. Additionally, the deadline for calling a special election for March 2021 was December 4, 2020, which was infeasible due to it being prior to the election certification, so the next special election date would be November 2021. The City Council could opt to appoint a person to fill the vacancy to November 2021, but an election at that time would also have the same estimated cost and would only be in place for one year.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Approve staff recommendation to recruit for applications to appoint a new councilmember
2. Do not approve staff's recommendation, and request staff to return with a resolution calling a special election

RECOMMENDED ACTION:

Approve call for applications to fill the vacancy on the City Council.

ATTACHMENTS:

1. Application



SAN RAFAEL
THE CITY WITH A MISSION

City Clerk's Office

1400 Fifth Avenue, Room 209
San Rafael, CA 94901

APPLICATION FOR VACANT CITY COUNCIL POSITION

(Application must be submitted by Noon on December 29, 2020)

NAME: _____
Last First Middle

STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

Contact Information:

PHONE: Home _____ Work/Cell _____ E-mail _____

What district do you live in? _____

- 1. Attach a resume outlining your educational background and experience

Using 200 words or less, highlight your relevant knowledge or skills that you will bring to the City Council:

Empty box for highlighting relevant knowledge or skills.

Have you ever served as a member of a San Rafael Board, Commission or Committee? If yes, please specify which Board(s), Commission(s) and/or

Committee(s): _____ Length of Service
Name _____

Four horizontal lines for providing details of service.

**Office of the City Clerk
Application for Vacant City Council Position
City Council Appointment**

Applicant Questionnaire

Please Limit Your Answers to the Following Questions to no more than 250 words

1. Have you attended and/or participated in any civic meetings? If so, which ones and describe your participation.

2. What do you consider to be the top 3 to 5 significant issues/priorities currently facing the City of San Rafael and why are they the most significant? What are your thoughts about how to address these issues?

3. Name a specific City of San Rafael issue of special interest to you (other than the issue described in your response to question #2. Tell us what suggestions you have for addressing it.

4. What do you believe is the most important contribution you can make as a member of the City Council? What strength do you think you would bring to the City Council team?

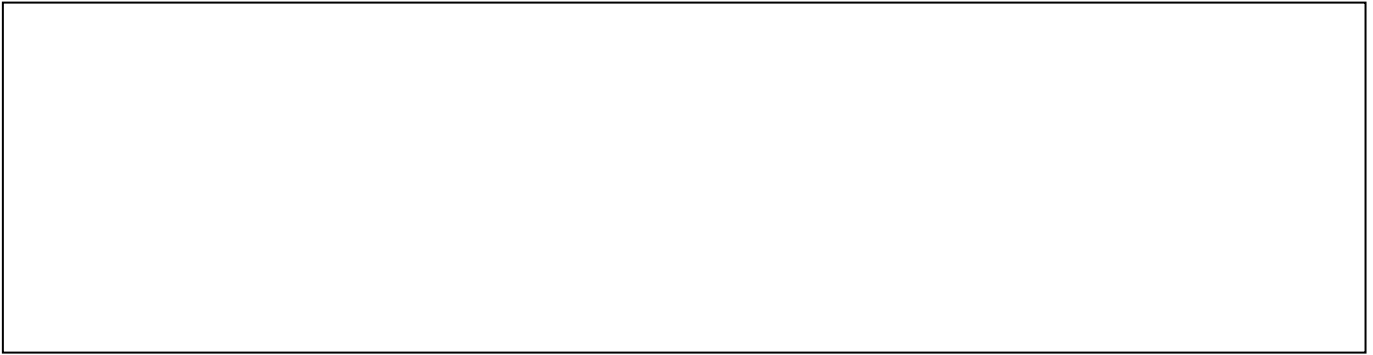
5. Give an example of how you would resolve a situation where your personal philosophy is at odds with what is best for the City.

6. Please share your thoughts on the following topics related to the City of San Rafael:

a. Housing/Homelessness

b. Economic Recovery

c. Climate Change/Sustainability



d. Racial Justice



e. City Finances



f. Transportation, Transit, and Traffic



7. Why do you think you are the most qualified candidate to be appointed to the City Council?

I declare under penalty of perjury under the laws of the State of California that I am a resident of the City of San Rafael, California, registered to vote in the City of San Rafael, and that all information stated in this application and all attached pages are true, correct and complete. I also acknowledge that if appointed, I will be subject to filing a Form 700 Statement of Economic Interest.

Signature of Applicant

Date

Please submit this application and supporting documentation to the San Rafael City Clerk's Office by 5:00 p.m. on Tuesday, December 29, 2020. Applications received by the City will become public records that may be subject to public disclosure. Except for the name of the applicant, the City will treat applications as confidential to the extent allowed by law until the close of the application deadline.

City Clerk's Office
1400 Fifth Avenue, Room 209
San Rafael, CA 94901

For office use only:

Staff has verified that the applicant is a registered voter in the City of San Rafael