

MEMORANDUM CITY MANAGER'S OFFICE

DATE:

Friday, January 27, 2012

TO:

Mayor & Council

FROM:

Kevin Burke, City Manager

Rosemary Rosales, City Attorney

Margie Brown, City Clerk

REGARDING:

Discussion regarding filling a Council vacancy

We have received an email from Councilmember Babbott that he plans to submit his formal resignation to Council on January 31, 2012. By Charter,

"The Council, by a majority vote of its remaining members, shall, within thirty-one (31) days, fill the vacancies in its own membership, and in the office of Mayor, for the unexpired terms."

Councilmember Babbott's term is set to expire in June of 2014. While this is more than two years, the nomination period for filling the term at the next succeeding election has passed. Therefore, you will be appointing a member to fill the remainder of his term.

Below, staff has outlined a suggested procedure for filling this vacancy within the required 31 days.

Suggested Timeline

Day 1 (January 31) – Special Council meeting to accept Councilmember Babbott's resignation. Discussion by Council regarding process for filling vacancy.

Key Decision Point: 1) Are there specific questions you would like on the application? 2) What sort of advertising, if any, do you desire to alert people that you are accepting applications? 3) Determine if you are going to interview all candidates, or do some prescreening based upon the application. Perhaps set a number. If five or more applications, pre-screening, otherwise, interview all candidates. 4) Do candidates who have turned in a petition for election need to apply for this vacancy or will they automatically be considered? We can use the Board and Commission Application Form but simply title it

"City Councilmember Application" and candidates are required to submit a cover letter, the application with the questionnaire, and a resume. In the past, the Council has prepared a questionnaire as an actual part of the application relating to candidate stances on future, current, and immediately past major community issues. Also, each Councilmember provided two questions to the interview questionnaire, thus keeping it to twelve questions. We also began soliciting local organizations like FFF, the Chamber, NABA, for questions that they would like the Council to ask the applicants in an interview. They were given a date certain to provide the questions.

Day 7 (Monday, January 6) – Begin accepting applications in the Clerk's office. Commence any advertising.

Key Decisions: How do you want to be alerted as to application submittals?

[Note – Council Budget Retreat, Thursday, February 9 or Day 10]

Day 16 (Wednesday, February 15) – Applications close precisely at 5:00 p.m..

Day 17 (Thursday February 16) – Applications are copied and packet created and delivered to each Councilmember for review.

Day 22 (Tuesday, February 21) – Determine interview questions. Conduct any pre-screening of applicants if decided. Announce candidates for Interview at 5:30 p.m. Council meeting.

Key Decisions: E-session versus public meeting. Currently Boards & Commission candidates are vetted in e-session. Prior Council vacancies were deliberated in e-session and interview questions were decided in e-session.

Day 28 (Monday, February 27) – Special Meeting. Interview of Candidates. In Public **Key Decision:** 1) Format of Interview. Previously, candidates were given a fixed amount of time to introduce and present themselves, and then went around the table and asked two questions apiece based upon list created. 2) Deliberation of candidates. In e-session or in public. 3) Selection of finalists for second interview (if desired) in public. Suggest use parliamentary procedure and select finalists [e.g. "I move that xyz be selected as a finalist." Get second, deliberate, get 4 votes].

Day 29 (Tuesday, February 28) – Conduct Final interviews of finalists. Select new Councilmember

Day 31 (Thursday, March 1) – Swear in new Councilmember. Does not occur during special meeting but likely the Judge in the Clerk's office.

Kevin Burke