



CITY COUNCIL VACANCY

May 22, 2025



Background

- Government Code 36512 defines options about how to fill a vacancy on City Council
 - Special Election; or
 - Appointment

- Council must either appoint a successor to vacant seat or call a special election no later than 60 days from commencement of vacancy, pursuant to Government Code Section 36512 (b).
 - July 7th deadline



Background

- Person who fills vacancy will serve through December 2026
- Under State law, must meet requirements of regularly elected officials
 - Resident of Capitola
 - Registered voter
 - 18 years of age



Special Election

- Special Election can be held at any time (<114 days from regular election)
- Cost: \$49,189 to \$56,216
 - ▣ \$7 to \$8/voter (7,027 voters)
- If Council wishes to call Special Election, staff will return with required resolutions and a budget amendment



Appointment

- No statutory requirements define a specific process for how to appoint a successor. Does require majority vote of Council
- Examples:
 - ▣ Use same or similar process as January vacancy; accept applications from public for a week or two; utilize same questions and form as prior vacancy; and review and select successor at June 12th meeting.
 - ▣ Use applications from prior vacancy in January 2025. Staff would need to contact applicants to determine if still interested.
 - ▣ Select individual who received next highest number of votes from November 2024 election.
 - ▣ Designate an alternative selection process



Recommended Action

1. Direct staff to prepare documentation to call for special election, or
2. Outline an appointment process to fill vacancy