

Capitola City Council

Agenda Report



Meeting: January 16, 2025

From: City Manager's Department

Subject: Appointment to Vacant City Council Seat

Recommended Action: Receive a report regarding the interview process to fill the City Council vacancy and consider rescheduling the interviews to January 27, 2025.

Background: On January 3rd, Mayor Yvette Brooks announced her resignation from the City Council effective January 15, 2025. The requirements to fill a vacancy on City Council are defined by Government Code Section 36512.

Section 36512(b) states if a vacancy occurs in an elective office, the Council shall, within 60 days from the commencement of the vacancy, either call a special election to fill the vacancy or fill the vacancy by appointment.

At the January 9, 2025, meeting, the City Council declared a vacancy to fill Mayor Brooks' City Council seat. The City Council directed staff to invite the two remaining candidates from the November 5, 2024, General Municipal Election, Enrique Dolmo Jr. and Margaux Morgan, to be interviewed on January 16, 2025.

Staff reached out to both candidates. Margaux Morgan was not available to attend the January 16th interview, due to a previously scheduled conflict.

Discussion: Staff recommends rescheduling the interviews to January 27, 2025, at 5:00 PM (or an alternate date) to allow for participation from both candidates. Originally, City Council was scheduled to hold a strategic planning workshop from 2-6 PM that day, however, due to the vacancy, Council may wish to repurpose that meeting date.

Staff will prepare potential questions for the City Council to use in the interviews based on suggested interview questions from individual Councilmembers, best practices, and legal review. The special meeting will include an opportunity for public comment. Staff recommends Council conclude that meeting by appointing one of the two candidates by a motion and vote and schedule the swearing-in ceremony for the January 30th regularly scheduled City Council meeting.

The Council must either appoint a successor to the vacant seat or call a special election no later than 60 days from the commencement of the vacancy, pursuant to Government Code Section 36512 (b). This appointment deadline is March 14, 2025, following the commencement of the vacancy on January 15, 2025.

Fiscal Impact: There would be no fiscal impact to appoint a replacement Councilmember to fill the vacancy. The current adopted budget does not include funding for a special election. Should Council direct staff to prepare documentation for such an election, staff would work with the County Clerk to determine estimated election costs and prepare a budget amendment.

Attachments: Public Comments (Received after publication of January 9th Agenda)

Report Prepared By: Julia Gautho, City Clerk

Reviewed By: Samantha Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager