



# CITY COUNCIL VACANCY

January 9, 2025



# Background

- Government Code 36512 defines how to fill a vacancy on the 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).
  - March 13<sup>th</sup>



# Background

- Person who fills vacancy will serve through December 2026
- 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
- 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. Majority vote
- Examples:
  - ▣ Applications from public, optional interviews, appointment
  - ▣ Selecting individual with next highest # of votes from most recent election
  - ▣ Nomination of candidates, full Council to vote on appointment



# Recommended Action

- Staff recommends the City Council discuss the options to fill the vacant City Council position left by Mayor Yvette Brooks, and either 1) direct staff to prepare documentation to call for a special election or 2) outline an appointment process to fill the vacancy.