



STAFF REPORT

May 27, 2026

TO: Honorable Mayor and City Council Members

FROM: Gabriel A. Gonzalez, Interim City Manager

PREPARED BY: Ryan Guiboa, City Attorney

SUBJECT: Consideration of Filling Council Vacancy

RECOMMENDED ACTION:

Discussion and further direction to fill the Council vacancy.

BACKGROUND:

On May 13, 2026, the City Council provided direction to fill the vacant seat on the City Council by directing the City Clerk to advertise the vacancy by way of an application process. Council approved the open application period to run from May 14th through May 26th at 5:00 p.m. Staff will provide an update on the application process, including the number of applications received by the City.

By way of background, on April 22, 2026, a vacancy was created on the City Council due to Mayor Pro Tem Dr. Frank Figueroa's appointment to Mayor. The Council must act within 60 days of the effective date of the vacancy to determine whether to fill the Council seat by appointment or to call a special election.

A. APPOINTMENT PROCEDURES

If the Council decides to fill the vacancy by appointment, Council may appoint an eligible resident by majority vote (three affirmative votes) within the 60-day period, or before June 22nd. Council may wish to nominate an eligible resident for appointment and may make such nomination for appointment at this Council meeting. Alternatively, the Council may adopt more formal procedures to fill the vacancy, which could include directing the City Clerk to advertise the vacancy, establish an application process, and provide Council with the opportunity to interview candidates for consideration and appointment. A sample application is attached for Council consideration. The level of formality is up to Council, provided the Council takes action within the 60-day period.

The vacant City Council seat has a term through November 2026. Any appointed resident will serve only until November 2026. At that time, the Council seat will stand for election for a new four-year term at the November 3, 2026 General Municipal Election.

B. SPECIAL ELECTION PROCEDURE

The statute provides that the Council may technically call a special election to fill the vacancy in lieu of appointment. If a special election is called, it must normally be held on the next regularly established election date not less than 114 days from the call of the election, consistent with Elections Code section 1000. However, the next regularly established election date is also the scheduled General Municipal Election on November 3, 2026. Thus, at this late date, any possible special election will simply be absorbed into the currently scheduled General Municipal Election, so no separate special election need be called. For practical purposes, if the Council does not appoint to fill the vacancy, the seat will simply remain vacant until filled by the November 3, 2026 General Municipal Election.

FISCAL IMPACTS

There is nominal staff and material cost for Council to fill the vacant seat by an appointment application process.

CONCLUSIONS AND RECOMMENDATIONS

Staff seeks Council direction on next steps, including interest in potential interviews of the candidates who submitted an application.