



## STAFF REPORT

June 5, 2026

**TO:** Honorable Mayor and City Council Members

**FROM:** City Attorney

**SUBJECT:** Interviews of Applicants and Potential Action to Fill Council Vacancy

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### **RECOMMENDED ACTION:**

Interview residents who submitted an application to fill the Council vacancy and consideration of potential action to fill the vacant seat on Council.

### **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 14<sup>th</sup> through May 26<sup>th</sup> at 5:00 p.m.

On May 27, 2026, staff informed Council that ten residents submitted applications to fill the vacant seat on the City Council. Council provided direction to staff to schedule interviews of the ten candidates. All ten candidates confirmed their availability for in-person interviews. Council may fill the vacancy by appointment at this meeting.

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 22<sup>nd</sup>. 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 recommends Council interview residents who submitted an application to fill the Council vacancy and consider potential action to fill the vacant seat on Council.

## **ATTACHMENTS**

1. Applications to Fill Council Vacancy