



CITY OF ORLAND STAFF REPORT
MEETING DATE: May 5, 2026

TO: Honorable Mayor and Council
FROM: Scott G. Drexel, City Attorney
SUBJECT: **Appointment to Fill City Council Vacancy and Administration of Oath of Office**

BACKGROUND:

On March 18, 2026, Council Member Matt Romano resigned from the Orland City Council, effective that same date. Mr. Romano's resignation created a vacancy on the Council with an unexpired term ending December 31, 2026.

Pursuant to California Government Code section 36512(b), when a vacancy occurs on a city council, the Council must, within 60 days of the commencement of the vacancy, either (1) fill the vacancy by appointment or (2) call a special election to fill the vacancy. A person appointed or elected serves for the unexpired term of the former incumbent.

Because the vacancy commenced on March 18, 2026, the 60-day statutory period within which the Council must act expires on May 17, 2026. If the Council does not fill the vacancy by appointment on or before that date, it must call a special election. This May 5, 2026 meeting is the Council's regular meeting falling within that window and is intended to allow the Council to act on the appointment in advance of the statutory deadline.

The City Council has elected to proceed by appointment. The City Clerk solicited applications from qualified electors of the City and received three applications, listed alphabetically:

- Wade S. Elliott
- Dennis Glen Hoffman
- William A. (Billy) Irvin

Redacted copies of each application are attached to this report.

SUGGESTED PROCESS FOR INTERVIEWS AND APPOINTMENT

To ensure a fair, orderly, and transparent process, staff recommends that the Council conduct the interviews and appointment as follows. The process is offered as a suggested framework only; the Council retains full discretion to modify any portion of it.

1. Introduction by the Mayor (≈ 2 minutes).

The Mayor opens the item, briefly explains that the Council is filling the vacancy by appointment under Government Code section 36512, and outlines the process below so that the applicants and the public understand what to expect.

2. Order of Interviews and Sequestering (≈ 1 minute).

Applicants will be heard in alphabetical order by last name (Elliott, Hoffman, Irvin). Applicants not currently being interviewed are asked to remain outside the Council Chambers so each interview is conducted independently.

3. Opening Statement by Each Applicant (≈ 3 minutes per applicant).

Each applicant is invited to address the Council with a brief opening statement describing their background, qualifications, and reasons for seeking appointment. The Mayor (or City Clerk acting as timekeeper) will signal when 30 seconds remain.

4. Questions from the Council (≈ 8 minutes per applicant).

Each Councilmember may ask questions of the applicant. To promote fairness, staff recommends that the Council pose the same core questions to each applicant, so that each applicant is evaluated on a comparable record. The Council is, of course, free to add, remove, or revise questions, and individual Councilmembers may also ask follow-up questions tailored to the particular applicant within the time allotted. A list of suggested core questions is provided below.

5. Public Comment (3 minutes per speaker).

After all three interviews are complete, the Mayor opens the item for public comment limited to the appointment. Comments are limited to three minutes per speaker, consistent with the Council's standard public-comment rules.

6. Council Deliberation

The Council deliberates in open session. Councilmembers may state their preferences and the reasons for them on the record.

7. Motion and Vote.

A Councilmember makes a motion to appoint a specific applicant. The motion is seconded and voted on by roll call. Appointment requires the affirmative vote of a majority of the remaining members of the Council. If the first motion does not receive a majority, additional motions may be made for the other applicants. The Council may also recess briefly for further deliberation if needed.

8. Administration of Oath and Seating.

Upon a successful appointment, the City Clerk administers the oath of office to the new Councilmember, who is then seated at the dais and may participate in the remainder of the meeting.

SUGGESTED CORE QUESTIONS

The following questions are offered as a starting point to help ensure that each applicant is asked a uniform, comparable set of questions. The Council is not bound by this list and may add, omit, or

rephrase any of the questions, or develop its own. Staff suggests, however, that whatever questions the Council selects be posed uniformly to each applicant, with follow-up questions reserved for individualized inquiries.

1. Briefly describe the experience, background, or perspective you would bring to the City Council, and explain why you are seeking this appointment.
2. What do you believe are the most important issues currently facing the City of Orland, and how would you approach them during the remainder of the term?
3. How do you view the relationship between the City Council, the City Manager, and City staff, and how would you operate within that relationship?
4. Describe your approach to decision-making when constituents, fellow Councilmembers, or staff hold differing views on a matter before the Council.
5. Are you able to commit the time required for regular and special Council meetings, committee assignments, and the preparation involved, through the end of the term on December 31, 2026?
6. Is there anything else you would like the Council to know that has not already been addressed in your application or your responses today?

IF NO MAJORITY IS REACHED

If the Council is unable to reach a majority on any applicant at this meeting, the item may be continued to a subsequent meeting, provided the appointment is made on or before May 17, 2026. If no appointment is made within the 60-day statutory period, Government Code section 36512(b) requires the Council to call a special election to fill the vacancy.

FISCAL IMPACT

None associated with the appointment itself. Filling the vacancy by appointment avoids the cost the City would otherwise incur to conduct a special election.

ATTACHMENTS

1. Application — Wade S. Elliott (redacted)
2. Application — Dennis Glen Hoffman (redacted)
3. Application — William A. (Billy) Irvin (redacted)

RECOMMENDATION

That the City Council: (1) conduct interviews of the three applicants for the City Council vacancy in accordance with the suggested process outlined below; (2) by motion and majority vote of the remaining members of the Council, appoint one of the applicants to fill the vacancy for the remainder of the unexpired term ending December 31, 2026; and (3) direct the City Clerk to administer the oath of office to the appointee.

RECOMMENDED MOTION

"I move to appoint [Applicant Name] to fill the vacancy on the Orland City Council created by the resignation of former Council Member Matt Romano, for the remainder of the unexpired term ending December 31, 2026, and to direct the City Clerk to administer the oath of office."