

# Councilmember Vacancy

June 11, 2019

By

City Attorney John Cavanaugh

City Manager John Moreno



# Councilmember Vacancy

- Councilmember Martinez: Retirement effective June 7, 2019
- If desire is to fill seat, options in State Law pertaining to vacancy on City Council
- Options: 1) Special Election  
2) Appointment

# Deadline

Deadline for Council to fill the seat or call for an election:

- 60 days (from date of vacancy) = August 6, 2019

# Councilmember Vacancy: Options

## OPTION 1: Take No Action

- Position remains vacant until March 2020 General Municipal Election
- Scenarios:
  - Any tie votes would result in no action taken
  - Any urgency ordinance presented would require an affirmative vote of ALL Councilmembers, rather than 4 out of 5 (occurred 9 times in 3 years)
  - Should 2 Councilmembers be unavailable at a Council meeting, no action can be taken as a quorum would not be established (occurred 2 times in 3 years)

# Councilmember Vacancy: Options (cont.)

## OPTION 2: Hold a Special Election

- Call for a special election; must be called no later than August 6, 2019
- Special Election Date: November 5, 2019
- Considerations:
  - Timing -- Anticipated swearing into office date: December 3, 2019. Term = 3 months
  - Cost -- \$287,000



Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

June 6, 2019

Lana Chikami, City Clerk  
City of Paramount  
16400 Colorado Avenue  
Paramount, CA 90723

**ESTIMATED COST FOR THE NOVEMBER 5, 2019 LOCAL AND MUNICIPAL ELECTIONS**

Dear Ms. Chikami:

As requested, the estimated cost for the City of Paramount to participate in the November 5, 2019 Local and Municipal Elections with one office is \$287,000.

The estimated cost is based on the following voter counts: 22,955 registered voters and 10,530 permanent vote-by-mail voters. **Any changes in the election factors will impact the final costs for your jurisdiction.**

If you have any questions regarding this estimate, please contact Henrietta Willis-Kendall of my staff at (562) 462-2690.

Sincerely,

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

MARGARET PALACIOS, Manager  
Fiscal Operations

# Councilmember Vacancy: Options (cont.)

## OPTION 3: Appointment

- Fill vacancy by appointment; no later than August 6, 2019
- Appointment must be made in public
- No legal requirement regarding method of appointment

# Methods to Appoint

Appointment: Two Methods to Consider

1. Motion to Appoint
2. Application Process



## Motion to Appoint

- Councilmember may make a motion to appoint a specific individual
- Must be seconded and approved by at least three votes

# Application Process

- Call for interested persons to submit applications
- May include submittal of nomination paper and statement of qualifications, and oral presentation at a meeting
- Determine: 1) deadline for submittal of applications and 2) meeting date for review of applications
  - Would need to act quickly to meet August 6<sup>th</sup> deadline

## Application Process (cont.)

- Remaining Term: 8 ½ months
- May consider pool of residents with experience, familiarity, and knowledge of Paramount city government – Commissioners
- 5 City Commissions with 5 members on each
  - Pool of 25 residents

## Recommended Action

- Consider the options to fill the vacancy and provide direction to staff
  - Take no action
  - Hold a special election on November 5, 2019
  - Make an appointment by August 6, 2019

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