

REPORT

**To the Honorable Mayor and City Council
From Subcommittee Council Members Bain, Foust and Howard**

December 13, 2004

Subject

Process for Filling of City Council Vacancy Created by Ira Ruskin's Election to State Assembly

Background

At the Presidential General Election of November 2, 2004, Redwood City Council Member Ira Ruskin was elected to the California State Assembly. As Mr. Ruskin, as a newly-elected member of the California Legislature, was sworn into office on December 6, 2004, a vacancy has been created on the City Council beginning December 7, 2004.

Redwood City Charter Section 9 with respect to vacancies provides: "Any vacancy occurring in the Council shall be filled by appointment by the remaining council members; but in the event that said remaining council members fail to fill such vacancy by appointment within 60 days after such vacancy occurs, they must immediately cause an election to be held to fill such vacancy; provided, however, that any person appointed to fill such vacancy shall hold office only until the next regular election, at which date a person shall be elected to serve for the remainder of such unexpired term."

The City Charter does not establish a process for making appointments; therefore, this process is at the discretion of the Council. In surveying San Mateo County cities and the County itself for information on their appointment processes, various options were used. In fact, agencies with more than one vacancy handled it differently each time, as has Redwood City. The subcommittee reviewed recent appointments made by the following agencies:

- City of Redwood City
- City of San Carlos
- City of South San Francisco
- City of San Mateo
- County of San Mateo

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Based on this research, the subcommittee proposes that the Council choose between the following three options:

1. Advertise for letters of intent, to be postmarked no later than December 30, 2004. Letters would be a maximum of two-pages with an additional biography. Applicants would be scheduled for a three minute presentation.
2. Appoint a Redwood City former Mayor or Council Member who would serve only until November, but does not intend to run in the November 2005 election.
3. Appoint the next highest vote getter from the City Council Election of November 4, 2003.

Recommendation

In exploring all the options, the subcommittee felt that Option No. 1 was the preferred process. By selecting Option 1 and making an appointment prior to February 4th, the Council would avoid the cost incurred in holding a Special Election. Costs for a Special Election are estimated at: \$3 per voter, or \$99,870.00 (based on 33,290 registered voters).

In regards to letters of intent, the subcommittee felt that a few guidelines should be established as follows:

- Letter to be a maximum of two pages
- A separate personal/professional biography should be attached to letter
- Letter to contain history or background of community service
- Letter to explain current or future plans regarding serving on a board, committee or commission and/or an elected office
- Letter to explain the challenges, in the applicant's view, which may be facing Redwood City in the coming years

If the Council accepts the subcommittee recommendation for Option 1, the following timeline is suggested:

- December 7: Vacancy has officially occurred
- December 13: City Council decides process of filling vacancy
- December 14: Press release is issued on process
- December 30: Letters of intent submitted to City Clerk's office must be postmarked by this date
- January 10/17/24: Three minute presentations to Council during scheduled Council meeting
- Appointment made on January 24/31 (January 31 would need to be scheduled as a Special Meeting in light of it being the fifth Monday).


Council Member Ian Bain
Subcommittee Member


Council Member Rosanne Foust
Subcommittee Member


Council Member Diane Howard
Subcommittee Member