STAFF REPORT
SAUSALITO CITY COUNCIL

AGENDA TITLE:
Council discussion and action on filling the vacant City Council seat created by the resignation of Amy Belser

RECOMMENDED MOTION:
Adopt resolution calling for a Special Municipal Election on November 3, 2009

SUMMARY

At the May 26, 2009 City Council meeting, Councilmember Amy Belser announced, that she would be resigning from the City Council effective June 30, 2009.

At their next meeting, Council was given direction by the City Attorney on how a Council vacancy could be filled, as required by the California Government Code. At that same meeting, Council also received public input on how the community would like to see the vacancy filled.

BACKGROUND

At their June 9, 2009 meeting, the City Council was first advised of the options for filling a vacancy on the City Council. Options included: 1) appoint a member of the community to fill the unexpired term left by the vacancy; or 2) call for a special municipal election to be held in November, 2009. It was also noted that Council could consider adoption of an ordinance which would allow for an interim appointment to be made until such time as the election were held.

At this same meeting, comments were received from the public on how they would like to see the vacancy filled. Based on this input, the vast majority requested that Council consider a special election. Following the public input, and discussion by the Council, staff was directed to begin looking into a special municipal election. No action was taken at this meeting.

However, Council did advise the public that the decision on how to fill the vacancy would be made at their July 7 Regular City Council meeting. Unfortunately, the required

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legal notices that must be published in the Marin Scope, would not allow for the decision to be made at the July 7 meeting. The legal notice must be published at least one time between June 29 and July 13. The Marin Scope requires legal notices be submitted no later than seven days prior to the publication. Additionally, election packets must be prepared and be ready for issuance by July 13.

By adoption of the attached resolution, Council will officially call for a Special Municipal Election on November 3, 2009 and request the Marin County Registrar of Voters to conduct this election. This resolution must be received by the Board of Supervisors no later than August 7 for their action.

This election will be for the sole purpose of electing a City Councilmember to the unexpired term through November, 2012.

FISCAL IMPACT

The Marin County Registrar of Voters has suggested estimating election costs based on $2.00 per registered voter (5,279), or $10,558, with a maximum possible at $2.50 per registered voter.

Since we hold our elections in even years, and with the State Primary, it is hard to say if the costs will be this high. A figure of $10,000 was placed in the 2009-10 budget.
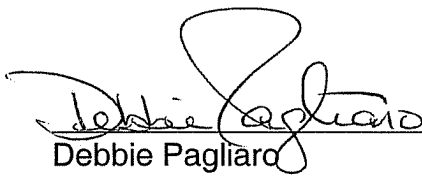
STAFF RECOMMENDATIONS

Adopt resolution calling the election and requesting the services of the Marin County Registrar of Voters.

Alternatively, Council can appoint a member from the community to fill the unexpired term through November, 2012.

ATTACHMENTS

Draft resolution calling for an election
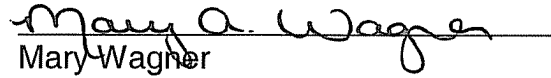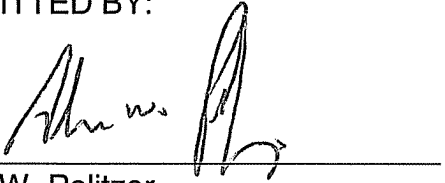

PREPARED BY:

Debbie Pagliaro
City Clerk

APPROVED BY:

Charles Francis
Administrative Services Director/Treasurer

APPROVED BY:

Mary Wagner
City Attorney

SUBMITTED BY:

Adam W. Politzer
City Manager

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO PROPOSING THAT A SPECIAL MUNICIPAL ELECTION BE HELD IN ITS JURISDICTION ON NOVEMBER 3, 2009, REQUESTING THE MARIN COUNTY BOARD OF SUPERVISORS TO CONSOLIDATE WITH ANY OTHER ELECTION CONDUCTED ON THE SAME DATE AND REQUESTING ELECTION SERVICES BY THE MARIN COUNTY REGISTRAR OF VOTERS

WHEREAS, it is the determination of the City Council of the City of Sausalito that a Consolidated Special Municipal Election be held on Tuesday, November 3, 2009, at which election the issue to be presented to the voters shall be:

to elect one (1) member of the City Council for an unexpired term (expiring November, 2012).

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby requests that the Board of Supervisors of the County of Marin:

1. Consolidate said election with any other applicable election(s) conducted on the same day;
2. Authorize and direct the Marin County Registrar of Voters to render all necessary election services and to canvass the results of said election at the City's expense.
3. That the City Clerk of the City of Sausalito is hereby ordered and directed to file a copy of this resolution with the Board of Supervisors of the County of Marin.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Sausalito held on the _____ day of _____, 2009, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

_____
Mayor of the City of Sausalito

Attest:

_____
City Clerk

_____

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