



# CITY OF CARSON

## Legislation Text

File #: 2021-067, Version: 1

### Report to Mayor and City Council

Tuesday, February 02, 2021

Consent

#### SUBJECT:

**CONSIDER APPROVAL OF THE FORMATION OF AN AD HOC COMMITTEE AND A SELECTION PROCESS TO IDENTIFY CITY COUNCIL CANDIDATES AND MAKE AN APPOINTMENT TO FILL THE VACANCY (CITY COUNCIL)**

#### I. SUMMARY

On January 12, 2021, the City Council certified the November 3, 2020 City Council election results wherein Councilwoman Lula Davis-Holmes was elected Mayor and District 1 and 3 seats were filled by Councilmembers Jawane Hilton and Cedrick Hicks, respectively. At the January 21, 2021, City Council Special Meeting, the City Council unanimously adopted Resolution No. 21-007 to formally acknowledge the vacancy of a City Council seat as of January 12, 2021, and the need within sixty (60) days of that date to either fill the vacancy by City Council appointment or call for a special election under applicable laws to fill the vacant seat. A copy of the staff report and Resolution 21-007 is included as Exhibit No. 1 for reference. As stated in Section 2 of Resolution 21-007, because the sixty (60) days deadline of March 13, 2021 falls on a Saturday, the appointment deadline becomes March 15, 2021.

Mayor Davis-Holmes requests that the City Council approve the formation of a two-member Ad Hoc Committee consisting of Mayor Pro Tempore Jim Dear and her to identify candidates and make a recommendation to the City Council for appointing a successor to the vacant seat through November 2022, and that the appointee be at least eighteen (18) years of age and a resident of District 4 of the City of Carson.

#### Selection Process:

- Interested and eligible residents must apply for the position by February 17, 2021 by submitting an application to the City Clerk. Submissions shall include a completed Application Form (attached as Exhibit No. 2.), with a statement of interest and the reasons for applying.
- Ad Hoc Committee will review the applications received and select one or more candidates to recommend to the City Council for appointment by February 28, 2021.

The Ad Hoc Committee may interview some or all of the candidates as part of the process.

- The City Council will deliberate no later than March 15, 2021, on the recommendation of the Ad Hoc Committee for the appointment to the vacant seat for the remainder of the term.

If City Council is unable to make an appointment, it shall call for a special election to fill the vacant City Council seat no later than March 15, 2021.

## **II. RECOMMENDATION**

APPROVE the formation of a two-member Ad Hoc Committee comprised of Mayor Davis-Holmes and Mayor Pro Tempore Dear to make a recommendation to the City Council for appointing a successor to the vacant City Council seat for the remainder of the term. All candidates must be 18 years or older and a resident of District 4.

## **III. ALTERNATIVES**

The timeframe for the City Council to take an action by March 15, 2021 to either appoint a successor to the vacant seat or declare a Special Election cannot be changed. However, the City Council may revise other elements of the recommendation.

## **IV. BACKGROUND**

In the November 3, 2020 Municipal Election, then Councilmember Lula Davis-Holmes was elected to the office of Mayor, thereby vacating her City Council seat term ending November, 2022 as of the date of the certification of the election results by the Carson City Council on January 12, 2021. City Charter section 306(b) sets forth the procedures for filling vacancies in elected offices. Under section 306(b) and 306(d), City Council has three options to consider:

- Appoint a Successor for the remainder of the term;
- Call a Special Election to elect a successor for the remainder of the term; or
- Appoint an interim to fill the vacancy until the date of the Special Election.

Should the City Council approve this item to pursue the option of appointing a successor, the appointment must be made by March 15, 2021. There is no legal requirement that the City Council use any particular method of appointment. The City Council does not, for example, have any obligation to appoint someone who ran in the last election. It is common in such situations for the City Council to notice the vacancy and invite applications. After the Ad Hoc Committee conducts its interviews to identify a top candidate, it will present its recommendation to the City Council. The appointment must be

made in public. Filling a vacancy is not permitted in closed session.

## **V. FISCAL IMPACT**

There are no significant direct costs associated with this item. However, should the City Council be unable to agree on an appointment to fill the vacancy, there will be costs associated with conducting a special election in the City of Carson and staff would need to return to the City Council with a summary of those anticipated costs should the need arise for conducting a special election.

## **VI. EXHIBITS**

1. January 21, 2021, Staff Report including Resolution No. 21-007 (pgs. 4-9)

2. Application Form  
(pgs. 10-12)

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