



AGENDA REPORT

CITY OF SAN CLEMENTE

City Council Meeting

910 Calle Negocio
2nd Floor
San Clemente, California
www.san-clemente.org

Meeting Date: 5/16/2023

Agenda Item: 10A

Department: City Clerk
Prepared By Laura Campagnolo, City Clerk

Subject:

CONSIDERATION OF PROCEDURES TO APPOINT A COUNCILMEMBER TO FILL THE UNEXPIRED TERM OF FORMER COUNCILMEMBER GENE JAMES (NOVEMBER 2024)

Summary:

At its meeting of May 2, 2023, the City Council directed Staff to provide potential procedures to interview and make an appointment to serve the remainder of former Councilmember Gene James' term (through November 2024). State law does not proscribe the process for making an appointment; it is within the City Council's discretion.

The selection process can be modified by the City Council, but as requested, staff offers the following process for consideration with in intent of ensuring a fair and transparent appointment proceeding:

1. At the May 16, 2023 meeting, the City Council will select candidates to advance to a formal interview at a Special Meeting of the City Council. The selection will occur by ranking applications. Each Councilmember will be given 5 points to rank applicants (sample ranking sheet attached), and the applicants with the highest number of votes will be moved forward in the interview process. Staff is suggesting that the City Council limit the formal interview to no more than five candidates.
2. Schedule a Special Meeting to interview candidates.
3. Each Councilmember will be allotted two questions to ask each candidate.
4. Staff proposes the interview of candidates occur on a panel, similar to a candidate forum, giving each candidate the opportunity to be the first to answer a question.
5. At the Special Meeting, each candidate will be provided an opportunity to give an opening statement (not to exceed 2 minutes), followed by two rounds of questions from the City Council with each Councilmember asking one question per round. Each applicant will be given one minute to answer each question.

Selection Process

OPTION 1

1. Members of the City Council may wish to use ranking sheets (sample attached) to rank each candidate. Following the rankings, the City Council would move to select a candidate by majority

vote. Potentially, the candidate with the lowest number would be considered for appointment to the vacant City Council position. However, if after three rounds of voting, the City Council is at an impasse, a Councilmember may make a motion to direct Staff to return to the next Regular Council meeting with a Resolution to call a Special Election, or the City Council could continue to move the action until a decision is reached by a majority vote.

OPTION 2

2. Following interviews, the City Council may publicly deliberate and select an individual to fill the vacancy. The affirmative vote of at least three City Councilmembers is required for appointment. If after three rounds of voting, the City Council is at an impasse, a Councilmember may make a motion to direct Staff to return to the next Regular Council meeting with a Resolution to call a Special Election.

OPTION 3

3. The City Council may come up with its own procedures or call a special election. An appointment or calling a special election must occur no later than June 28, 2023 (60 days following the vacancy).

Council Options:

- Nominate candidates and select a Special Meeting Date.
- Develop and select an alternative appointment process.
- Direct Staff to return to Council with additional information.
- Direct Staff to return to Council with a resolution calling a special election.
- Take no action.

Fiscal Impact:

If the City Council appoints a Councilmember to fill the vacancy, there would be no fiscal impact. Staff obtained an updated estimate from the Orange County Registrar's office that an all-mail ballot would cost the City approximately \$300,000.

Environmental Review/Analysis:

This activity is not a project as defined under the California Environmental Quality Act State Guidelines, therefore, no environmental review is required.

Recommended Actions:

Staff Recommendation

1. Make nominations for applicants to be interviewed.
2. Schedule a Special Meeting for Council interviews and appointment.

3. Determine to:

- a. Use ranking sheets to rank each Candidate by number.

OR

- b. Publicly deliberate and select an individual to fill the vacancy. The affirmative vote of at least three City Councilmembers is required for appointment.

Attachment:

1. Sample Ranking Sheet for Nominating Candidates
2. Sample Ranking Sheet for Appointing Candidates
3. 2023 City Council Meeting Calendar

Notification:

City Council applicants.



COUNCILMEMBER NAME _____

RANKING SHEET FOR COUNCIL CANDIDATE NOMINATIONS

CANDIDATE NAME	CANDIDATE RANKING
<p><i>Candidates will be listed in alphabetical order by last name.</i></p>	<p>Each Councilmember is allotted 5 points to rank candidates. The candidates with the highest number of points will be interviewed by Council at a Special Meeting.</p>

INSTRUCTIONS

Each Councilmember is given 5 points to rank candidates. The candidates with the highest number of votes will be moved on to the interview process.



COUNCILMEMBER NAME _____

RANKING SHEET FOR COUNCIL CANDIDATES

<p>CANDIDATE NAME</p> <p><i>Candidates will be interviewed in alphabetical order by last name.</i></p>	<p>ORDER OF RANKING</p> <p>(Provide a number between 1-*) The lowest number would be appointed to the position of City Council</p> <p><i>*total number of applicants to be filled in at time of interview</i></p>

INSTRUCTIONS

1. After each interview, assign the candidate their ranking. After the first candidate is interviewed, they would be #1. Place a “1” in the box in the first column to the right of their name.
2. After the second candidate interviews, assess whether they ranked better than the first candidate. If yes, they are then ranked #1 and the candidate that interviewed first is ranked #2. You would place a 1 in the 2nd column next to the second candidate’s name and then put a #2 next to the candidate who interviewed first.
3. Continue this process throughout the interviewing process.
4. At the bottom of the sheet, please list the candidates in the appropriate order.
5. The candidate with the lowest number will be appointed to fill the vacancy on the City Council.

2023 Council Meeting Agenda Calendar

January							February							March							April																							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S																	
1	2	3	4	5	6	7	5	6	7	8	9	10	11	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

May							June							July							August																							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S																	
1	2	3	4	5	6	7	4	5	6	7	8	9	10	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

September							October							November							December																							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S																	
3	4	5	6	7	8	9	1	2	3	4	5	6	7	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

- Dark Fridays
- Holidays
- Cancelled City Council Meeting
- Furlough
- Staff Reports Due (15 days prior to mtg date)
- LTFP & Budget Workshop Meeting
- Council Meeting
- Joint Meeting

Note: The Special Council Meeting of June 5, 2023 will start at 2:00 p.m. to interview and appoint candidates for Commission and Committees.
 The Special Council Meeting of June 6, 2023 will start at 2:00 p.m. to interview and appoint candidates for Commission and Committees.
 The Regular Council Meeting of September 19, 2023 was rescheduled to Thursday, September 14, 2023.
 The Regular Council Meeting of December 19, 2023 was rescheduled to Thursday, December 14, 2023.