

City of Piedmont
COUNCIL AGENDA REPORT

DATE: January 6, 2022

TO: Mayor and Council

FROM: Sara Lillevand, City Administrator

SUBJECT: Consideration of the Process for Filling the Council Seat Vacated by the Resignation of Councilmember Tim Rood

RECOMMENDATION

By motion, provide direction to staff as to the method of appointment desired to fill the current City Council vacancy.

BACKGROUND

On December 31, 2021, Councilmember Tim Rood resigned from the City Council. When a seat on the City Council is vacated for any reason, the Charter of the City of Piedmont spells out the way in which the unexpired vacancy is filled. Within sixty (60) days from the date of a vacancy, the City Council must take action to appoint a successor who serves until the people vote for a new Councilmember at the next general municipal election. The appointment of a successor by the Council must take place at a noticed public meeting. Unlike general law cities, the City Council does not have the option of calling a special election to fill the seat, however if the Council fails to make an appointment within 60 days, the vacancy will be filled by special election.

Given Councilmember Rood's resignation date, appointment of a successor by the Council must take place no later than Tuesday, March 1, 2022. The appointee will serve until the results of the General Municipal Election of November 2022 are certified, which will take place at a Council meeting in December 2022. If the appointee desires, they will be eligible to run for two full terms on the Council, as they will have served fewer than eighteen months as an appointee. The Charter specifies that any person who serves as a Councilmember for more than 18 months is considered to have served a full term under the city's two term limit.

To be eligible to serve on the City Council, a person must meet three requirements. First, the person must be a qualified voter in the City. Second, the person must not hold any other office or employment with the City. Third, the person must not be rendered ineligible due to the term limits provisions of the Charter.

The Council has two options with regard to an appointment: First, the Council could simply select a resident who qualifies and appoint them to the vacant seat. Second, as has been past practice for vacancies, the Council could open applications to the public and interview applicants.

Should the Council choose to follow past practice, and considering the March 1st deadline for Council action on an appointment, staff recommends the following actions and timelines:

1. Direct the City Administrator and City Clerk to solicit applications for the Council vacancy that was created when Councilmember Tim Rood resigned from office effective December 31, 2021.
2. Set the deadline for applications at 5:00 p.m. on Wednesday, January 26th.
3. Schedule a Special City Council meeting to interview applicants and consider the appointment for Monday, February 7th. This date allows the Council to hold additional meetings should additional time to consider the applications be necessary.