



Legislation Details (With Text)

**File #:** 12-431      **Version:** 1      **Name:** SR-Applicants for District 4 Council Vacancy  
**Type:** Staff Report      **Status:** Filed  
**In control:** City Council  
**On agenda:** 9/4/2012      **Final action:** 9/4/2012  
**Enactment date:**      **Enactment #:**  
**Title:** Staff Report for City Council District 4 Vacancy, Update on Appointment Process and Preparation for Special Meeting on September 13, 2012  
**Sponsors:** Lianne Marshall  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. 2012 0904 Memo re Dist 4 Vacancy.pdf

Date	Ver.	Action By	Action	Result
9/4/2012	1	City Council	Received and Filed	

Staff Report for City Council District 4 Vacancy, Update on Appointment Process and Preparation for Special Meeting on September 13, 2012

**SUMMARY AND RECOMMENDATIONS**

Applications have been received from eight individuals interested in appointment to the vacant District 4 City Council seat. It is recommended that the Council narrow the field of applicants to interview at the September 13, 2012 special City Council meeting.

**BACKGROUND**

At the July 16, 2012 City Council meeting, the City Council approved a process for filling the District 4 Council vacancy created by the resignation of District 4 City Councilmember Joyce Starosciak, declared its intention to fill the District 4 Council vacancy by appointment and directed staff to provide public notice of the vacancy and application process.

Applications for the District 4 City Council position were made available beginning on August 2, 2012, at City Hall and on the City’s web site. A press release announcing the vacancy and information on the application process was issued on July 31, 2012, and a City Corner ad was published in the *San Leandro Times* newspaper on August 2, 2012.

The application period closed on August 20, 2012, and eight applications were received by the deadline. Applications were received from: Dana Chohlis, Christopher Crow, Darlene Daevu, Thomas C. Dlugosh, David Erlich, John Faria, Charles Kane and Benny Lee. Copies of the applications have been forwarded to the City Council for review and are available for public review in the City Clerk’s Office.

**Applicant Review an Screening**

As part of the appointment process approved on July 16, 2012, the Council will perform an initial review and screening, and narrow the applicant field, if needed, on September 4, 2012, and hold a special City Council meeting on Thursday, September 13, 2012 to interview applicants and appoint the new District 4 City Councilmember. An ad hoc committee, comprised of Mayor Cassidy and Vice Mayor Gregory, will develop the questions for the September 13 applicant interviews.

Due to the number of applications received, the Council may wish to narrow the field of applicants to interview at the September 13, 2012 special meeting, as proposed in the attached memo from Mayor Cassidy. If the Council chooses to do so, the following process is suggested:

- Members are provided with a list containing all the applicants' names in alphabetical order
- Members make a mark next to the names of the three individuals they would most like to interview
- The City Clerk tallies the choices using a matrix that will be displayed on the overhead screen
- The applicants chosen most often by the Council will be invited to attend the September 13, 2012 Special City Council meeting for an interview with the Council

### **2007 District 6 Appointment Process**

Following the November 2006 election, the City Council conducted an appointment process to fill the District 6 vacancy created when Tony Santos was elected Mayor. Twelve individuals applied for the vacant position.

The Council had included a process for narrowing the field of applicants to interview to four or five, in the event more than that number of applications was received. To accomplish this, staff recommended that each Councilmember choose four individuals they would most like to interview, and the five applicants most often chosen would be invited to be interviewed at a subsequent Special Meeting. After conducting the narrowing process, the Council chose six applicants to advance to the interviews.

The Special Meeting was held on February 13, 2007, in the Helen Lawrence South Offices Conference Room, and was open to the public. An ad hoc committee, comprised of the Mayor and Vice Mayor, developed a list of eight interview questions, and one question was provided to the applicants in advance. Each applicant was given a total of 30 minutes to respond to the questions. Names of the applicants were drawn to determine the order in which they were interviewed. The applicants waited in another room until their turn to be interviewed. After each applicant was interviewed, they were allowed to remain in the meeting room for the remainder of the process.

Five Councilmembers were present at the meeting. The Council used a balloting process to determine the successful applicant. The City Clerk distributed ballots to the members, and each member wrote the name of the applicant s/he selected to be the new District 6 Councilmember. The Clerk collected the ballots and transferred the votes to a spreadsheet that was displayed on the screen. An applicant needed four votes to be appointed. If no applicant received four votes, any applicant receiving no votes was removed from consideration, and another round of ballots was distributed. After the fourth round of balloting resulted in one applicant with three votes and the other with two, a motion was made to nominate Jim Prola for appointment to the position.

### **Current Agency Policies**

Section 250 of the City Charter provides for filling a Council vacancy by appointment of the Council.

### **Previous Actions**

By Minute Order 2012-030, adopted on July 16, 2012, the City Council declared its intention to fill the upcoming District 4 Council vacancy by appointment, and directed staff to provide public notice of the vacancy and application process, upon Councilmember Starosciak's submission of a resignation date.

By Minute Order 2012-031, adopted on July 16, 2012, the City Council approved the process and timeline for filling the District 4 City Council vacancy as outlined in the July 16 staff report, with the following amendments: 1) adjust the application timeline if needed, based on Councilmember Starosciak's resignation date; 2) perform an initial review and screening, and narrow the applicant field, if needed, at the City Council regular meeting on September 4, 2012; 3) hold a special City Council meeting on Thursday, September 13, 2012 to interview applicants and appoint the new District 4 City Councilmember; 4) charge the ad hoc committee, comprised of Mayor Cassidy and Vice Mayor Gregory, with developing interview questions; and 5) approve no additional screening criteria.

### **Committee Review and Actions**

The ad hoc committee of Mayor Cassidy and Vice Mayor Gregory will develop the interview questions and provide them to the Council at the Special City Council meeting on September 13, 2012.

### **Summary of Public Outreach Efforts**

- A press release announcing the vacancy and information on the application process was issued on July 31, 2012
- A City Corner ad was published in the *San Leandro Times* newspaper on August 2, 2012
- An announcement and applications for the District 4 City Council position were made available on the City's web site beginning on August 2, 2012

### **ATTACHMENTS**

- August 24, 2012 Memo to City Council from Mayor Cassidy re: District 4 City Council Vacancy, Proposal for Determining Subgroup of Applicants to Interview

**PREPARED BY:** Marian Handa, City Clerk, City Manager's Office