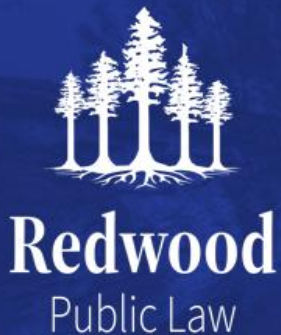




Process for Filling City Council Vacancy



*Richard D. Pio Roda,
City Attorney
February 17, 2026 regular Council meeting*

Background

Councilmember Azevedo vacated his District 2 Council seat on February 10, 2026.

Pursuant to San Leandro Charter Section 250, if a member of the City Council vacates their seat prior to the end of their term, the City Council shall fill the vacancy by appointment within 60 days.



Timeline

The Council has 60 days from the effective date the vacancy was created to appoint a new councilmember from, and for, District 2.

60 days from February 10, 2026 is April 11, 2026.

An appointment must occur on or before April 11, 2026.



Process for Appointment

- There are no state laws or Municipal Code provisions establishing specific procedures to make an appointment to a vacant City Council seat.
- No formal application process is required, although in past situations where a vacancy occurred on the Council, an application and interview process were conducted.
- It is a public process that may occur at regular or special City Council meetings.



Process for Appointment

Staff recommendation: Adopt the following timeline

- February 23-25 make applications available, due March 9-10 (application window)
- Week of March 23 - at a special meeting of the City Council, interview applicants, and make appointment
- If appointment is not made week of March 23, make appointment at April 6 regular meeting or call a special meeting before April 11 to make appointment



What Happens after Appointment?

When the City Council fills a vacancy by appointment, it must hold an election for the office at the next general municipal election - November 2026.

The appointed council member would hold the office until the person elected in November 2026 assumes office.

The person elected at the November 2026 election would hold office until December 2028.



If no Appointment is Made

- City of San Leandro Charter Section 250
“If the Council fails to fill such vacancy within sixty days after its existence, the Council shall call a special election, at which the unexpired remainder of the term of such office shall be filled by the voters.”
 - Vacancy must be filled on or by April 11, 2026
 - If not filled, then the Council shall call a special election, which could be consolidated with the November 2026 general election.
- The person elected November 2026 would serve until December 31, 2028.

