

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Deborah S. Traffenstedt, Administrative Services Director/City Clerk *DST*

DATE: October 28, 2008 (CC Meeting of 11/5/08)

SUBJECT: Consider Recruitment Process for Interim City Councilmember Appointment Pursuant to Moorpark Municipal Code Section 2.04.050

BACKGROUND

A vacancy is anticipated for a City Councilmember position on the City Council, following the November 4, 2008, Municipal Election. This vacancy is anticipated as of December 3, 2008, at which meeting the election results are expected to be certified and the oath of office will be administered for two City Councilmembers and the Mayor. Councilmember Parvin is the only person who filed election papers to run for the position of Mayor. As such, it is expected that Councilmember Parvin will be elected Mayor and will be sworn in on December 3. Upon taking the oath of office, Councilmember Parvin's Council seat will become vacant.

At the City Council's adjourned regular meeting on October 8, 2008, the Council determined to not revise the "Filling of Vacancies" language in Section 2.04.050 of the Municipal Code. Section 2.04.050 requires the City Council to fill a vacancy by appointment within 30 days from the commencement of the vacancy. That appointment would be in effect only until the date of a special election (or certification of that election) to fill the remainder of the term. The date of the special election has yet to be determined, and staff will be preparing a staff report for the December 3 meeting that addresses the options for a June 2, 2009, special election or an all mail ballot election (potentially, in April or May 2009). The Ventura County Elections Division should be able to give the City a more accurate estimate for election services after the November 2008 election.

DISCUSSION

In order to permit an interim City Councilmember appointment in a timely manner as required by Section 2.04.050 of the Code, staff is recommending that a recruitment should be initiated the first week in November, immediately following the November 5 City Council meeting. Staff has collected interim appointment examples from City of Simi Valley and Thousand Oaks, and both of those cities had an advertisement and application process and interviewed candidates.

For the City of Moorpark interim City Councilmember recruitment, staff is recommending a recruitment process similar to that used for citizen appointments (including the Commission appointments). A press release would be sent to all newspapers of local distribution and radio stations that have requested such notice. In addition, staff would post a notice of the recruitment on the City's website, City Government Channel 10, the Moorpark Library, and the Community Center bulletin board. The application form would include reference to an interim appointment pursuant to Section 2.04.050 of the Municipal Code and list the requirements for the appointee to be a Moorpark resident and a registered voter of the City. In order to accomplish the appointment within the mandatory 30 days from the commencement of the vacancy, staff is recommending the following recruitment and appointment schedule:

Recruitment Time Period:	11/6/08 – 11/26/08
Review Applications:	11/26/08 (close of recruitment) – 12/10/08 Special Meeting (or 12/17/08 Regular Meeting)
Mandatory Interview:	12/10/08 Special Meeting (or 12/17/08 Regular Meeting)
Appointment:	12/10/08 or 12/17/08

The Council would need to provide direction to staff regarding your preference for interviewing applicants at a special meeting on December 10 or at your regular meeting on December 17. One concern with the December 17 meeting is that the Council's appointment policy requires staff to schedule Arts, Parks & Recreation, and Planning Commission candidates for a regular meeting in December of each even numbered year. The December 3 meeting will not be appropriate for those interviews due to the election certification and reorganization planned for that meeting; and combining interim appointment City Councilmember candidate interviews and Commission candidate interviews all onto the December 17 meeting could result in a very long meeting. Another option would be to split the Commission interviews between separate meetings in December 2008 and January 2009, or postpone the Commission interviews to one or more regular and/or special City Council meetings in January 2009, as discussed in another agenda report for the November 5 regular meeting.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

1. Direct staff to recruit for an interim City Councilmember appointment to fill a vacancy until an election is held to fill the remainder of the term, consistent with the recruitment process outlined in the agenda report; and
2. Provide direction to staff on the date for the interviews for the interim City Councilmember appointment candidates, including direction on whether a special meeting will be scheduled for this purpose.