

A vacancy in a City elected office is required to be filled in accordance with Government Code section 36512. That statute requires the City Council to fill the vacancy by appointment or call a special election to fill the vacancy at the next regularly scheduled election date not less than 114 days from the call of the special election. The City Council must choose one of these options within 60 days of the vacancy.

It is the policy of the City Council that elected office vacancies be filled by the following process, if/when this option to fill the vacancy by appointment is selected.

1. Notice of Vacancy / Applications

A notice of vacancy shall be posted by the City Clerk's Office with the established deadline to submit applications. Applications for a vacancy must be submitted to the City Clerk's Office.

2. Requirements

- Citizen of the United States (*Government Code Sec. 1020*)
- Registered voter and resident of the district (when applicable) (*Elections Code Sec. 201*)
- At least 18 years of age at the time of his/her appointment (*Government Code Sec. 1020*)

3. Interview Process

The City Council will hold a non-televised workshop for selection interviews. Based on this policy, applicants will be interviewed, with subsequent appointment(s) to be made.

The interview process established by Council consists of individual interviews, with applicants to be seated in the Closed Session Room until their turn to be interviewed. The order of interviews is determined by random drawing. The procedure to be used for the interviews is as follows:

- Each applicant will make a one-minute presentation to Council.
- The City Clerk will then ask three standard questions of each applicant: 1) Why do you want to be appointed to this position? 2) Describe the background and experience that make you a desirable candidate; and 3) Are you related to or do you have any type of work or affiliation with anyone on the City Council or City of Oceanside staff members? The applicants are given one minute to respond to each question.

- Following the standard questions, each Councilmember may ask one additional question. The applicants are given one minute to respond to each question. Each interview will last approximately ten minutes.

Following the interviews, each Councilmember will choose 2 to 3 finalists, which the City Clerk will list based on a random process and at which time the City Council will consider each of the finalists in order until a majority vote is reached.

4. Term

If the council fills the vacancy by appointment, the person appointed to fill the vacancy shall hold office pursuant to one of the following:

- a. If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general municipal election, the person appointed to fill the vacancy shall hold office until the next general municipal election that is scheduled 130 or more days after the date the council is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.
- b. If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general municipal election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall hold office for the unexpired term of the former incumbent.