

City Council Special Meeting Agenda



JANUARY 28, 2019

8:30 a.m.

**City of Turlock Yosemite Room
156 S. Broadway, Turlock, California**



Mayor
Amy Bublak

Council Members
Nicole Larson **Andrew Nosrati**
Gil Esquer
Vice Mayor

City Manager
Robert C. Lawton
City Clerk
Jennifer Land
Interim City Attorney
Jose M. Sanchez

SPEAKER CARDS: To accommodate those wishing to address the Council and allow for staff follow-up, speaker cards are available for any agenda item or any other topic delivered under Public Comment. Please fill out and provide the Comment Card to the City Clerk or Police Officer.

NOTICE REGARDING NON-ENGLISH SPEAKERS: The Turlock City Council meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

EQUAL ACCESS POLICY: If you have a disability which affects your access to public facilities or services, please contact the City Clerk's Office at (209) 668-5540. The City is committed to taking all reasonable measures to provide access to its facilities and services. Please allow sufficient time for the City to process and respond to your request.

NOTICE: Pursuant to California Government Code Section 54954.3, any member of the public may directly address the City Council on any item appearing on the agenda, including Consent Calendar and Public Hearing items, before or during the City Council's consideration of the item.

AGENDA PACKETS: Prior to the City Council meeting, a complete Agenda Packet is available for review on the City's website at www.cityofturlock.org and in the City Clerk's Office at 156 S. Broadway, Suite 230, Turlock, during normal business hours. Materials related to an item on this Agenda submitted to the Council after distribution of the Agenda Packet are also available for public inspection in the City Clerk's Office. Such documents may be available on the City's website subject to staff's ability to post the documents before the meeting.

1. **A. CALL TO ORDER**

 B. SALUTE TO THE FLAG

2. **PUBLIC PARTICIPATION – LIMITED TO ITEMS DESCRIBED IN THE NOTICE FOR THIS MEETING**
Pursuant to California Government Code Section 54954.3(a), this is the time set aside for citizens to address the City Council concerning any item that has been described in the notice for this meeting, including Consent Calendar items, before or during consideration of that item. You will be allowed five (5) minutes for your comments. If you wish to speak regarding an item on the agenda, you may be asked to defer your remarks until the Council addresses the matter.

3. **DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS**

4. SCHEDULED MATTERS:

- A. The City Council will conduct interviews with applicants for the Council seat vacancy for District 4 and provide direction to staff regarding the selection and appointment process for filling the vacancy (*Lawton*)

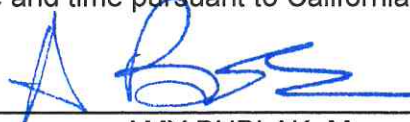
Recommended Action:

Conducting interviews with applicants for the Council seat vacancy for District 4.

Motion: Providing direction to staff regarding the selection and appointment process for filling the Council seat vacancy for District 4

5. ADJOURNMENT

The foregoing meeting is hereby called by Mayor Amy Bublak at the above mentioned date and time pursuant to California Government Code §54956.



AMY BUBLAK, Mayor

City Council Staff Report

January 28, 2019



4A



From: Robert C. Lawton, City Manager

Prepared by: Jose M. Sanchez, Interim City Attorney
Jennifer Land, City Clerk

Agendized by: Robert C. Lawton, City Manager

1. ACTION RECOMMENDED:

The City Council will conduct interviews with applicants for the Council seat vacancy for District 4.

Motion: Providing direction to staff regarding the selection and appointment process for filling the Council seat vacancy for District 4

2. SYNOPSIS:

The City Council will interview applicants for the Council seat vacancy for District 4 and provide direction to staff regarding the selection and appointment process for filling the vacancy.

3. DISCUSSION OF ISSUE:

On November 6, 2018, District 4 Council Member Amy Bublak was elected Mayor of the City of Turlock. This has created a vacancy in the position of District 4 Council Member for the remainder of the term expiring in November 2020.

California Government Code section 36512(b) requires the City Council, within sixty (60) days from the commencement of the vacancy, to either fill the vacancy by appointment or call a special election to fill the vacancy.

There are no state laws or Turlock Municipal Code provisions establishing specific procedures to make an appointment. No formal application process is required, and the City Council may appoint any eligible person to the vacancy.

The City Council may fill any vacant elective office in the City, including a vacant Council seat, by appointment. The only requirement is that the person appointed must be eligible to hold office. A person is eligible to hold office as a Council Member only if he or she is an elector of the City and a registered voter. An elector of the City is a United States citizen, eighteen (18) years of age or older, who is a resident of the City.

Turlock Municipal Code section 2-1-06 also requires that, "all persons appointed to fill vacancies on the City Council and all persons elected to fill vacancies on the City Council at a special municipal election shall reside within the district to which they are appointed or elected."

The appointment of a new Council Member requires the vote of a majority of a quorum at a properly noticed meeting.

On December 11, 2018, at their regularly scheduled meeting, the City Council voted to fill the vacancy by appointment and solicit applications from interested citizens desiring to fill this vacancy and serve the community in this capacity. The Council also established an application filing deadline of January 7, 2019 at 5:00 p.m. and directed staff to transmit to the Council, no later than January 8, 2019, any applications received by the filing deadline. Eight (8) applications were received by the filing deadline.

On January 8, 2019, at their regularly scheduled meeting, the City Council received applications and voted to call a Special Meeting on January 28, 2019 to conduct applicant interviews. The Council also determined each applicant would be allotted a 30 minute interview duration. Following this meeting, one (1) applicant withdrew from the consideration process.

The Special Meeting will begin at 8:30 a.m. on January 28, 2019. The interview schedule is as follows:

8:45 a.m.	Myrna Wachs
9:25 a.m.	Fredrick Isaac
10:05 a.m.	Samuel Sharpe
10:45 a.m.	Donald Babadalir
11:50 a.m.	Harleen Wahid
12:30 p.m.	Pamela Franco
1:10 p.m.	Rebecca Arellano

Following the interviews, the City Council will provide direction regarding the selection, appointment process, and inauguration of the new Council Member.

The selection and appointment of the new Council Member will be considered at a Special Meeting on February 1, 2019 at 10:00 a.m.

4. BASIS FOR RECOMMENDATION:

- A. The City Council seat for District 4 has become vacant due to District 4 Council Member Amy Bublak being sworn in as the newly elected Mayor on December 11, 2018.

- B. Pursuant to California Government Code section 36512(b), the City Council, within sixty (60) days from the commencement of the vacancy, is required to either fill the vacancy by appointment or call a special election to fill the vacancy.

5. FISCAL IMPACT / BUDGET AMENDMENT:

There will be minimal costs associated with an appointment process to fill the vacancy. No budget amendment would be needed.

6. CITY MANAGER'S COMMENTS:

The City Manager will follow direction as provided by the City Council.

7. ENVIRONMENTAL DETERMINATION: N/A