ITEM NO. 18

STAFF REPORT

CITY OF OCEANSIDE

DATE: January 21, 2009

TO: Honorable Mayor and City Councilmembers

FROM: Peter Weiss, City Manager
John Mullen, City Attorney

SUBJECT: **VACANCY OF THE CITY TREASURER POSITION**

SYNOPSIS

City Treasurer Rosemary Jones passed away on January 13, 2009. Ms. Jones' former term was due to expire in November 2012. Government Code section 36512 stipulates what actions the City Council may consider in relation to filling the vacant position.

BACKGROUND

Government Code section 36512(b) outlines what a City Council must do when a vacancy occurs. The City Council shall, within thirty (30) days from the commencement of the vacancy, either:

1. Appoint a person to fill the vacancy for the unexpired term of Treasurer Jones; or
2. Call a special election to fill the vacancy for the unexpired term. The special election must be held at the next regularly established election date at least 114 days after the call of the special election.

The 30-day period ends on February 12, 2009. The City Clerk's office estimates the special election would cost approximately $500,000. The statute requires the special election to be held on the next regularly established election date at least 114 days from the call of the special election. After discussion with the City Clerk, this would mean the election would be held on November 3, 2009.

Following the procedure for Planning Commission, the City Council could call for interested residents to fill out an application and the City Council could then interview and appoint an individual to fill out the remaining term. However, given the 30-day time period such an action would require immediate notice and scheduling of a time period to interview and select an individual prior to the February 12, 2009 deadline.

RECOMMENDATION

Staff is recommending the City Council take the following actions:

Appoint

1. Announce an application period for City Treasurer position with applications due to City Clerk by 4:30 p.m. January 29, 2009.
2. Conduct interviews and select City Treasurer at a special meeting on Tuesday, February 3, 2009, at 2:00 p.m.

PREPARED AND SUBMITTED BY:

Peter Weiss

Peter A. Weiss
City Manager

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John P. Mullen

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City Attorney