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## Orinda's Mayoral and City Council Succession Planning

*By Laurie Snyder*

At its June 2 meeting, the Orinda City Council debated how best to fill both a midterm vacancy for the Office of Mayor and an opening on the city council. Both situations were created May 28 when Orindan Steve Glazer resigned from his council seat in order to be sworn in to his first term with the California Senate.

Staff first advised council members regarding city policies and procedures for filling a mayoral vacancy. The current Vice Mayor, Victoria Robinson Smith, could be chosen by the council as the city's next mayor, serving out the remaining portion of Glazer's term until council's first meeting in December - the time when council traditionally chooses the city's new mayor. Smith's advancement would then leave the vice mayor's seat vacant until the council's next meeting at which time it could then fill that vacancy. Paralleling the mayoral procedures, the council member chosen to fill the vice mayoral vacancy would also only serve in that capacity until the first meeting in December 2015.

Regarding the general council vacancy created by Glazer's departure, staff explained that Government Code Section 36512 dictates that council "must, within 60 days from the date of the vacancy (May 28), either fill the vacancy by appointment, or call a special election to fill the vacancy." If council opted to appoint an Orindan to fill Glazer's open seat, that individual would complete the remainder of Glazer's council term - serving until December 2016. If council opted for a special election, that election would need to be held "not less than 114 days from the call of the election." The election format could either be traditional - with physical polling places and vote-by-mail options - or all-mail with no in-person voting.

Using the traditional format would be problematic because the Election Code will only permit scheduling a special election on Nov. 3, April 12 or June 7, 2016 or March 7, 2017. If the council issues its call for a special election by Friday, July 10, the election could be held in November, but if it misses that deadline, the election would need to wait until April 12, 2016. Additionally, the cost for such an election could top \$60,000 because the Contra Costa County Elections Division would likely charge the city \$5 for each of Orinda's 12,645 registered voters to mount the stand-alone election.

However, Election Code 4004 also offers the option of conducting a special election entirely by mail "provided: (1) the City Council makes the authorization by resolution, (2) the election is not held on the same date as a statewide primary or general election, (3) the election is not consolidated with any other election, and (4) the return of the voted mailed ballots is subject to the rules in Election Code 3017."

If council opted for an all-mail election - and if it called for that election no later than June 16 - the soonest the election could be scheduled would be Oct. 13. And that could cost the city anywhere from roughly \$37,000 to \$51,000.

The last time the Orinda City Council experienced a vacancy was in 2003. At that time, council members appointed an Orindan to fill that vacancy rather than scheduling a special election. If council opted to appoint someone to fill the 2015 Glazer vacancy, the appointee would again need to be a resident of the city of Orinda who is at least 18 years old, and also would need to be someone who had already filed a Statement of Economic Interest Form (form 700) for calendar year 2014.

Staff explained that if council chose to employ the appointee method for filling the vacancy, the city would advertise the vacancy in the newspapers most widely read by Orinda residents, on the city's website and in the city's Orinda Outlook. Applicants would be required to submit their paperwork by 5 p.m. July 6, and then appear before council at a special public meeting, tentatively scheduled for 5:30 p.m. July 15 at which they would each make a 5-minute statement and respond to questions from council members. Council could then, following review of the applicants, decide to fill the vacancy by appointment at that special meeting or at a subsequent meeting before the July

27 deadline.

Because details about council's decision on how best to fill the Glazer vacancy were not available by press time for our print edition, the Lamorinda Weekly will report the final outcome in its online edition later this week: [www.lamorindaweekly.com](http://www.lamorindaweekly.com).

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