



## CITY COUNCIL AGENDA REPORT

### City of Anaheim OFFICE OF CITY ATTORNEY

**DATE:** JUNE 21, 2022

**FROM:** OFFICES OF CITY ATTORNEY AND CITY CLERK

**SUBJECT:** MAYORAL VACANCY

**ATTACHMENT (Y/N):** NO ITEM # 16

**ACTION:**

Discuss Council's alternatives with regard to the Mayoral vacancy, with option to nominate and appoint an appointee to fill the vacancy or, by Motion, provide direction to staff on actions related to the vacancy.

**DISCUSSION:**

At the June 7, 2022 City Council meeting, Council discussed alternatives with regard to the Mayoral vacancy and continued the item to June 21, 2022. This item will continue that discussion, but will also give the Council the option to take action. Examples of action that the Council may take are to nominate and appoint a Mayor, or direct staff to accept mayoral applications and/or present applicants at a future meeting.

If the Council does not appoint a Mayor to fill the vacancy by July 23, 2022 (60 days after the office became vacant), the Anaheim City Charter states that "the City Council shall cause an election to be held forthwith to fill such vacancy for the remainder of the unexpired term." However, as discussed at the June 7 meeting, an election as described would be moot considering the timing of such an election in relation to the date of the general election (November 8, 2022) at which time the next mayor serving a four year term will be selected by the voters. The Council's failure to act will leave a vacancy in the mayoral office until the new mayor elected in November is sworn in. Until such time, under Charter Section 504 relating to mayoral "absences," the Mayor Pro Tem, who serves at the pleasure of the Council, shall perform the duties (but is not given the rights and privileges) of the Mayor.

**IMPACT ON BUDGET:**

There is no budgetary impact.

Respectfully submitted,

Robert Fabela  
City Attorney

Respectfully submitted,

Theresa Bass  
City Clerk