

Vacancy Appointments*

Digest by the Ballot Simplification Committee

Status: Final Digest

On: Friday, July 29, 2016

Members: Packard, Anderson, Fasick, Fraps, Jorgensen

Deadline to Request Reconsideration: 1 p.m. on Tuesday, July 26

The Way It Is Now: When a vacancy occurs in a local elected office, the Mayor must appoint a qualified person to fill the vacant office temporarily. These local elected offices are Assessor-Recorder, City Attorney, District Attorney, Public Defender, Sheriff, Treasurer, and members of the Board of Supervisors, the Board of Education and the Community College Board of Trustees. The Mayor does not have a deadline for making these temporary appointments.

The City fills the vacancy for the remainder of the term of office by holding an election, which generally occurs on the date of the next scheduled City election. The person appointed by the Mayor to temporarily fill a vacancy may run in the election.

The Proposal: Proposition ____ is a Charter amendment that would require the Mayor to make a temporary appointment to fill any vacancy in a local elected office within 28 days of the date the office becomes vacant.

Proposition ____ would establish new procedures for filling a vacancy on the Board of Supervisors. The Mayor would continue to make a temporary appointment to fill the vacancy until the City holds an election. The temporary appointee could not run in the election held to fill that vacancy.

The City would be required to hold an election to fill a vacancy on the Board of Supervisors on a date determined by the following rules:

- within 126 to 154 days if there is no City election scheduled, or
- within 180 days if another election is already scheduled within that period, or
- more than 180 days later if requested by the Director of Elections and approved by the Mayor and the Board of Supervisors.

A "YES" Vote Means: If you vote "yes," you want to amend the Charter to:

- require the Mayor to make a temporary appointment to fill a vacancy in a local elected office within 28 days of the date of the vacancy;
 - provide that the person who temporarily fills a vacancy on the Board of Supervisors cannot run in the election held to fill that vacancy for the remainder of the term; and
 - require the City to hold an election to fill a vacancy on the Board of Supervisors within 126 to 154 days if there is no City election scheduled, within 180 days if another election is already scheduled within that period, or more than 180 days later if requested by the Director of Elections and approved by the Mayor and the Board of Supervisors.
- **A "NO" Vote Means:** If you vote "no," you do not want to make these changes.

**Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*