

# City Council Agenda Memo

**From:** Bonnie Foster, City Clerk

**Council Meeting:** July 27, 2021

**Subject:** Discussion on City Council Vacancy Process

**Person(s) Responsible:** Bonnie Foster, City Clerk  
Steve Britzman, City Attorney

## **Summary:**

On July 30<sup>th</sup>, Council Member Nick Wendell will resign his position as City Council Member. Guidance on the next steps is found in the City Charter and City Council Policy. This item is presented to allow proper discussion for the selection and appointment process to fill the vacant Council seat.

## **Background:**

In the past 10 years, the City Council has filled the following City Council vacancies by the application process set forth in Resolution 90-10 – City Council Policy: City Council Vacancies:

- April 2017 – City Council Member Keith Corbett elected to position of Mayor, appointed Holly Tilton Byrne
- February 2016 – City Council Member Scott Meyer resigned, appointed David M. Meyer
- May 2009 – City Council Member Tim Reed elected to position of Mayor, appointed Jael Thorpe
- April 2021 – City Council Member Oepke “Ope” Niemeyer elected to position of Mayor, appointed Wayne Avery

## **Item Details:**

The City of Brookings has a City Charter and a City Council Policy in place which outlines the procedure to fill City Council Vacancies.

The City Charter provides the following guidance with respect to vacancies on the City Council:

City Charter: Section 2.06 – Vacancies:

- (d) Filling of Vacancies. Filling of Vacancies. Except as provided below, a vacancy in the office of Mayor or of a City Council Member shall be filled for the remainder of the unexpired term at the next regular City election. The Council by a majority vote of all its remaining members shall appoint a qualified person to fill the vacancy until the person elected to serve the remainder of the unexpired term takes office. However, if the vacancy occurs

less than sixty days prior to the next regular City election, then the person appointed to fill the vacancy shall continue to serve and the vacancy shall be filled at the regular City election immediately following the next regular City election. Notwithstanding the requirement in Section 2.11, if at any time the membership of the Council is reduced to less than 6, the remaining members shall, within sixty (60) days, fill the vacancies by appointment or call for a special election to fill the vacancies.

In 2003, the City Council adopted the enclosed Policy on City Council Vacancies, which was amended in October 12, 2010, which established procedures in the event a City Council vacancy occurs. This attachment includes the application and outlines the procedure Council could follow to fill the vacant position.

**Supporting Documentation:**

City Attorney Memo

Resolution 90-10: City Council Policy – City Council Vacancy

City Council Code of Ethics

DRAFT Press Release and Application

Proposed Timeline