

## City Commission Policy 144 - Filling Unanticipated Commission Vacancies

DEPARTMENT: Treasurer-Clerk

DATE ADOPTED: November 26, 2002, effective January 15, 2003.

DATE OF LAST REVISION: June 10, 2009

**144.01 Authority:** City Commission action on November 26, 2002.

**144.02 Purpose:** To provide a process to fill unanticipated City Commission vacancies, providing a method to implement Section 14 of the City of Tallahassee Charter that deals with commission vacancies.

**144.03 Scope and Applicability:**

City Commission vacancies caused by death, resignation, refusal of any Commission Member to serve, removal of any member of the Commission, or for any other reason, shall be filled as provided for herein.

If the open position is the Mayor, the Mayor Pro Tem shall immediately act as Mayor and perform all functions assigned to the Mayor until a replacement is selected.

**144.04 General Procedures:**

- A. Remaining members of the Commission shall have not more than twenty (20) workdays to appoint by resolution with a majority vote an elector of the City who complies with the qualifications of the office.
- B. If any vacancy is not filled within twenty (20) working days after it shall have occurred, an appointment to fill the vacancy shall be made by the governor.
- C. All applicants must possess all of the qualifications required for an elected Commissioner.
- D. As soon as possible following the creation of an open position, the Treasurer-Clerk shall place in newspaper(s) of general circulation *and* publish on talgov.com an advertisement seeking applications from Citizens interested in filling the open seat. Commissioners may solicit applications and individually discuss the open position with Citizens or qualified applicants.
- E. Citizens interested in filling the vacancy will submit to the Treasurer-Clerk's Office by 5:00 PM on the tenth (10<sup>th</sup>) workday following the position becoming vacant a written request to be considered for the vacant position. The request may include a resume and cover letter stating their reasons for interest in the appointment and summarizing their qualifications for the position. Within the time frame prescribed in this section, the Mayor or individual Commissioners may also submit to the Treasurer-Clerk's Office the names of Citizens to be considered to fill the vacant position.
- F. On the eleventh (11<sup>th</sup>) workday, the Treasurer-Clerk will provide to each Commissioner a list of the applicants and copies of their resumes and cover letters. Only Citizens who have applied or individuals added by the Mayor or Commissioners in compliance with the time requirements will be considered for the open position. After reviewing the applicants' qualifications, each Commissioner and the Mayor will submit a list of their top three candidates to the Treasurer-Clerk's Office. Each candidate will receive one point for each time they are listed. The five candidates (and ties) with the highest point totals will be short-listed for consideration to fill the vacant position.

#### **144.05 Selection Process:**

The Mayor shall schedule a special meeting of the City Commission for the purpose of filling the open position. The meeting shall occur no sooner than fourteen (14) working days and not later than nineteen (19) working days after the vacancy occurred. The meeting process will be as follows:

1. Beginning with the Commissioner with the most seniority on the Commission and proceeding in order to the Commissioner with the least seniority, and finally to the Mayor, each Commissioner may place one name in nomination. If two or more Commissioners have the same seniority, those Commissioners will nominate in the order of serving as mayor pro-tem, starting with the current mayor pro-tem. Nominations may be made only from the short list of candidates. To be considered for the open position, the nomination must be seconded. If the nomination is not seconded, the Commissioner will not nominate another individual, except as provided under (3) below, and the process will proceed to the next Commissioner's choice, and so forth, until each Commissioner and Mayor have had the opportunity to place a name in nomination.
2. Following the nomination process, a vote will be taken on each nominee beginning with the first person nominated. The first nominee to receive three votes will be elected and the process shall cease.
3. If the Commission is unable to confirm a nominee through the first round of nominations, the process outlined in (1) and (2) above may be followed to provide additional candidates for consideration.
4. If the Commission is unable to fill the open position at the initial meeting, the Commission may schedule additional meetings for the purpose of filling the open position, provided such meetings occur within the twenty (20) workday period.

#### **144.06 Mayor Vacancy:**

- A. Since the City Charter has established a Leadership Mayor with expanded responsibilities and increased involvement in City activities, the person filling that position should possess a high degree of understanding of the day-to-day activities of the City. It may be difficult to find a Citizen with the skills and experience required to serve as Mayor. Therefore, a Commissioner may nominate either an individual from the applicants or a current Commissioner to fill the vacant Mayor's position.
- B. If a sitting Commissioner is selected to fill the vacant Mayor position, they shall serve for the remainder of the Mayor's term and then return to their Commission seat. The Commission may fill the then vacated Commission seat by following steps 1 through 4 in Section 144.05 of this policy by selecting an individual from the current applicant list, or by voting to start over the process.

#### **144.07 Extraordinary Vacancies:**

In the event that three or more members of the City Commission are removed by death, disability or forfeiture of office, the governor shall appoint an interim City Commission that shall call a special election to fill the vacant City Commission. In the event that two vacancies occur simultaneously on City Commission, the remaining members shall follow the procedures outlined in this policy to fill the vacant City Commission positions.

**144.08 Administration:** The Treasurer-Clerk's Office is responsible for coordinating the process.

**144.09 Sunset Review:** This Policy is subject to sunset review by the City Commission at least once every five (5) years from the date adopted. Revisions to this policy will become effective

immediately upon City Commission approval. The first sunset review should occur not later than November 26, 2007.

**144.10 Effective Date:** This Policy shall become effective on January 15, 2003.

**Revisions:**

June 10, 2009