

RESOLUTION NO. 2019-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS 1) APPOINTING A QUALIFIED INDIVIDUAL TO FILL THE OFFICE OF CITY "COUNCILMEMBER," WHICH SEAT HAS BEEN VACATED BY THE RESIGNATION OF ANAYELI ZAVALA; AND 2) WAIVING THE OPTION OF A SPECIAL ELECTION

WHEREAS, City Councilmember Anayeli Zavala has announced that she will resign effective July 2, 2019; and

WHEREAS, this will leave Ms. Zavala's seat vacated, which vacation is prior to the end of her elected term of office in December 2020; and

WHEREAS, in accordance with California Government Code Section 1770(c)(2), the City Council of the City of Desert Hot Springs now states a vacancy exists; and

WHEREAS, California Government Code Section 36512 provides for a manner to fill vacancies; and

WHEREAS, in accordance with Government Code Section 36512 the City Council of the City of Desert Hot Springs elects to appoint a Desert Hot Springs resident meeting all eligibility requirements to fulfill the remainder of the term of the vacated office which ends December 2020; and

WHEREAS, the City Council by its election to appoint to fill the vacancy hereby waives the option of a Special Election as allowed by Government Code Section 36512 when the appointment is made.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS DOES RESOLVE AS FOLLOWS:

Section 1. RECITALS

That the recitals set forth above are true and correct and are hereby incorporated herein as findings of the City Council.

Section 2. APPLICATION AND INTERVIEW PROCESS FOR FILLING OF CITY COUNCIL VACANCY BY APPOINTMENT

That pursuant to Government Code Section 36512(b), the Desert Hot Springs City Council hereby seeks applications for filling a vacancy by appointment to assure continuity in our local government.

Furthermore, the City Council hereby directs the City Clerk to post a Notice of Intention to Fill a Vacancy for the Desert Hot Springs City Council and to advertise for applications to fill the vacancy and that applications be accepted beginning May 23, 2019, and received no later than June 24, 2019 by the City Clerk.

Furthermore, that following interviews of each applicant, if so directed by the City Council, the City Council will make an appointment at a public meeting scheduled for July 2, 2019.

Section 4. OATH OF OFFICE

The person appointed shall receive the Oath and take office effective immediately and shall serve exactly as if elected at a municipal election for the office.

Section 5. EFFECTIVE DATE

That this resolution shall become effective immediately upon its adoption.

Section 6. CERTIFICATION

That the City Clerk shall certify to the passage and adoption of this resolution, enter the same in the book of original resolutions of the City and make a minute of passage and adoption thereof in the records of the proceedings of the City Council in the minutes of the meeting at which the same is passed and adopted.

Section 7. SEVERABILITY

That if any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this resolutions which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are severable and that the City Council hereby declares that it would have adopted this resolution irrespective of the invalidity of any particular portion thereof.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs on May 21, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

[SIGNATURES FOLLOW ON THE NEXT PAGE]

ATTEST:

APPROVED:

Jerryl Soriano, CMC, City Clerk

Scott Matas, Mayor

APPROVED AS TO FORM:

Jennifer Mizrahi, City Attorney

DRAFT