

**REPORT TO THE
CITY COUNCIL**
City of Salinas, California

DATE: February 7, 2017

FROM: Christopher A. Callihan, City Attorney

SUBJECT: **ELECTION OF MAYOR PRO TEMPORE**

RECOMMENDATION:

It is recommended that the City Council elect one of its members to perform the duties of the Mayor during any temporary absence or disability of the Mayor.

DISCUSSION:

Historically, the Mayor has individually selected a member of the City Council to serve as Mayor Pro Tempore. Salinas Charter section 5.2, however, provides that "The Council shall elect one of its members to perform the duties of the Mayor during any temporary absence or disability of the Mayor." This Charter section contemplates that the Mayor Pro Tem is to be selected by the full City Council and not individually by the Mayor. Currently, no one from the City Council has been elected to serve as the Mayor Pro Tem.

This section of the Charter has never been applied, so no process for election of the Mayor Pro Tem has been established. While the City Council may determine whichever process it chooses to establish in order to identify and to elect the Mayor Pro Tem, it is recommended that the City Council solicit from among its members, nominations of Council members to serve as Mayor Pro Tem. Once the nominations are made, the City Council would then vote on the nominations to elect the Mayor Pro Tem. The City Council has a number of alternatives with respect to the appointment and term, for example, of the Mayor Pro Tem. The City Council could choose one from among itself to serve in the position of Mayor Pro Tem for the length of the Mayor's term (two years) or the Councilmember's term (four years). The City Council could choose one from among itself to serve as the Mayor Pro Tem for a six-month term, for example, and then rotate the position among the remaining Councilmembers each six months so that each, in succession, would serve in the position for a six-month term. Another alternative could be for the City Council to authorize the Mayor to individually select a Mayor Pro Tem and to determine the term for which the chosen Councilmember would serve in the position.

The election of the Mayor Pro Tem will require at least a majority vote of the City Council, i.e., whomever is nominated to serve as Mayor Pro Tem must obtain at least four (4) votes of the City Council. The individual nominated does not need to recuse themselves from participating in the vote, but may do so to avoid an appearance of impropriety. Similarly, the determination to rotate the

position among the six Councilmembers, for example, would require at least a majority vote of the City Council.

ISSUE:

Whom shall the City Council elect, from among its members, to perform the duties of the Mayor during any temporary absence or disability of the Mayor?

FISCAL IMPACT:

No impact to the City's General Fund or Measure V or Measure G funds are anticipated with the recommended action.

TIME CONSIDERATIONS:

There are no special time considerations associated with the recommended action.

ALTERNATIVES:

The City Council may choose to not to take action at this time. In the event of a temporary absence or the disability of the Mayor, the City Council have to elect at that time one of its members to perform the duties of the Mayor.

CITY COUNCIL GOALS:

The City Council's election of a Mayor Pro Tem supports the City Council's goal of effective, efficient government.

Attachments:

None