



**SPECIAL CITY COUNCIL MEETING
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS
DECEMBER 14, 2018
1:30 PM**

Call to order

1. Special Meeting Items

Consideration of the adoption of a resolution declaring a vacancy in the office of Council Member Ward Three and calling for a special election.

Staff Report No. 249

2. Adjournment

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.



STAFF REPORT NO. 249
CITY COUNCIL MEETING
12/14/2018

REPORT PREPARED BY: Kari Sinning, Deputy City Clerk

DEPARTMENT DIRECTOR REVIEW: Pam Dmytrenko, Interim City Manager
12/10/2018

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Pam Dmytrenko, Interim City Manager
12/10/2018

ITEM FOR COUNCIL CONSIDERATION:

Consideration of the adoption of a resolution declaring a vacancy in the office of Council Member Ward Three and calling for a special election.

EXECUTIVE SUMMARY:

Council Member Regan Gonzalez, whose Council term is scheduled to expire on December 31, 2020, will take the oath of office of Mayor of the City of Richfield on January 8, 2019, thereby creating a vacancy on the Richfield City Council at that time. The Richfield City Charter requires that a special election be held to fill a vacancy when 180 days or more remain in the vacated seat. Filing period is December 13 through December 19, 2018.

RECOMMENDED ACTION:

By motion: Adopt a resolution declaring a vacancy in the office of Council Member Ward Three and calling for a special election on February 12, 2019.

BASIS OF RECOMMENDATION:

A. **HISTORICAL CONTEXT**

- N/A

B. **POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- The City Charter provides that the special election shall be held not less than 30 nor more than 60 days after the meeting at which the election is called.
- Section 2.05 of the Richfield City Charter addresses procedures following a vacancy on the Council. If 180 days or more remain in the Council Member's term of office after the vacancy, the Council shall call a special election to fill the vacancy for the balance of the Council member's term.
- Minn. Stat. § 205.10, subd. 3a, requires that a special election in a city be held on certain designated dates, including the second Tuesday in February as one option

C. **CRITICAL TIMING ISSUES:**

- The special election shall be called at the same Council meeting at which the vacancy is declared. The special election shall be held not less than 30 nor more than 60 days after the Council

meeting at which the election is called.

D. FINANCIAL IMPACT:

- The City will incur costs related to preparing for and holding the special election.

E. LEGAL CONSIDERATION:

- Staff has consulted with the City Attorney regarding the procedures to be followed after a vacancy is declared on the Council.

ALTERNATIVE RECOMMENDATION(S):

- None

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

ATTACHMENTS:

| | Description | Type |
|---|-------------|-------------------|
| ▫ | Resolution | Resolution Letter |

RESOLUTION NO. ____

A RESOLUTION DECLARING A VACANCY IN THE OFFICE OF COUNCIL MEMBER AND CALLING FOR A SPECIAL ELECTION

WHEREAS, the office of Council member, Ward III, shall become vacant on January 8th, 2019 when the current holder of that office, Maria Regan Gonzalez, is sworn in and assumes the office of the Mayor of the City of Richfield;

WHEREAS, the term of Council member Maria Regan Gonzalez is scheduled to expire on December 31, 2020, and the Richfield City Charter provides that a special election is required to fill the vacancy when 180 days or more remain in the term of office after the vacancy;

WHEREAS, the Charter also provides that the special election shall be held not less than 30 nor more than 60 days after the meeting at which the election is called;

WHEREAS, Minn. Stat. § 205.10, subd. 3a, requires that a special election in a city be held on certain designated dates, including the second Tuesday in February as one option; and

WHEREAS, the City Council wishes to take all other appropriate actions regarding the resulting vacancy.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, Minnesota that:

1. The City Council declares a vacancy shall exist for the Council Member, Ward III seat on January 8, 2019
2. A special council election shall be held on February 12, 2019, to fill the vacancy.
3. The City Clerk has and will carry out all necessary and appropriate procedures leading to the special election.

Adopted by the City Council of the City of Richfield, Minnesota this 14th day of December, 2018.

Pat Elliott, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk