

City of Brookings

SPECIAL MEETING AGENDA

CITY COUNCIL

Monday, April 19, 2021, 4:30pm

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415

SPECIAL MEETING

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Staff Reports/Public Hearings/Ordinances/Resolutions/Final Orders

1. Declare Mayor Seat Vacant and Determine Method of Selection [Pg. 1]
 - a. Mayor Pieper's Resignation [Pg. 2]
 - b. Excerpts from the City Charter, Oregon Revised Statutes and Brookings Municipal Code [Pg. 3]
 - c. Draft Timeline to fill position by appointment [Pg. 4]

E. Adjournment

*Public Comment forms and the agenda packet are available on-line at www.brookings.or.us, at Brookings City Hall. Return completed Public Comment forms to the City Recorder before the start of the meeting or during regular business hours.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with at least 72 hours advance notification. Please contact 469-1102 if you have any questions regarding this notice.

Due to the COVID-19 virus, meeting participants in the council chambers will be limited and social distancing of six (6) feet will be required and maintained. If you would like to view the City Council Meeting live, you can via:

-Television – Charter Channel 181


-Internet – Go to the City of Brookings website at <http://www.brookings.or.us>

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 19, 2021

Originating Dept: City Manager

Signature (submitted by)


City Manager Approval

Subject:

Declare Mayor seat vacant, determine method of selection; then potentially declare Council position seat vacant, and determine method of selection.

Recommended Motion:

Motion to accept resignation of Mayor Jake Pieper and declare the Mayor position vacant.

Determine procedure for filling vacancy of Mayor by appointment.

Motion to declare Council position vacant.

Determine procedure for filling vacancy of Councilor position by appointment.

Background/Discussion:

Due to the resignation of Mayor Pieper, the Mayor position becomes vacant.

According to the City Charter and Oregon Revised Statutes, the City Council must, within 60 days of declaring a vacancy on the City Council, fill the vacancy by appointment.

The City Council may appoint any registered voter of the State of Oregon who has resided in the City of Brookings for at least 12 months preceding appointment to fill the position. The appointee will fill the current term which expires on January 9, 2023.

The City Council may fill the vacancy at any Council meeting. They can make an appointment at this council meeting or they can determine a process to fill the position. The process could include taking applications and conducting public interviews of candidates. I am attaching a draft timeline. An application process is not required. Note that the deadline for making the appointment is June 17, 2021.

If the City Council appoints a current City Councilor to the position of Mayor, then the City Council will need to declare that Council seat vacant, and determine a procedure for filling that vacancy.

Attachment(s):

- a. Mayor Pieper's resignation.
- b. Excerpts from the City Charter and Oregon Revised Statutes
- c. Draft Timeline to fill position by appointment

4/13/21

I hereby resign as Mayor

A handwritten signature in black ink, appearing to be the name 'Nahw' or similar, written in a cursive style.

CITY OF BROOKINGS CHARTER OF 1993

CHAPTER III

Section 7. Council.

The council consists of a mayor and four councilors nominated and elected from the city at large or, in case of one or more vacancies in the council, the council members whose offices are not vacant.

CHAPTER IV

Section 19. Vacancies: Occurrence.

The office of a member of the council becomes vacant:

- (1) Upon the incumbent's:
 - (a) Death,
 - (b) Adjudicated incompetence, or
 - (c) Recall from office; or
- (2) Upon declaration by the council of the vacancy in case of the incumbent's:
 - (a) Failure, following election or appointment to the office, to qualify for the office within ten days after the time for his or her term of office to begin.
 - (b) Absence from the city for 30 days without notifying the council or from all meetings of the council within a 65-day period.
 - (c) Ceasing to reside in the city.
 - (d) Ceasing to be a qualified elector under state law.
 - (e) Conviction of a felony crime, a misdemeanor involving moral turpitude or any other offense pertaining to the public office.
 - (f) Resignation from the office.

Section 20. Vacancies: Filling.

A vacancy in the council shall be filled within 60 days by:

- (1) Appointment by a majority of the council;
- (2) Special election when the number of vacancies in the council exceeds the number of members holding office.

The terms of office of those appointed or elected run from the time of their qualifying for office after appointment or election and until expiration of the terms of their predecessors who have left the offices vacant.

OREGON REVISED STATUTES

Section 221.120

- (4) The council shall fill by appointment vacancies in its membership.
- (S) The term of office of an appointee to an office of councilor shall be the remainder of the term of office of the immediate predecessor of the appointee in the office.

DRAFT

Timeline to Fill Mayor/Council Position By Appointment

Date	Task	Day #
April 19, 2021	Position declared vacant	1
April 20, 2021	Press Release Issued	2
May 4, 2021	Applications due to City Recorder	16
May 6, 2021	Applications*provided to Council	18
May 10, 2021	Applicant Interviews/ Appt/Swearing In	22
By June 17, 2021	Appointment/Swearing In	60

*Applications will also be included in the May 10, 2021 City Council Packet.
Applicant voter registration and City residency status verified.