

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SUNNYVALE ESTABLISHING THE PROCESS AND
SCHEDULE FOR MAKING AN APPOINTMENT TO CITY
COUNCIL AT-LARGE SEAT NO. 3**

WHEREAS, Councilmember Mason Fong, who held Sunnyvale City Council At-Large Seat No. 3, submitted his resignation from the City Council to the City Clerk effective November 14, 2021; and

WHEREAS, pursuant to Section 606(b) of the Charter of the City of Sunnyvale, on December 14, 2021, the City Council officially declared the seat vacant; and

WHEREAS, Section 606(c) of the City Charter allows the City Council to fill a vacancy by making an appointment within sixty days of the date the seat is declared vacant; and

WHEREAS, at its meeting on November 22, 2021, the City Council directed staff to prepare materials and a schedule establishing a process for making an appointment to fill City Council At-Large Seat No. 3; and

WHEREAS, consistent with Charter Section 606(e) and Sunnyvale Municipal Code Chapter 2.30, the City Council wishes to adopt a resolution specifying the details for filling the vacancy by appointment, including application requirements and the interview and appointment schedule.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. Applications from individuals interested in filling the vacancy. Individuals interested in being considered by the City Council to fill the vacancy shall submit the application attached to this Resolution as Exhibit A no later than **4:00 p.m. on January 20, 2022**. Individuals who fail to submit all materials required by the application by the deadline will be ineligible to be considered as candidates to fill the vacancy.
 - (a) Staff is directed to provide public notice and outreach of the application period, including posting the application and information on the City website, issuing a press release, and directed communication regarding the appointment process to fill the vacancy to residents who receive electronic City Council meeting notices, Sunnyvale neighborhood associations, and similar organizations that may reach broad groups of residents such as the League of Women Voters, school districts serving Sunnyvale, the Sunnyvale Chamber of Commerce and Sunnyvale Downtown Association.
2. Interviews of qualified candidates. The City Council will conduct interviews of candidates according to the following process:

- (a) Candidate interviews will held in public meetings that are tentatively scheduled for January 31 and February 2, 2022, subject to confirmation from the City Clerk. Changes and times shall be posted on the Legislative Public Meetings section of the City website.
 - (b) Applications from qualified candidates will be made available to the Council and public as agenda item(s) for interviews. These agenda items will be published as early release reports for the candidate interview Council meetings and available online in the Legislative Public Meetings section of the City website.
 - (c) The City Clerk shall work with the Mayor prior to the interview meetings and establish time limits for each candidate interview, up to one hour per candidate depending on the number of candidates to be interviewed.
 - (d) Each interview meeting will include a public comment period that will occur prior to the start of interviews, at which the public will be permitted to comment on any or all of the candidates, suggest questions the council should ask, and make other relevant comments related to making an appointment to fill the vacancy.
 - (e) Following the public comment portion of the interview meetings, each candidate will be interviewed in predetermined random order within the time allotted. Each candidate will have the opportunity at the beginning of their interview to make a brief statement. Councilmembers may then freely ask questions of each candidate. The Council will not be required to follow a set list of questions during the interviews unless so voted by a majority of the Council.
3. Appointment. The City Council intends to make an appointment to City Council At-Large Seat No. 3 at a public meeting on February 8, 2022. The Council will consider the appointment at a public hearing and vote on the appointment as provided in Sunnyvale Municipal Code Chapter 2.30.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

Exhibit A- Application to Fill City Council Vacancy (At-Large Seat No. 3)