CITY OF FULLERTON

City Council Office

Mayor, Jesus J. Silva
Mayor Pro Tem, Jennifer Fitzgerald
Jan M. Flory
Bruce Whitaker
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February 20, 2019

Assemblymember Marc Berman, Chair Assembly Elections and Redistricting
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0024

RE: REGULARLY ESTABLISHED SPECIAL ELECTION DATES

Honorable Assemblymember Berman:

The City Council for the City of Fullerton is bringing to your attention a severe impact upon a City's ability to schedule a special election due to changes in the Elections Code. Specifically, the issue regards when cities hold special elections and the requirement for such an election to be at a defined regularly schedule election date as set forth by State law.

We are requesting more discretion for local governments when calling a special election for governing board vacancies in order for local governments to more rapidly fill a vacancy through the election process. Without a change to State law, the City has very limited options for holding timely and cost sensitive elections. Recently, the City of Fullerton had a City Council vacancy and as part of our consideration, the issue of waiting for eleven months to hold a special election was a key factor in which to fill the vacancy by appointment. While many in our community and the Council hold high the right to select representatives through election by our voters, the prospect of waiting eleven months, only to have the winner potentially hold office for less than a year to the next election, was a critical piece in the decision process. While it is understood that cities have the ability to individually craft through local ordinances how vacancies are filled and by what means, many General Law cities rely on the uniform Election Code and recent changes have now made holding special elections less desirable.

We appreciate your thoughtful attention and are hopeful of the opportunity to discuss this matter with you further at your earliest convenience.

Sincerely,

Jesus J. Silva
Mayor

copy: Honorable Secretary of State Padilla

THE EDUCATION COMMUNITY

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