

Comment on Agenda Item 7.5. July 12, 2022

Gov. Code 1770(c)(1) states that an office becomes vacant ...upon his or her resignation...and while there is an exception (c)(2) for city council member vacancies to be effective when the letter of resignation is delivered, there is no such language that pertains to county supervisors.

Therefore, this matter is not eligible for discussion until the date of Supervisor Scott's resignation, which is July 31st and certainly does not allow for a special election to be scheduled today. It is understandable that the Board would like to schedule a special election that could be run at the same time as the November 8th election and today is the last Board meeting date that this could happen to comply with Elections Code 10407(a) abbreviated timeframes but there is no vacancy to be filled before July 31st and you cannot just 'jump the gun' for expediency. The results of the special election would be open for legal challenges as it could be argued that it was not legally set.

Please continue this matter to the agenda of a Board meeting scheduled for after July 31st.

Additionally, if the Board decides to consider this matter, please provide the applicable law that allows consideration prior to a vacancy existing.

If the matter is considered while Supervisor Scott is still a legal member of the Board (prior to July 31st) I request that she be allowed to provide her input and to vote to ensure that the citizens of District 4 have a voice in a decision which directly impacts them.

Gillian Parrillo
North Lakeport