



Scenic Pacifica
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CITY OF PACIFICA

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Answers to Questions about Council member Nihart's Withdrawal from the Election

The City of Pacifica has received a number of questions related to the recent news that Council member Mary Ann Nihart has withdrawn from her candidacy for re-election. While we can't and won't respond to questions that require drawing conclusions about the political process, we offer the following information to help clarify the situation:

1. Can Councilmember Nihart finish her current term of service?
 - a. Yes, she can. The Hatch Act applies to campaigning
2. How will the vote be interpreted when the ballots are counted?
 - a. Councilmember Nihart's name will still appear on the ballot. If Councilmember Nihart is elected, her letter to the City Clerk effectively operates as a letter of intent to relinquish her office as of the end of her current term of office. Voting and counting of ballots will not be affected, and the election will proceed as normal.
3. How will people be notified that she is not running for the position?
 - a. It is up to the candidate to announce that she is not running for the position. Nihart issued a press release and an open letter to the community that both appeared in the Pacifica Tribune on Nov. 2, 2016.
4. What happens if she receives enough votes to be one of the top two vote-getters?

Councilmember Nihart's letter to the City Clerk effectively operates as a letter of intent to relinquish her office as of the end of her current term of office. She has also indicated in the press release that she has decided to continue her professional position with the VA. Therefore, the seat will become vacant.
5. How will the vacant seat be filled?
 - a. The City Council has two options: the new Council may appoint anyone it deems appropriate to fill the vacant seat or it may hold a special election on the next regularly established election date not less than 114 days from the call of the special election.
6. When will we know what is going to happen?
 - a. The new Council will be seated at a special meeting on December 14. It will be the first opportunity for the Council to discuss future steps so we will know more then.

We realize that you may have additional questions, but for now, this is the information that is available.