

November 19, 2002

City Council Meeting
November 26, 2002

Mayor and Members
of the City Council

**VACANCIES - BOARDS AND COMMISSIONS - UNEXPIRED TERMS
PUBLIC WORKS COMMISSION - TERM ENDING OCTOBER 31, 2004**

Recommendation:

It is recommended that the City Council direct the City Clerk to do one of the following:

- 1) Bring the item back at the December 10 meeting for appointment from among the applicants on file at that time, with interviews held prior to the meeting; or
- 2) Advertise the Public Works Commission vacancy with a newspaper publication and normal posting procedures, inviting additional applications from anyone interested in being appointed to fill the unexpired term, with interviews and appointment in January.

Background:

An unscheduled vacancy has arisen on the Public Works Commission due to the resignation of Chris Howell for business reasons (see attached letter), effective after the November 20 Public Works Commission meeting. The special vacancy notice required by State law was posted today in the Clerk's office and the Library, as well as in the City Hall outdoor display case.

Pursuant to Government Code Section 54974, appointment to fill a special vacancy may be made 10 working days after the posting of the notice in the Clerk's office, allowing appointment to be made as early as the December 10 meeting. That Code Section further states that Council "may, if it finds that an emergency exists, fill the unscheduled vacancy immediately. A person appointed to fill the vacancy shall serve only on an acting basis until the final appointment is made pursuant to this section." There appears to be no emergency that requires filling the vacancy this evening.

As you know, interviews were held and two members were appointed to the Public Works Commission just last month (October 22). The application-filing deadline was October 2. Since that was such a recent occurrence, the Council may wish to interview and select from the applications on file at the next meeting of December 10, which would include any new applications that may be submitted, as well as those applicants who were interviewed but not selected last month. Appointment at that time would allow the new member to attend the December 18 Public Works Commission meeting.

If the Council directs additional advertising, a notice inviting applications will be published twice (November 29 and December 5) in the Easy Reader, with a 6 p.m. Wednesday, January 8, 2003 deadline for submitting applications, which would allow for appointment at the January 14 meeting at the earliest, if interviews were scheduled for that evening prior to the regular meeting.

Elaine Doerfling, City Clerk

Noted:

Stephen R. Burrell, City Manager