



## Legislation Text

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**File #:** 17-0127, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Liza Tamura, City Clerk

George Gabriel, Management Analyst

**SUBJECT:**

Accept Resignation for Planning Commissioner Hersman, Declare Vacant Planning Commission Seat No. 4 (Hersman), and Defer Planning Commissioner Appointment Until the Annual Boards and Commissions Interview and Appointment Process (City Clerk Tamura).

**ACCEPT RESIGNATION, DECLARE VACANCY, AND DEFER PLANNING COMMISSIONER APPOINTMENT**

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**RECOMMENDATION:**

Staff recommends that the City Council:

1. Accept the resignation from Planning Commissioner Nancy Hersman
2. Declare Vacant Planning Commission Seat No. 4 (Hersman)
3. Defer the Planning Commission Appointment until the Annual Boards and Commissions Interview and Appointment Process in May/June 2017.

**FISCAL IMPLICATIONS:**

Sufficient funds are available in the City Clerk's Fiscal Year 2016-2017 budget for public outreach efforts.

**BACKGROUND:**

The Planning Commission consists of five members and meets on the 2nd and 4th Wednesdays of each month. The Commission is responsible for long-range planning activities, including use permits, commercial planned development permits, zone changes, code amendments, and modification to long-range planning documents, including the City's General Plan and Local Coastal Plan.

**DISCUSSION:**

Commissioner Hersman was a candidate for City Council in the recent March 7, 2017 election. Pursuant to the most recent tally (March 14, 2017) she has received the second largest vote count for one of the three open seats. While the City has not received certified results from Los Angeles County, it is expected that Commissioner Hersman's victory will be certified by the County.

In light of her probable election, Commissioner Hersman has resigned from Seat No. 4 on the

Planning Commission effective March 13, 2017.

The term for Planning Commission Seat No. 4 expires on May 31, 2017 and staff has already begun the process of advertising the seat because the seat was due to expire.

Normally, a Commission vacancy would be filled immediately, however, because the Annual Boards and Commissions Interview and Appointment Process is so close, it is staff's recommendation to defer the appointment until the process begins in May.

If City Council defers appointment to the 2017 Annual Boards and Commissions Interview and Appointment Process, the individual appointed to the seat, will begin a new three-year term and then be eligible for reappointment to the succeeding three-year term.

## **POLICY ALTERNATIVES:**

### **ALTERNATIVE:**

Declare seat vacant, conduct public outreach immediately and appoint a Planning Commissioner at the Tuesday, April 18, 2017 City Council Meeting.

Per Ordinance No. 1975, if a vacant seat has 18 months or less remaining in its term, the new member would complete the original term and automatically be reappointed to a 3 year term without additional City Council action.

### **PROS:**

- City Clerk's Office follows normal procedures to fill vacancy.

### **CONS:**

- Requires staff to duplicate efforts to conduct public outreach efforts to fill vacancy in April and again for regularly scheduled vacancies in May.

## **PUBLIC OUTREACH/INTEREST:**

A notice was published in the Beach Reporter and City Hall bulletin boards on March 9, 2017 informing interested applicants of scheduled vacancies. Staff is currently in the process of advertising on the City's website, the City social media channels, and an e-notification to website subscribers.

## **ENVIRONMENTAL REVIEW**

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

## **LEGAL REVIEW**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

## **Attachment:**

1. Commissioner Hersman Resignation Letter

