



*City of Arts & Innovation*

# City Council Memorandum

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**TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: SEPTEMBER 20, 2016**

**FROM: CITY CLERK'S OFFICE      WARDS: ALL**

**SUBJECT: BOARD AND COMMISSION RESIGNATION AND DECLARATION OF SEAT AS VACANT**

## **ISSUE:**

Accept the resignation of Cynthia Pardee from the Mayor's Commission on Aging and declare the Transportation Board Ward 3 seat vacant.

## **RECOMMENDATIONS:**

That the City Council:

1. Accept the resignation of Cynthia Pardee from the Mayor's Commission Aging, effective immediately;
2. Request the City Clerk to process the vacancy; and
2. Declare the Transportation Board Ward 3 seat vacant and request the City Clerk to commence recruitment to fill the position.

## **BACKGROUND:**

### **Resignation**

On August 25, 2016, the City Clerk's Office received the resignation of Cynthia Pardee of the Mayor's Commission on Aging, effective immediately. Her term on the Commission expires March 1, 2017. Ms. Pardee represents Ward 1 on the Commission.

Pursuant to Charter Section 802, each board and commission must have at least one representative from each of the Council Wards. The vacancy created by the resignation of Ms. Pardee will be filled with a registered voter from Ward 1 in compliance with the Charter requirement.

### **Declaration of Vacancy**

The Mayor and City Council appointed Mr. Mobley to the Ward 3 seat on the Board on March 1, 2015, for a term ending March 1, 2019. Following absences since December of 2015 and numerous unsuccessful attempts to contact Mr. Mobley, Councilmember Soubirous requests that the City Council declare the seat vacant.

Charter Section 805 provides that if a member of a board or commission absents himself/herself from three consecutive regular meetings, unless by permission of such board or commission

expressed in its official minutes, the office shall become vacant and shall be so declared by the City Council.

On July 26, 2016, the City Council adopted Resolution No. 23035, amending the board and commission attendance policy to read:

“Section XIV.

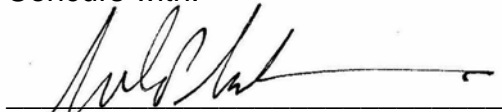
- D. Board/commission members shall make every effort to notify the Chairperson or his/her designee no later than 24 hours prior to any regular meeting of his/her intent not to attend said meeting. A member's inability to provide 24 hours advance notice shall not preclude the board/commission from exercising its discretion to excuse said absence as outlined in Section 805 of the City Charter. If a member of a board or commission absents himself/herself from three consecutive regular meetings of such board or commission, unless by permission of such board or commission expressed in its official minutes, or is convicted of a crime of moral turpitude, or ceases to be a qualified elector of the City, the office shall become vacant and shall be so declared by the City Council;
- E. The City Clerk shall provide quarterly attendance reports to the Mayor and City Council; and
- F. The City Clerk shall notify the Mayor for Citywide seats and the appropriate Councilmember for Ward specific seats for direction to be taken in the event of either of the following conditions: (a) a board/commission member is absent unexcused from three consecutive regular meetings of the board/commission; or (b) a board/commission member is absent, whether excused or unexcused, from more than one-third of the regularly scheduled meetings in any calendar year.”

**FISCAL IMPACT:**

Recruitment and appointment costs are included annually in the City Clerk's budget.

Prepared by: Colleen J. Nicol, City Clerk  
Approved as to form: Gary G. Geuss, City Attorney

Concurs with:



MIKE SOUBIROUS  
Councilmember, Ward 3