

**City of Culver City, California
Agenda Item Report**

Meeting Date: 02/13/12		Item Number: A-7	
CITY COUNCIL AGENDA ITEM: Consideration of Adoption of a Resolution Imposing a Duty on the Mayor to Receive the Advice and Consent of the City Council Prior to Making Mayoral Appointments Pursuant to State Law.			
Contact Person/Dept.: Martin R. Cole, Assistant City Manager/City Clerk		Phone Number: (310)253-6000	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Meetings and Agendas – City Council (02/09/12)			
Department Approval: Martin R. Cole (02/09/12)		City Attorney Approval: Carol Schwab (by H. Baker) (02/08/12)	
Chief Financial Officer Approval: Jeff S. Muir (02/08/12)		City Manager Approval: John M. Nachbar (02/09/12)	
<u>RECOMMENDATION:</u> Staff recommends the City Council consider adoption of a resolution imposing a duty on the Mayor to receive the advice and consent of the City Council prior to making Mayoral appointments pursuant to state law. <u>BACKGROUND:</u> State law may, from time to time, provide mayors throughout the state with the authority to make appointments to various bodies. Most recently, AB 1X 26, which was passed by the Legislature and signed by the Governor, provides such authority to the mayors in cities with successor agencies to former redevelopment agencies to make certain appointments to the Oversight Boards created by AB 1X 26. Mayor O'Leary received the City Council's consent to consider a broad policy question as to whether the Mayor of Culver City should seek the advice and consent of the City Council when exercising appointment authority granted by state law. <u>DISCUSSION:</u> As a Charter City, Culver City has the authority under the Charter of the City of Culver City to administer its municipal affairs. With respect to duties of the Mayor, Section 606 of the City Charter provides, in pertinent part:			

City of Culver City, California
Agenda Item Report

“...The Mayor shall have a voice and a vote in all City Council proceedings, shall be the official head of the City for all ceremonial purposes, and ***shall perform such other duties*** as may be prescribed by this Charter or ***as may be imposed by the City Council*** consistent with the office of Mayor. The Vice Mayor shall perform the duties of the Mayor during the absence or incapacity of the Mayor...” (***emphasis*** added).

In the case the City Council wishes to impose the duty upon the Mayor that the Mayor seek the advice and consent of the City Council prior to making appointments under authority conferred by state law, staff has prepared the attached proposed resolution to accomplish this purpose.

The proposed resolution, if adopted, would impose the duty upon the Mayor to seek the advice and consent of the City Council prior to making any appointments pursuant to state law. There is an exception in the case such an appointment is necessitated by an emergency situation (in which case, the City Council’s advice and consent would need to be obtained at the next convening of the City Council).

FISCAL ANALYSIS:

Adoption of the proposed resolution does not create a fiscal impact for the City.

ATTACHMENTS:

Proposed resolution.

MOTION:

That the City Council:

Consider the proposed resolution which, if adopted, would impose a duty upon the Mayor to obtain the advice and consent of the City Council when making appointments pursuant to state law.