

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

Meeting Date: 09/24/2012		Item Number: A-3	
CITY COUNCIL AGENDA ITEM: Consideration of a Pending Vacancy on the Cultural Affairs Commission and Direction to the City Manager Related Thereto.			
Contact Person/Dept.: Jeremy Green		Phone Number: (310) 253-5859	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Meetings and Agendas – City Council (09/20/12).			
Department Approval: Martin R. Cole (09/17/12)		City Attorney Approval: Carol Schwab (by H. Baker) (09/19/12)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (09/19/12)		City Manager Approval: John Nachbar (09/19/12)	
<u>RECOMMENDATION:</u> Staff recommends the City Council consider the pending vacancy on the Cultural Affairs Commission and provide direction to the City Manager regarding filling such vacancy. <u>BACKGROUND:</u> On August 14, 2012, at the Cultural Affairs Commission Regular Meeting, Commissioner Marlyn Musicant informed the Cultural Affairs Commission that she would be unable to complete her term as Commissioner and would need to step down in October 2012. Ms. Musicant sits in Office #1 and was appointed to her first term on July 1, 2009 which term would have expired on June 30, 2013. <u>DISCUSSION:</u> The Cultural Affairs Commission is comprised of five members appointed by the City Council. Staff has identified three potential options for consideration: 1) Fill the vacancy from pool of eligible applicants from the Cultural Affairs Commission recruitment held in June 2012 2) Do not fill the vacancy, leaving a four member Commission until July 2013 3) Open a new recruitment for the position. <u>Filling the Vacancy With Applicant from Most Recent Recruitment</u>			

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At the June 25, 2012 City Council meeting, a total of four (4) people, who had submitted timely applications indicating an interest in serving on the Cultural Affairs Commission, were considered by the City Council for the office held by retiring Commissioner Ronnie Jayne. The City Council appointed Regina Klein (to Office 3); Deborah Wallace (who was appointed to the Committee on Homelessness); John B. Williams, and David H. Young. The City Council expressed thanks to both Mr. Williams and Mr. Young for their applications.

Should the City Council determine to direct staff to proceed with an agenda item where the City Council would consider appointing someone to Commissioner Musicant's unexpired term, Section 3.03.015(A) of the Culver City Municipal Code would apply which states:

"No person shall serve more than two consecutive full terms as Commissioner on any one (1) Commission. If a person serves a partial term in excess of two (2) years, it shall be considered a full term for the purpose of this provision."

Therefore, any appointee to Office #1 to complete Ms. Musicant's unexpired term would be eligible to apply for a full term beginning in July 2013 (and be eligible to be appointed to a second full term upon the expiration of the term beginning in July, 2013 if appointed by the City Council).

Not Filling Vacancy

There is less than one year of the term remaining. Because the Cultural Affairs Commission meets monthly, there are nine meetings remaining. With an even number of Commissioners, the potential for a 2-2 vote (which is no decision) is possible.

Opening a New Recruitment

To conduct a new recruitment, advertisements are typically placed in the local newspapers (at a cost of approximately \$650 per week), notice is posted on the City's web site and sent via email through the *GovDelivery* service, and letters and/or emails would be sent to past applicants (including those mentioned above).

FISCAL ANALYSIS:

Should the City Council direct the City Manager to proceed with an advertisement of vacancy, then the costs of advertisement (estimated at \$650) would be incurred in the City Clerk's Office budget.

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ATTACHMENTS:

1. Resignation letter from Marlyn Musicant

MOTION:

That the City Council:

Consider the pending vacancy on the Cultural Affairs Commission and direct the City Manager as deemed appropriate.