



Staff Report Details (With Text)

**File #:** 20-141      **Version:** 1      **Name:**  
**Type:** Minute Order      **Status:** Action Item  
**File created:** 8/8/2019      **In control:** FINANCE ADVISORY COMMITTEE  
**On agenda:** 8/14/2019      **Final action:**  
**Title:** (1) Consideration of Forfeiture of Seat by an FAC Member; (2) [If Desired] Recommend Transmittal to the City Council for Removal of Member; and (3) [If Desired] Recommend Appointment of a New FAC Member from Existing List of Applicants to Fill the Seat Vacancy.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. RESO 2017-R086: Council CBC Policy, 2. RESO 2019-R006: Amended FAC Bylaws

Date	Ver.	Action By	Action	Result
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**(1) Consideration of Forfeiture of Seat by an FAC Member; (2) [If Desired] Recommend Transmittal to the City Council for Removal of Member; and (3) [If Desired] Recommend Appointment of a New FAC Member from Existing List of Applicants to Fill the Seat Vacancy.**

**Meeting Date:** August 14, 2019

**Contact Person/Dept:** Erica McAdoo/Finance

**Phone Number:** (310) 253-5865

**Fiscal Impact:** Yes  No       **General Fund:** Yes  No

**Public Hearing:**       **Action Item:**       **Attachments:**

**Public Notification:** (E-Mail) Meetings and Agendas - Finance Advisory Committee (08/09/19);

**Department Approval:** Onyx Jones, Chief Financial Officer (08/09/19)

**RECOMMENDATION**

Staff recommends the Finance Advisory Committee (1) consider forfeiture of seat by an FAC Member; (2) [if desired] recommend transmittal to the City Council for removal of inactive member; and (3) [if desired] recommend the City Council appoint a new FAC member from existing list of applicants to fill the seat vacancy.

## BACKGROUND/DISCUSSION

On September 25, 2017, the City Council adopted Resolution 2017-R086, approving the Policy on Commissions, Boards and Committees (CBCs). An excerpt of a subsection of Section IV "Code of Conduct," titled "CBC Member Attendance and Forfeiture of Seat" is provided below:

*Any Member who is absent from three consecutive meetings of their respective CBC or a total of five meetings in any six month period shall automatically forfeit his or her membership on said CBC, provided, however, that there shall be no such forfeiture in the event of any of the following:*

*(1) When a Member is unable to attend due to illness or physical incapacity.*

*(2) When the City Council has determined before forfeiture that an absence was justified.*

*For purposes of this Policy, attendance at a meeting shall be established when a Member is present for a minimum of 50% of the duration of the meeting. Duration of the meeting shall be the total time period elapsed from the convening of the meeting until the adjournment of the meeting, including any recesses.*

On January 28, 2019, the City Council adopted Resolution 2019-R06 amending the Bylaws of the Finance Advisory Committee. The following subsections of FAC Bylaws Section II, "Organization" reference Member absences and the procedure for removal:

### D. Absence of Committee Members

- 1. City Resolution 2017-R086 requires the City Clerk to provide an annual report of attendance to the City Council. The resolution provides, in connection with receipt of the annual report, for the forfeiture of a seat by any Member who has (1) an unexcused absence from three consecutive meetings or (2) an unexcused absence from five meetings within any six-month period. Excused absences include inability to attend due to illness or physical incapacity or any other reason that the City Council may determine is justified. This requirement is adopted as part of the bylaws of the Committee.*
- 2. In addition to the foregoing attendance requirements, any member who within a twelve month period has four absences may be referred by the Committee Chair to the City Council for consideration of replacement.*
- 3. Any member of the Committee may be removed at any time and without cause by a majority vote of the City Council.*

It is being brought forth to the FAC for consideration that Member Christopher Harris has missed three consecutive regular meetings and four meetings within a six month period. This meets the minimum requirement to be considered as forfeiture of seat and may be referred to the City Council for consideration of replacement. Below is an outline of Member Harris's meeting attendance since appointment to the FAC by the City Council on December 10, 2018 to Business Member Seat No. 6:

- January 9, 2019 - Present
- February 13, 2019 - Absent
- March 13, 2019 - Present
- April 10, 2019 - Meeting Cancelled
- May 15, 2019 - Absent
- June 12, 2019 - Absent
- July 10, 2019 - Absent

Due the resignation of a former Business Seat Member, the City Clerk's Office has an open recruitment underway with the application period closing August 14, 2019. Candidates will be presented for appointment at the August 26, 2019 City Council Meeting. Should the FAC move to recommend transmittal for removal of Member Harris, the FAC may further recommend the City Council appoint a new FAC Member from the existing applicant list concurrently at the August 26<sup>th</sup> Meeting.

### FISCAL ANALYSIS

There is no fiscal impact associated with this discussion

### ATTACHMENTS

1. Resolution 2017-R086: Policy on Commissions, Boards and Committees (CBCs)
2. Resolution 2019-R06: FAC Amended Bylaws

### MOTION

That the Finance Advisory Committee:

1. Consider Member Appeal of Seat Forfeiture;
2. [If Desired] Recommend Transmittal to the City Council for Removal of Member
3. [If Desired] Recommend the City Council Appoint a New FAC Member from Existing List of Applicants to Fill the Seat.