

# Agenda Report

**DATE:** JUNE 3, 2013

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** CITY CLERK

**SUBJECT:** REPORT ON ACTION BY NEWLY ELECTED COUNCILMEMBER JOHN J. KENNEDY TO VACATE SEATS NOMINATED BY COUNCIL DISTRICT 3 ON THE ARTS AND CULTURE COMMISSION, PLANNING COMMISSION, AND ROSE BOWL OPERATING COMPANY IN ACCORDANCE WITH PASADENA MUNICIPAL CODE SECTION 2.45.050

**RECOMMENDATION:**

It is recommended that the City Council receive and file this report.

**BACKGROUND:**

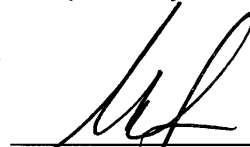
Pasadena Municipal Code (PMC), Section 2.45.050(A), states, "A newly elected councilmember may vacate any or all district seats on advisory boards, commissions, and committees created by the council, provided that the councilmember announces an intention to vacate those seats within 90 calendar days of being sworn in to serve on the city council." On May 6, 2013, Councilmember Kennedy submitted a letter to Mayor Bogaard, with copies to the City Attorney and City Clerk, providing the notification of his intention to vacate district seats, as referenced above.

Pursuant to PMC Section 2.45.050(F), "The city clerk shall indicate which seats have been vacated in one or more information items on the council's agenda and shall ensure that such vacancies are posted in accordance with the Maddy Act." On May 23 and 25, 2013, Councilmember Kennedy sent correspondence to the Office of the Mayor and City Clerk stating his intention to vacate the District 3 seats on the Arts and Culture Commission, Planning Commission, and Rose Bowl Operating Company. Vacancy notices have been posted for each of the positions cited above and as required by the Maddy Act.

**FISCAL IMPACT:**

There is no anticipated fiscal impact.

Respectfully submitted,



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Mark Jomsky, CMC  
City Clerk

Attachment A – PMC Section 2.45.050

## **2.45.050 - Vacation of district appointments by newly elected councilmember.**

- A. A newly elected councilmember may vacate any or all district seats on advisory boards, commissions and committees created by the council, provided that the councilmember announces an intention to vacate those seats within 90 calendar days of being sworn in to serve on the city council.
- B. For purposes of this section, a "district seat" shall mean a seat on an advisory board, commission or committee for which the councilmember from the district has the power of nomination.
- C. The councilmember's decision to vacate any or all seats must be made within the 90 calendar day period, though a decision on each individual seat need not be made at the same time.
- D. An incumbent board member, commissioner or committee member shall continue to serve until a replacement has been ratified by the city council and sworn in by the city clerk.
- E. An incumbent board member, commissioner or committee member with less than 90 days remaining on a term, cannot be replaced until the end of that term.
- F. The city clerk shall indicate which seats have been vacated in one or more information items on the council's agenda and shall ensure that such vacancies are posted in accordance with the Maddy Act.
- G. Once the posting period under the Maddy Act has been completed for any vacated seat, the newly elected councilmember may nominate a person to fill the vacated seat.

*(Ord. 6633 § 1, 1995; Ord. 6531 § 1, 1993)*