

# Agenda Report

**TO:** CITY COUNCIL

**DATE:** JUNE 21, 2010

**FROM:** MAYOR

**SUBJECT:** RATIFICATION OF TWO APPOINTMENTS, *NUNC PRO TUNC*, TO THE DESIGN COMMISSION

## **RECOMMENDATION:**

It is recommended that the City Council ratify the following appointments, *nunc pro tunc*:

- (1) Appointment of Lyla White to the Design Commission, effective November 24, 2008 (Arts and Culture Commission Nomination); and
- (2) Appointment of Richard Norton to the Design Commission, effective July 13, 2009 (Planning Commission Nomination).

## **BACKGROUND:**

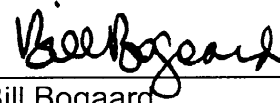
In November 2008 and July 2009, respectively, Lyla White was selected as the Arts and Culture Commission's representative, and Richard Norton was selected as the Planning Commission's representative, to serve on the Design Commission. Recently, however, a clerical error was discovered in that these two appointments were not submitted for City Council ratification as required by Pasadena Municipal Code, Section 2.80.030(A)(3), pertaining to appointments made to the Design Commission, which states: "All appointments are subject to ratification by the City Council."

As a corrective action, the City Council is being asked to ratify the appointments, *nunc pro tunc*, or *now for then*. Black's Law Dictionary defines the Latin phrase as follows: "*Nunc pro tunc* signifies now for then, or, in other words, a thing is done now, which shall have the same legal force and effect as if done at time when it ought to have been done." By ratifying the appointments, the actions of the Design Commission and the voting and attendance records of Ms. White and Mr. Norton shall remain intact dating back to the start of their service on the Design Commission, essentially negating any potential ambiguity concerning this matter.

**FISCAL IMPACT:**

There is no fiscal impact associated with this action.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bill Bogaard", written over a horizontal line.

Bill Bogaard  
Mayor