

REPORT TO THE CITY COUNCIL



DATE: September 5, 2017

TITLE: (Continued from July 5, 2017) Appointment to the Planning Commission to Fill Vacancy for Unexpired Term

Prepared by: Jerryl Soriano, CMC, City Clerk

RECOMMENDATION

Ratify Council Member Anayeli Zavala's appointment to the Planning Commission to fill one (1) vacancy consisting of an unexpired term ending January 2018.

BACKGROUND / DISCUSSION:

Andrew Cirner resigned from the Planning Commission on April 11, 2017 resulting in one (1) vacancy.

Position	Incumbent	Appointed On	Term Expires	Appointed By
Chair	Dirk Voss	January 19, 2016	January 2018	Scott Matas
Vice-Chair	Peter De la Torre	January 19, 2016	January 2018	Russell Betts
Commissioner	Andrew Cirner VACANT	January 19, 2016	January 2018	Anayeli Zavala
Commissioner	Cathy Romero	January 19, 2016	January 2018	Yvonne Parks
Commissioner	Larry Buchanan	February 7, 2017	January 2018	Joe McKee

At the June 6, 2017 City Council meeting, the City Council extended the application period to solicit additional applications. No additional applications were received.

At the July 5, 2017 City Council meeting, the City Council continued the appointment to September 5, 2017. Subsequently, Jan Pye has expressed interest in being appointed to the Planning Commission. Ms. Pye's application is attached as Exhibit 1.

APPOINTMENT PROCESS:

Pursuant to Desert Hot Springs Municipal Code ("Municipal Code") Section 2.24.030, if vacancies in any commission occur other than by expiration of term, such vacancy shall be filled by appointment of the Council Member who appointed the Commissioner being replaced – with ratification of such appointment by a majority of the City Council. Accordingly, Council Member Anayeli Zavala is designated by the Municipal Code to appoint Mr. Cirner's replacement.

Additionally, pursuant to Municipal Code Section 2.24.020, the term of the replacement appointment for an interim vacancy is for the "unexpired" term of the member replaced. Therefore, the term of the replacement appointment would end January 2018.

Pursuant to The Maddy Act, set forth in Government Code Section 54970 *et. seq.*, a special vacancy notice shall be posted by the City Clerk no earlier than 20 days before or no later than 20 days after the vacancy occurs. Final appointment shall not be made by the legislative body (City Council) for at least 10 working days after the posting of the Notice. Accordingly, the City Clerk issued a *Notice of Unscheduled Vacancy* (Exhibit 1) on April 25, 2017.

FISCAL IMPACT:

Pursuant to Municipal Code Section 2.32.050, Planning Commissioners receive a salary in the amount of \$50 per any officially convened Planning Commission meeting that they attend.

EXHIBIT(S):

- 1) Notice of Unscheduled Vacancy (Planning Commission), dated April 25, 2017
- 2) Commission Application – Jan Pye