



## STAFF REPORT

### TOWN COUNCIL MEETING OF MARCH 10, 2015

**TO:** Town Council

**FROM:** Town Manager

**SUBJECT:** Second Reading of the attached ordinance amending Chapter 2.36.040 Vacancies, of the Loomis Municipal Code.

**DATE:** March 3, 2015

#### STAFF RECOMMENDATION:

Staff recommends that the Town Council Hold Second Reading and subsequently adopt the proposed amended ordinance Chapter 2.36.040 Vacancies, of the Loomis Municipal Code.

#### ISSUE AND DISCUSSION:

At the January 13, 2015 Town Council meeting, Councilmember Wheeler requested a change to the Municipal Code requirement (Section 2.36.040) that an appointing Councilmember must appoint a new commissioner, if their previous appointment vacates their seat, within 30 days of the vacancy. Unfortunately, because of the scheduling of Town Council meetings (second Tuesday of the month) the next regularly scheduled Council meeting often does not fall within the required 30 days. This requires the calling of a special meeting of the Council to meet the 30 day limitation. A simple Code amendment changing the required 30 days to 45 days will resolve this issue.

#### PROPOSED ORDINANCE CHANGE:

##### **2.36.040 Vacancies.**

If a commissioner vacates a commission seat for any reason prior to the end of a term, the appointing councilmember must appoint a new commissioner within ~~thirty~~ **forty five** days of the vacancy. The new appointment is subject to confirmation by a majority vote of all the councilmembers.

If confirmation of the new appointment is not achieved within ~~thirty~~ **forty five** days of the vacancy, any councilmember or the council as a whole may entertain other nominations for the position. (Ord. 44 § 1, 1987; Ord. 7 § 4, 1984)

**PROCESS:**

Ordinances require two readings and are adopted after the second reading. The Ordinance will be effective thirty (30) days from the date of adoption.

**CEQA:**

There are no specific project(s) proposed or otherwise associated with this action, so there is no direct or reasonably foreseeable indirect physical change to the environment. As such, no further environmental documentation is required pursuant to Section 15060(c)(2) of the California Environmental Quality Act (CEQA) Guidelines.

**FINANCIAL IMPLICATIONS:**

There are no financial implications at this time.

**Attachments:**

AN ORDINANCE AMENDING 2.36.040 Vacancies, of the Loomis Municipal Code

# Town of Loomis

ORDINANCE NO. \_\_\_\_

## AN ORDINANCE AMENDING SECTION 2.36.040 VACANCIES, OF THE LOOMIS MUNICIPAL CODE

**WHEREAS**, the Town of Loomis wishes to amend specified portions of its Municipal Code dealing with replacement of an appointed Planning Commissioner prior to the end of their term to allow sufficient time for the Commissioner replacement to occur at the next regularly scheduled Town Council meeting,

**NOW, THEREFORE**, the Loomis Town Council does ordain as follows:

Amendments:

Section 2.36.040 Vacancies, of the Loomis Municipal Code is amended to read:

If a commissioner vacates a commission seat for any reason prior to the end of a term, the appointing councilmember must appoint a new commissioner within ~~thirty~~ forty five days of the vacancy. The new appointment is subject to confirmation by a majority vote of all the councilmembers.

If confirmation of the new appointment is not achieved within ~~thirty~~ forty five days of the vacancy, any councilmember or the council as a whole may entertain other nominations for the position. (Ord. 44 § 1, 1987; Ord. 7 § 4, 1984)

The foregoing Ordinance was introduced at a regular meeting of the Council of the Town of Loomis duly held on the 14<sup>th</sup> day of October, 2014 and was approved and enacted at a duly held regular meeting or adjourned meeting of the Council held on the \_\_\_\_\_ by the following roll call vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Attorney