



STAFF REPORT

AGENDA NO: 9i

MEETING DATE: December 18, 2023

To: Honorable Mayor and City Council

Date: December 18, 2023

From: Michael Guina, City Attorney – (650) 558-7204

Subject: Adoption of a Resolution Amending the Procedures for the Rotation of Assignment to the Economic Development Subcommittee and Rescinding Resolution No. 024-2018

RECOMMENDATION

Staff recommends the City Council consider adoption of the attached Resolution amending the procedures for the Rotation of Assignment to the Economic Development Subcommittee (“EDS”).

BACKGROUND

The EDS is a subcommittee of the City Council composed of two Councilmembers. On February 5, 2018, the City Council adopted Resolution No. 024-2018 (Exhibit A), which establishes a procedure for assignment to the EDS. The procedure calls for an automatic rotation in which the Vice Mayor and the Councilmember who is third-in-line for the Mayor serve as the subcommittee members. If either the Vice Mayor or the third-in-line choose not to be on the EDS, the Mayor is authorized to assign a different member to the subcommittee, including him/herself. The 2023 EDS is composed of Vice Mayor Colson and Mayor Brownrigg (Councilmember Beach chose not to sit on the subcommittee this year).

DISCUSSION

The EDS is a legislative body subject to the Brown Act (Government Code section 54950 et seq.). The Brown Act provides that in order for a legislative body to meet, a quorum must be present (Government Code section 36810). Thus, in order for the two-member EDS to meet, both members must be present in person. Currently there are no provisions for appointment of an Alternate to the EDS; as a result, if one EDS member is unavailable, then the subcommittee cannot meet.

To address the scenario where one of the regular members is unavailable to attend an EDS meeting, the Mayor and Vice Mayor requested that staff prepare an amendment to the appointment procedures. Under the proposed amendment, as part of the automatic rotation into the EDS, the Mayor would also appoint an Alternate to the EDS. The Alternate would attend an EDS meeting if a regular member was unavailable. With the Alternate in attendance along with the other regular member, there would be a quorum of the EDS legislative body. The Alternate would serve for the entire year. No other changes to the EDS assignment process are proposed. The proposed

Resolution would rescind Resolution No. 024-2018 and replace it with the amended assignment process.

FISCAL IMPACT

There is no fiscal impact in adopting the proposed Resolution and amending the appointment process for the EDS.

Exhibit:

- A: Resolution No. 024-2018