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# **NEWPORT BEACH**

## **City Council Staff Report**

August 13, 2019  
Agenda Item No. 20

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** Leilani I. Brown, City Clerk - 949-644-3005,  
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**PREPARED BY:** Jennifer Nelson, Assistant City Clerk  
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**TITLE:** Appointment of a New City Arts Commissioner to Fill an Unscheduled  
Vacancy

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### **ABSTRACT:**

On June 25, 2019, City Council appointed Arts Commissioner Barbara Glabman to the Board of Library Trustees. In accordance with Council Policy A-2 (*Boards, Commissions and Committees*), no person is allowed to sit on more than one (1) standing City Board, Commission or Committee at any time, and therefore, Ms. Glabman had to resign from her position on the City Arts Commission. Due to her unscheduled resignation from the City Arts Commission, the City Council has the opportunity to fill the vacant position pursuant to City Council Policy A-2, City Charter Sections 702 and 705, and the Maddy Act.

### **RECOMMENDATION:**

- a) Determine that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because it will not result in a physical change to the environment, directly or indirectly; and
- b) Appoint Krystal Anderson, Maureen Flanagan or Carrie Williams to fill the unexpired balance of Barbara Glabman's term on the City Arts Commission ending June 30, 2021.

### **FUNDING REQUIREMENTS:**

There is no fiscal impact related to this item.

### **DISCUSSION:**

On June 26, 2019, Barbara Glabman resigned from her seat on the City Arts Commission. Her term is not scheduled to expire until June 30, 2021. Pursuant to City Charter Sections 702 and 705, and City Council Policy A-2, the City Council's new appointee to the City Arts Commission will serve the balance of Ms. Glabman's unexpired term.

According to the Maddy Act and City Council Policy A-2, the City Clerk prepared and posted a Notice of Unscheduled Vacancy on Thursday, June 27, 2019, in the City Clerk's Office, at the Central Library, on the bulletin board in the City Council Chambers, and on the City's webpage, and published the Notice in the *Daily Pilot* on Saturday, June 29, 2019.

In compliance with City Council Policy A-2, Mayor Diane Dixon appointed herself, and Council Members Brad Avery and Joy Brenner to the City Council ad hoc committee to review the applications. At the conclusion of the application period, ten (10) applications were forwarded to the committee for their review. The committee is recommending the City Council consider appointing Krystal Anderson, Maureen Flanagan or Carrie Williams to fill the unexpired term on the City Arts Commission. Copies of their applications are attached hereto as Attachment A.

### ***Appointment Process***

Appointments to the City Arts Commission will take place in the following manner:

- A. The voting will be done by paper ballot and the City Clerk will tabulate and announce the results, including the vote tally.
- B. Each member of the City Council will cast one vote on the paper ballot. In order to be appointed, an applicant must receive at least four votes.

### **ENVIRONMENTAL REVIEW:**

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

### **NOTICING:**

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

### **ATTACHMENT:**

Attachment A – Applications