



STAFF REPORT

SAUSALITO CITY COUNCIL

AGENDA TITLE:

Request from Commissioner Werner to be excused from planned absence from the Planning Commission

RECOMMENDED MOTION:

Approve request from Planning Commissioner Werner for excused absences while out of the country from December 20, 2010 through February 5, 2011

SUMMARY

Section 2.58.060 of the Sausalito Municipal Code limits the number of absences that a Board or Commission member may have before they are considered to have resigned, *UNLESS* such absences have been excused by action of the City Council upon written application from that member.

Planning Commissioner William Werner has requested such clemency as he will be out of the country and may possibly miss three consecutive meetings in early 2011. Commissioner Werner has requested an excused absence from December 20, 2010 through February 5, 2011.

BACKGROUND

Mr. Werner was appointed to the Planning Commission in January 2010, filling an unexpired term through May, 2011. Mr. Werner has been an active member of the Planning Commission since that time.

Mr. Werner has requested an excused absence from December 20, 2010 through February 5, 2011 as Sausalito Municipal Code Section 2.58.060 reads:

Attendance. In the event a member of any board, commission or committee fails to attend either three consecutive meetings or any four regularly scheduled meetings in a year, such member shall be deemed to have resigned from the board, commission or committee, unless such absences have been excused by action of the city council upon written application from that member.

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Since the Planning Commission has not yet adopted a 2011 meeting schedule, Commissioner Werner is concerned that he may possibly be absent from three consecutive meetings. Thus Mr. Werner has requested Council to approve his absences.

In addition to the three consecutive absences request, Mr. Werner has requested that these absences also be excused from the failure to attend "any four regularly scheduled meetings" during 2011.

ISSUES

Council may opt to not approve this request. If Council chooses not to excuse Mr. Werner, and the Planning Commission meeting schedule is such that he would miss three consecutive meeting, Council would need to then fill his unexpired term, or leave the Planning Commission one member short through May, 2011. (In addition to Mr. Werner's term ending in May, 2011, there are two additional terms expiring in May.)

FISCAL IMPACT

None

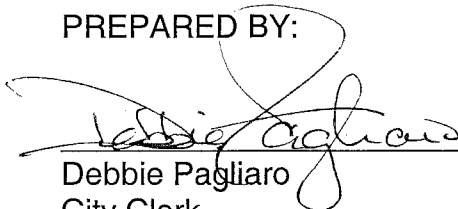
STAFF RECOMMENDATIONS

Approve request from Planning Commissioner Werner for excused absences while out of the country from December 20, 2010 through February 5, 2011. These specific dates approved for absence will exclude Mr. Werner from the automatic resignation due to failing to attend three consecutive meetings or four regularly scheduled meetings during the 2011 year.

ATTACHMENTS

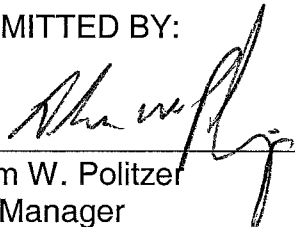
Letter from William Werner

PREPARED BY:



Debbie Pagliaro
City Clerk

SUBMITTED BY:



Adam W. Politzer
City Manager

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William Arno Werner
213 Richardson Street
Sausalito, CA 94965-2422

October 7, 2011

Mr. Adam Politzer, City Manager
City of Sausalito
420 Litho Street
Sausalito, CA 94965-1933

SUBJECT: Absence from duty

Dear Adam:

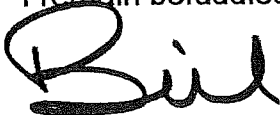
Pursuant to the Sausalito Municipal Code, Title 2 – Administration and Personnel, Chapter 2.58 – City Boards, Commissions and Committees:

Section 2.58.060 – Attendance In the event a member of any board, commission or committee fails to attend either three consecutive meetings or any four regularly scheduled meetings in a year, such member shall be deemed to have resigned from the board, commission or committee, unless such absences have been excused by action of the city council upon written application from that member. (Ord 1133 §1 (part), 1998).

I will be out of the country from December 20, 2010 until February 5, 2011. Therefore, please consider this my written application for clemency pertaining to my absence from the as yet unscheduled, but probable, three consecutive Planning Commission meetings of January 5, 2011, January 19, 2011 and February 2, 2011.

If I am absolved by the city council for missing these three consecutive meetings, will they still count toward the “four regularly scheduled meetings in a year” criteria for being judged as having resigned from the Planning Commission? In other words, if I am excused for the three consecutive meetings as requested above, and then miss another meeting in 2011 (for a total of four), do I need to re-apply for leniency? Or, would this be considered double jeopardy? Or, could I be excused for three consecutive plus four more nonconsecutive meetings in the same year if I get two reprieves from the city council? It’s such a dilemma. What is one to do?

I remain befuddled and perplexed,



Bill Werner

Cc: Mary Wagner
Jeremy Graves

PS: If anyone wishes to be rid of me, this would be a good excuse to do so.

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