

From: [Jacob Patterson](#)
Subject: Draft 7/11/2022 Minutes
Date: Monday, July 25, 2022 1:01:49 PM

City Council,

I think the draft minutes for the July 11, 2022 special meeting may be inaccurate and should be corrected prior to adoption. The draft states that Bernie announced his appointment of Scott Deitz to replace Sharon Davis on the Planning Commission but I believe he said he would be nominating Scott to the Planning Commission and asked if any other councilmember objected to the nomination, which no one objected to. The full City Council didn't take any action nor could they since that was not an agenda item on the 11th, just an announcement from the Mayor.

Under Fort Bragg's code, the mayor may only appoint someone to fill a vacancy on the Planning Commission if that vacancy has been open more for 30 days and the full council had not already taken action to appoint a replacement. Since Scott's appointment is not included on the consent calendar tonight for action by the full council, the seat likely remains vacant because the potential action wasn't agendized on the 11th (or tonight) and I believe the vacancy hadn't yet been in place for 30 days as of the 11th (or tonight). Even the "concurrence" of a majority of the City Council should happen as part of a properly noticed agenda item and that has yet to occur...

2.20.020 COMPOSITION AND APPOINTMENT OF MEMBERS.



A. There shall be five (5) members of the Planning Commission appointed by the City Council. Each member of the City Council may submit the name of a resident of the City as a nominee for a seat on the Planning Commission. The City Council as a whole shall vote to appoint the nominee, the appointment requiring the affirmative vote of at least three (3) City Councilmembers.

...

2.20.040 VACANCIES.



Should a vacancy occur on the Planning Commission and the seat remains vacant for a period of 30 days without being filled by appointment for any reason, the Mayor shall have the authority to fill the vacancy subject to majority of City Council concurrence of the appointment.

Regards,

--Jacob