



COUNCIL COMMITTEE REPORT AUDIT AND FINANCE COMMITTEE

Date: August 14, 2018

Agenda Item: #5

Agenda Item: Legal representation for Board of Adjustment during Interpretation Appeals (City Clerk).

Vote

4-0 [Committee members present are Council Member Troxclair (chair), Mayor Pro Tem Kathie Tovo (co-chair), Council Member Allison Alter and Mayor Steve Adler. Council Member Pool absent.].

Sponsors/Department:

City Clerk

Sponsors: Mayor Steve Adler & Mayor Pro Tem Kathie Tovo

Summary of Discussion

William Burkhart, Board of Adjustments Chair, Commissioner King, Board of Adjustment, Jannette Goodall, City Clerk, Rodney Gonzalez, Director of Development Services Department, Brett Lloyd, Assistant City Attorney, had discussion on Legal representation for Board of adjustments during interpretation Appeals.

Direction

The item was forwarded to full Council without a recommendation from the Audit and Finance Committee.

Recommendation:

A motion to postpone the item made by Mayor Adler with Council Member Troxclair's second failed on a 2-2 vote. Mayor Adler and Council Member Troxclair voting Aye, Mayor Pro Tem Tovo and Council Member Alter voting Nay. Council Member Pool off the dais.

A motion, made by Mayor Pro Tem Tovo and Council Member Alter's second, to that the Board of Adjustment should retain independent legal counsel during the deliberation process for interpretation cases and Board of adjustment appeals, and that legal counsel shall have the opportunity to advise or go into executive session with the Board of Adjustment relating to that appeal failed on a 2-2 vote Mayor Pro Tem Tovo and Council Member Alter voting Aye, and Mayor Adler and Council Member Troxclair voting Nay. Council Member Pool off the dais.

A motion to forward to full Council without recommendation passed on Mayor Pro Tem Tovo's motion, Council Members Alter's second, with a 4-0 vote. Council Member Pool off the dais.