



# *CITY COUNCIL AGENDA REPORT*

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MEETING DATE: September 1, 2009

ITEM NUMBER:

**SUBJECT: RESIGNATION OF PLANNING COMMISSION VICE CHAIR JAMES FISLER**

**DATE: AUGUST 28, 2009**

**FROM: CITY MANAGER'S DEPARTMENT**

**PRESENTATION ALLAN L. ROEDER, CITY MANAGER**

**BY:**

**FOR FURTHER INFORMATION CONTACT: ALLAN L. ROEDER, CITY MANAGER @  
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## **RECOMMENDATION:**

Provide direction regarding the filling of vacancy.

## **BACKGROUND:**

On August 26, 2009, Planning Commission Vice Chair James Fisler delivered a letter of resignation to the City Clerk effective immediately. The letter of resignation (Attachment 1) is attached to this report. Mr. Fisler's resignation is the result of his recent appointment to the Board of the Mesa Consolidated Water District.

As a consequence of Mr. Fisler's resignation, staff is bringing forward this item for direction from the City Council in terms of how to proceed in light of the vacancy. The requirements to serve as a Planning Commissioner as well as the procedure for appointment are set forth in City Council Policy 000.2-5 (Attachment 2). As a quick summary, the process is as follows:

- Public Notice issued for appointment opportunities; establishment of due date for applications;
- Applications/resumes distributed to all members of the City Council and made available for public review; and
- Appointment calendared for the City Council Agenda; appointment by City Council majority action.

Because Mr. Fisler's resignation has occurred mid-term (his term was due to expire in January 2011), the City Council has some latitude in terms of how it proceeds. The City Council may direct that a Public Notice be issued soliciting applicants for consideration and establish a deadline for those applications. This would follow the identified process for regular appointments upon term expiration. Alternately, since regular appointments were made to the Planning Commission earlier this year (January 20, 2009) the City Council could chose to consider filling the vacancy from the list of applicants considered

at that time (Attachment 3). Whichever option is preferred, it would be helpful for staff to know when the City Council would like the item brought back for final action.

**FISCAL REVIEW:**

No Fiscal review is required for this item.

**LEGAL REVIEW:**

No Legal review is required as the procedure for appointments is set forth in adopted policy.

**CONCLUSION:**

Following placement of this item on the City Council Agenda and during preparation of this report, staff was advised that Council Member Eric Bever may be unable to attend the September 1, 2009 regular meeting. Should that occur, the City Council may want to consider postponement of this item to a date when all City Council members are in attendance.

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Allan L. Roeder

City Manager

Attachments            1     [Letter of Resignation](#)  
                                 2     [Council Policy 000.2-5](#)  
                                 3     [Applicants – January 2009](#)