



City of Broken Arrow

Request for Action

File #: 21-497, Version: 1

**Broken Arrow City Council
Meeting of: 4-20-2021**

Title:

Consideration, discussion, and possible action to discuss nominations for an open position on the City of Broken Arrow Planning Commission for the remainder of Mark Jones' unexpired term that ends on May 1, 2022 and authorization to place this item on the May 4, 2021 City Council Meeting for the Mayor to make a formal nomination to fill the unexpired term of Mark Jones' and for the city council to vote regarding the nominee

Background:

On March 16, 2016, Council appointed Mark Jones to the Planning Commission. By statute Mr. Jones' appointment was for a three year term. See 11 O.S. Section 45-102. On April 2, 2019, Council reappointed Mr. Jones to a second, three year term on Planning Commission beginning on May 1, 2019 and expiring on May 1, 2022. However, Mr. Jones resigned his appointment to Planning Commission effective September 25, 2020, thereby creating a vacancy on the Commission for his unexpired term ending on May 1, 2022. By statute, appointments to fill vacancies "shall be for the unexpired term only", meaning the City was required by State laws to fill Mr. Jones' full unexpired term that ended on May 1, 2022.

On October 6, 2020 City Council considered the following item on its agenda regarding the appointment of Ms. Merriott to the Planning Commission: "Consideration, discussion and possible approval of the appointment of Julea Merriott to the City of Broken Arrow Planning Commission for the remainder of a three-year term to expire on May 1, 2021". In a 3-2 vote Council approved the following motion:

Move to approve the appointment of Julea Merriott to the City of Broken Arrow Planning Commission for the remainder of a three-year term to expire May 1, 2021

Notably, both the title for the agenda and the motion passed by Council appointed Ms. Merriott to "a term to expire May 1, 2021", a full year less than Mr. Jones' full unexpired term.

In order to correct this scrivener's error and comply with the Open Meeting Act, Council action is required to appoint a member to the Planning Commission for the remainder of the full unexpired term of Mr. Jones that ends on May 1, 2022.

Cost: \$0

Funding Source: None

Requested By: City Attorney Trevor Dennis

Approved By: City Manager's Office

Attachments: 1. October 6, 2020 Agenda; 2. Minutes from October 6, 2020 Agenda

Recommendation: Discuss potential nominees and authorize the placement of this item on the May 4, 2021 City Council meeting for nomination by the Mayor to fill Mark Jones' unexpired term on the Broken Arrow Planning Commission and vote by the city council regarding the nominee