

RESOLUTION NO. 20-7257

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH REGARDING APPOINTMENT OF THE MAYOR AND MAYOR PRO TEMPORE

The City Council of the City of Hermosa Beach does hereby find, order, and resolve as follows:

SECTION 1. Findings.

1. As a general law city, the provisions of Government Code section 36801 govern the selection of the City's mayor and mayor pro tempore.
2. The city council of a general law city may choose any one of its members to serve as mayor and any one of its members to serve as mayor pro tempore. The mayor and mayor pro tempore serve at the pleasure of the city council and may be replaced at any time.
3. The criteria for selecting which councilmembers will serve in these capacities and the length of time they will serve is entirely within the discretion of the city council.
4. The City has typically followed a nonbinding mayoral rotation practice based on seniority and election vote tallies. Although past City Councils periodically deviated from the anticipated rotation, the November 2019 deviation from that practice is the subject of pending litigation against the City.
5. It is the intent of the City Council by adopting this policy to replace and supersede any and all previous mayoral rotation/selection practices and policies to the extent such policies exist.

SECTION 2. Mayoral Term.

1. In November 2020 and 2021, the City Council may select from among its membership a mayor and a mayor pro tempore on a date during the month of November. Subject to the provisions of paragraph 3 of this Section 2, the term may be for one year.
2. In November 2022, at the City Council meeting at which the results of the election are certified, and each 9.6 months thereafter, the City Council may select from among its membership a mayor and a mayor pro tempore. Subject to the provisions of paragraph 3 of this Section 2, the term may be for 9.6 months.
3. The mayor and mayor pro tempore will serve until the next mayor or mayor pro tempore have been selected. Consistent with Government Code section 36801, the mayor and/or mayor pro tempore may be replaced at any time during their respective terms.

SECTION 3. Selection of Mayor and Mayor Pro Tempore.

1. Consistent with Government Code section 36801, the City Council may in its sole discretion and by majority vote of the Councilmembers present and voting appoint from among its membership a mayor and mayor pro tempore.

2. Consistent with Government Code section 36801, the mayor and the mayor pro tempore shall serve at the pleasure of the City Council.

SECTION 4. Discretionary Criteria.

The City Council may, in its sole discretion, consider the following factors when selecting a mayor and mayor pro tempore:

1. The mayor pro tempore may next succeed the incumbent mayor.
2. Each Councilmember may be afforded the opportunity to serve as mayor pro tempore and mayor during his or her term of office.
3. A Councilmember should generally serve one full year on Council before selection as mayor or mayor pro tempore.
4. Priority for selection of mayor pro tempore may be given to a member who has not previously served as mayor and thereafter to the member with the longest continuous service since last serving as mayor pro tempore and mayor.
5. A member serving as mayor or mayor pro tem should generally not serve multiple consecutive terms as mayor or mayor pro tempore.
6. The member selected to serve as mayor should be able to preside over City Council meetings, facilitate fair debate, work effectively with City staff, and respect and adhere to City policies, the 2016 Hermosa Beach Leadership Guide and the City Manager form of government.

SECTION 5. Superseding Effect.

This Resolution and the mayoral selection policy set forth herein rescinds, replaces and supersedes any and all previous practices and policies, written or unwritten, pertaining to the subject hereof. Nothing herein shall be interpreted to imply or suggest that any such policy exists or that any such practice has been binding on the City Council.

SECTION 6. Severability. If any section, subsection, sentence, clause, phrase or word of this Resolution is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the remaining provisions of this Resolution.

SECTION 7. Effective Date.

This Resolution shall take effect immediately. The City Clerk shall certify to the passage and adoption of this Resolution; shall cause the original of the same to be entered among the original resolutions of the City Council; and shall make a minute of the passage and adoption thereof in the minutes of the City Council meeting at which the same is passed and adopted.

PASSED, APPROVED, AND ADOPTED this 22nd day of September, 2020.

MAYOR

ATTEST:

CITY CLERK