

COUNCIL VOTES ON REAPPOINTMENT  
OF DEPARTMENT HEADS

In the year Two Thousand Ten.....

Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, during the reappointment process for Mayoral Department Heads last year it became clear that, in the opinion of the City Attorney's Office, an incumbent Department Head denied approval of reappointment by the City Council could continue in office so long as the Mayor chose not to seek a replacement; and

WHEREAS, the City Council does not challenge this interpretation of the City Charter but challenges whether, as a matter of public policy, this should continue as law; and

WHEREAS, the current law regarding reappointment of Department Heads effectively renders as merely symbolic the role of the City Council in either confirming or denying a Department Head's reappointment; and

WHEREAS, the City Council passed a Resolution in February this year in which its Charter Change Committee was directed, in part, to "review the reappointment process of department heads and research . . . to see how other cities address the ability of the City Council to interact with the Mayor in reappointing department heads;" and

WHEREAS, regardless of how the City Council "interacts" with the Mayor on the subject of Department Head reappointment, the approval or denial by the Council of a Department Head's reappointment should be other than merely a symbolic act, it should be one of consequence;

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NOW, THEREFORE, BE IT RESOLVED that the City Council directs its Charter Change Committee to develop language for a charter change which would require City Council approval of a Department Head's reappointment in order for that individual to continue in office beyond the expiration of his/her term at the end of the Fiscal Year on June 30; and

BE IT FURTHER RESOLVED that the Charter Change Committee is requested to report back to the Council with appropriate charter change language by the Council's last meeting in August, 2010.