

## **Item 17**

### **Appoint an Interim Executive Director**

#### **Pursuant to Government Code Section 11125.3(a)(2)**

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#### **EXECUTIVE SUMMARY**

Government Code section 11125 requires that notice and agendas for Commission meetings be issued at least 10 days prior to the meeting.

Government Code section 11125.3(a)(2) allows an item to be added to the agenda within the 10-day notice period if there is a need for immediate action and the need for action came to the attention of the Commission after the agenda was mailed in accordance with the 10-day notice requirement. Section 11125.3(a)(2) requires this action to be approved by two-thirds of the Commission members. Currently, there are five members appointed to the Commission. Therefore, this item must be approved by four members.

The Commission issued the notice and agenda for its October 27, 2011 meeting on October 3, 2011. At that time, there were no personnel items scheduled for discussion or action on the agenda. Subsequent to issuing the agenda, Executive Director Drew Bohan notified the chairperson that he is leaving the executive director position to take a new position at the California Energy Commission. The Commission must now appoint an interim executive director and begin the process for filling the position with a permanent employee.

This item allows the Commission to amend the agenda to take action in closed session to appoint an interim executive director and to consider the process for appointing a permanent executive director.

#### **Staff Recommendation**

Staff recommends that the Commission approve this item so that the Commission may go into closed session to appoint an interim executive director and consider the process for hiring a permanent executive director.