



# CITY COUNCIL AGENDA STATEMENT



November 3, 2020

File ID: ~~20-0396~~  
20-0448

## **TITLE**

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 2.25.105(D) OF THE CHULA VISTA MUNICIPAL CODE RELATED TO THE PROCESS BY WHICH BOARD OR COMMISSION MEMBERS MAY BE REMOVED FOR CAUSE (SECOND READING AND ADOPTION)

## **RECOMMENDED ACTION**

Council adopt the ordinance.

## **SUMMARY**

Adoption of the ordinance would revise the process by which board and commission members may be removed for cause.

## **ENVIRONMENTAL REVIEW**

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

## **DISCUSSION**

Currently, Chula Vista Municipal Code (CVMC) section 2.25.105(D) calls for a Council subcommittee, comprised of the Mayor and Deputy Mayor, to monitor board and commission member attendance and training records and potentially make recommendations to the full Council to consider removing a member for cause. Reasons a member may be removed for cause are specified in the CVMC and include absence from more than 50 percent of the meetings in one fiscal year and failure to attend mandatory training.

Due to the potentially sensitive and quasi-personnel matters that may be considered during the board and commission member review process, and in response to a referral on September 1, 2020 from the Board and Commission Member Review Subcommittee, staff is recommending that the board and commission member review process be revised. Instead of a subcommittee that is required to consider such matters during a public meeting, under the revised process the Mayor would conduct the review. After consulting with the staff liaison, nominating authority, the City Clerk, and City Attorney, if the Mayor found removal of a member

for cause warranted, the Mayor could make a recommendation to the full Council for a vote on the removal of a member.

**DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.). Staff is not independently aware, and has not been informed by any City Councilmember, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

**CURRENT-YEAR FISCAL IMPACT**

None.

**ONGOING FISCAL IMPACT**

None.

**ATTACHMENTS**

1. Ordinance – Redline version

*Staff Contact: Leah Larrarte, City Clerk's Office*