

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF CHULA VISTA ADDING
SECTION 2.25.055 OF THE CHULA VISTA MUNICIPAL
CODE RELATING TO THE REAPPOINTMENT PROCESS
FOR BOARDS AND COMMISSIONS

WHEREAS, the rules and regulations governing boards and commissions contained in the Municipal Code do not currently address reappointment processes; and

WHEREAS, there are four City commissions for which the full City Council nominates, interviews and appoints members: Growth Management Oversight Commission, Planning Commission, Parks and Recreation Commission and two seats on the Civil Service Commission; and

WHEREAS, at its meeting of April 12, 2016, there was consensus of the Council to require interviews for those Council-nominated/appointed members whose terms were expiring, who had served over one year, and were eligible and interested in serving another term.

NOW THEREFORE the City Council of the City of Chula Vista does ordain as follows:

Section I. Section 2.25.055 is hereby added to the Chula Vista Municipal Code to read as follows:

2.25.055 Membership – Reappointment process

A. In the year of the expiration of a member's term, unless otherwise requested by the nominating authority for the particular board or commission seat, the City Clerk shall schedule the reappointments for eligible and interested members at a meeting of the City Council in June, or as soon as practicable thereafter, for all boards and commissions, except members of the following commissions who will have served more than one year as of the date of their term expiration: Growth Management Oversight Commission, Planning Commission, Parks and Recreation Commission, and the two members of the Civil Service Commission who are appointed by the City Council directly.

B. Prior to reappointment, the Mayor and City Council shall interview interested and eligible members of the following commissions who will have served more than one year as of the date of their term expiration: Growth Management Oversight Commission, Planning Commission, Parks and Recreation Commission, and the two members of the Civil Service Commission who are appointed by the City Council directly. Following the interviews, the Mayor and City Council shall vote whether or not to reappoint the incumbents.

C. In addition to the attendance reports provided under Section 2.25.120, the City Clerk shall provide the Mayor and City Councilmembers a report on members' compliance with mandatory training required by Section 2.25.160 for consideration during the reappointment process.

D. Regardless of the applicable reappointment process, each member of a board or commission shall be reappointed by at least three affirmative votes of the City Council. When an incumbent is not reappointed, the seat shall be filled using the applicable appointment process.

Section II. Severability

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

Section III. Construction

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

Section IV. Effective Date

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

Section V. Publication

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by

Approved as to form by

Donna R. Norris, CMC
City Clerk

Glen R. Googins
City Attorney