

ORDINANCE NO.

ORDINANCE OF THE CITY OF CHULA VISTA RESCINDING  
SUBSECTION 2.25.230 (C) OF THE CHULA VISTA  
MUNICIPAL CODE PERTAINING TO THE RECORD  
RETENTION POLICY FOR AUDIO RECORDINGS OF  
BOARD AND COMMISSION MEETINGS

WHEREAS, the City Council adopted Ordinance 3111 providing for General Rules Governing the City's Boards and Commissions; and

WHEREAS, Subsection 2.25.230 (C) of the Municipal Code provides that audio recordings of Board and Commission meetings shall be erased after the meetings have been approved, or after one year, if a public hearing was involved; and

WHEREAS, Section 54953.5(b) of the Government Code of the State of California provides that audio recordings of an open and public meeting made for whatever purpose by or at the direction of the local agency may be erased or destroyed 30 days after the recording; and

WHEREAS, the City Council is revising a Records Retention Schedule that provides for the retention of audio recordings of board and commission meetings for 2 years.

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

Section I. Subsection 2.25.230(C) pertaining to the retention of audio recordings for the City's board and commission meetings is hereby rescinded.

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.

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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:

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Kerry K. Bigelow  
City Clerk

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Glen R. Googins  
City Attorney