

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
VARIOUS CHAPTERS OF TITLE 2 OF THE CHULA VISTA
MUNICIPAL CODE, RELATED TO THE BOARD OF ETHICS
APPOINTMENT PROCESS AND THE FUNCTIONS AND
DUTIES OF THE BOARD OF ETHICS AND THE CHARTER
REVIEW COMMISSION

WHEREAS, Chula Vista Municipal Code chapter 2.25 provides general rules, including appointment processes, applicable to the City's boards and commissions; and

WHEREAS, the current Board of Ethics appointment process calls for a panel consisting of two local city managers to interview applicants and make recommendations for appointments to the Council; and

WHEREAS, on June 13, 2017, the City Council made a referral to staff to research and propose alternative appointment processes, in response to local city managers requesting to be removed from the appointment process; and

WHEREAS, the City Council desires to change the composition of the interview panel so that it consists of a member from each the Board of Ethics and Charter Review Commission, instead of local city managers.

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

Section I. Various chapters of Title 2 of the Chula Vista Municipal Code are hereby amended as follows:

[Chapters and sections in Title 2 that are not specifically listed below remain unchanged.]

Chapter 2.25 – GENERAL RULES FOR BOARDS AND COMMISSIONS

2.25.050 Membership – Applications – Interview, nomination and appointment process.

[Subsections 2.25.050 A through C remain unchanged.]

D. The Mayor shall forward applications for membership on the Board of Ethics for review by a panel consisting of one Charter Review Commission member appointed by the Charter Review Commission and one Board of Ethics member appointed by the Board of Ethics. The panel shall review the applications, select applicants to be interviewed, interview selected applicants, and recommend (by unanimous decision of the panel) one applicant for each available seat to the City Council for appointment. If the panel is unable to reach a unanimous decision, the panel shall notify the City Clerk, so that additional applications may be considered.

[Subsections 2.25.050 E through J remain unchanged.]

Chapter 2.28 – BOARD OF ETHICS

2.28.030 Function and duties of the Board of Ethics.

[Subsection E is added to 2.28.030 as follows:]

E. To participate in the selection and nomination of members of the Board of Ethics, in accordance with Section 2.25.050.

Chapter 2.29 – CHARTER REVIEW COMMISSION

2.29.030 Functions and duties.

[Subsection F is added to 2.29.030 as follows:]

F. To participate in the selection and nomination of members of the Board of Ethics, in accordance with Section 2.25.050, and to carry out the duties specified in Chula Vista Charter section 300.5 with respect to the selection of commission members for the Districting Commission.

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

Kerry K. Bigelow, MMC
City Clerk

Glen R. Googins
City Attorney