



City of Chula Vista

Staff Report

File#: 14-0124, **Item#:** 5.

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.25.110(C) RELATED TO EXCUSED ABSENCES FOR MEMBERS OF CITY BOARDS AND COMMISSIONS DUE TO UNEXPECTED, EMERGENCY SITUATIONS (FIRST READING)

RECOMMENDED ACTION

Council place the ordinance on first reading.

SUMMARY

The proposed ordinance expands the reasons for which a board or commission member's absence may be considered excused by a majority vote of the respective board or commission to allow for unexpected, emergency situations that prohibit the member's attendance.

ENVIRONMENTAL REVIEW

The Development Services Director 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(b)(5) of the State CEQA Guidelines because it involves only a change related to Excused Absences for City Boards and Commission members due to unexpected, emergency situations and therefore is an organizational or administrative activity of government that will not result in a direct or indirect 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 necessary.

BOARD/COMMISSION RECOMMENDATION

Not applicable.

DISCUSSION

City Charter section 602 states that, if a board or commission member is absent from three consecutive, regular meetings, the office shall become vacant and the vacancy shall be declared by the City Council, unless his or her absence is excused by a majority vote of the other members of the board or commission.

Currently, pursuant to Chula Vista Municipal Code section 2.25.110.C., board and commission members, by a majority vote, may excuse a fellow board or commission member's absence from meetings for any of the following reasons:

1. Illness of the member, family member of the member, or personal friend of the member;
2. Business commitment of the member that interferes with the attendance of the member at a meeting;
3. Previously scheduled vacation of the member, notice of which was provided to the respective board or commission in advance of the meeting;
4. Attendance of the member at a funeral, religious service or ceremony, wedding, or other

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similarly significant event; or

5. Other reason for which the member has given notice to the chair or secretary of his or her unavailability 15 days in advance, as long as the unavailability is not expected to last for longer than 30 days.

Requests for excused absences are added to the agenda of the respective board or commission and the resulting vote is reflected in the minutes of the meeting.

The current reasons that permit an absence to be excused do not allow for an unexpected, emergency situation that prohibits the member's attendance, such as a car breaking down or another unforeseeable situation not already listed. Staff recommends allowing this type of absence to be considered as a reason for an excused absence. Accordingly, staff recommends that section 2.25.110.C. to add the following:

"5. Unexpected, emergency situation that prohibits the member's attendance."

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 section 18704.2 (a)(1), is not applicable to this decision. 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.

LINK TO STRATEGIC GOALS

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. Citywide Strategy 5.1, "Encourage residents to engage in civic activities," is a key component to fostering a connected community. The City strongly values the contributions of its volunteer board and commission members. Allowing additional feasible flexibility in serving on City boards and commissions furthers the City's commitment to fostering an engaged community.

CURRENT YEAR FISCAL IMPACT

Adoption of the proposed ordinance will have no impact on the general fund.

ONGOING FISCAL IMPACT

There is no ongoing fiscal impact.

ATTACHMENTS

None