

ORDINANCE NO. 3253

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 2.25, "GENERAL RULES FOR BOARDS AND COMMISSIONS" AMENDING THE INTERVIEW/NOMINATION PROCESS FOR THE BOARD OF LIBRARY TRUSTEES FROM REQUIRING INTERVIEWS AND NOMINATIONS BY THE CITY COUNCIL TO REQUIRING INTERVIEWS AND NOMINATIONS BY THE MAYOR

WHEREAS, Chula Vista Municipal Code section 2.25.050(C) requires nominations and interviews by the Mayor for all boards and commissions except the Board of Library Trustees, Board of Ethics, Civil Service Commission, Design Review Board, Growth Management Oversight Commission, Mobilehome Rent Review Commission, Planning Commission, and Parks and Recreation Commission; and

WHEREAS, Chula Vista Municipal Code section 2.25.050(E) requires nominations and interviews by the City Council for the Board of Library Trustees, Design Review Board, Growth Management Oversight Commission, Planning Commission and Parks and Recreation Commission; and

WHEREAS, At its January 8, 2013 meeting, at the request of Mayor Cox, a majority of the City Council directed staff to present an ordinance amending Chula Vista Municipal Code chapter 2.25 to remove the requirement for nominations and interviews by the City Council for the Board of Library Trustees and Growth Management Oversight Commission, and instead to require those nominations and interviews by the Mayor with approval of appointments by the City Council; and

WHEREAS, at its January 15, 2013 meeting, the Council voted to change the interview/nomination process for the Board of Library Trustees only.

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

Section I. Chula Vista Municipal Code Sections 2.25.050(C) and 2.25.050(E) are hereby amended to read as follows:

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

C. When a vacancy occurs on a board or commission, the City Clerk shall forward applications received for the vacant position to the Mayor, who shall review the forwarded applications, select applicants to be interviewed, interview selected applicants, and make nominations for appointment, subject to the City Council's approval, for all boards and commissions except for the Board of Ethics, Civil Service Commission, Design Review Board, Growth Management Oversight Commission, Mobilehome Rent Review Commission, Planning Commission, and Parks and Recreation Commission.

E. The Mayor and each Councilmember shall independently review forwarded applications for positions on the Design Review Board, Growth Management Oversight Commission, Planning Commission and Parks and Recreation Commission and notify the City Clerk in writing of one or more applicants each wishes to nominate for an interview. The City Clerk shall tally the nominations. The Mayor and City Council shall set a time collectively to interview each applicant receiving two or more nominations. Following interviews, the Mayor and City Council shall select one individual for each available position.

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

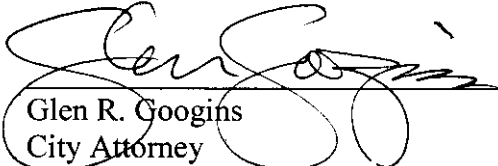
The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by



Donna R. Norris
City Clerk

Approved as to form by



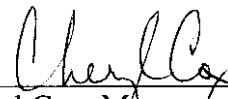
Glen R. Googins
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 5th day of February 2013, by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan, Ramirez, Salas and Cox

NAYS: Councilmembers: None

ABSENT: Councilmembers: None


Cheryl Cox, Mayor

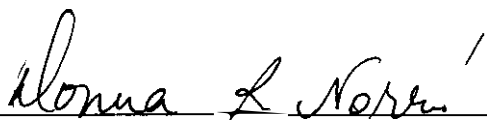
ATTEST:


Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3253 had its first reading at a regular meeting held on the 15th day of January 2013 and its second reading and adoption at a regular meeting of said City Council held on the 5th day of February 2013; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

Feb 14, 2013
Dated


Donna R. Norris, CMC, City Clerk